



RSPO

Roundtable on Sustainable Palm Oil



INDONESIA NATIONAL INTERPRETATION

OF THE RSPO PRINCIPLES AND CRITERIA
FOR THE PRODUCTION OF SUSTAINABLE
PALM OIL 2018

Endorsed by the RSPO Board of Governors on 20th April 2020





PREFACE

Sustainable palm oil production comprises legal, economically viable, environmentally appropriate and socially beneficial management and operations. This is delivered through the application of the following set of Principles and Criteria (“P&C”) herein and the accompanying Indicators and Guidance.

The first set of RSPO P&C, Indicators and Guidance (RSPO P&C 2007) have been applied since November 2007. These had been subject to trial implementation from November 2005 to November 2007 and, in a number of countries, to a subsequent process of National Interpretation process (NI). After five years of application by RSPO members, RSPO P&C 2007 were reviewed in 2012-2013, leading to the RSPO P&C 2013. After a five years of application, RSPO P&C 2013 were reviewed and revised in 2017-2018 by the RSPO Principles and Criteria Review Task Force.

The objective of each review and revision is to improve the relevance and effectiveness of the Principles and Criteria for RSPO members, and in achieving the shared vision and mission to make sustainable palm oil the norm. More specifically, this most recent revision sought to align the Principles and Criteria with the RSPO Theory of Change (ToC) and increase accessibility by making so these Principles and Criteria are more relevant and practical.

The review process went beyond International Social and Environmental Accreditation and Labelling (ISEAL) best practices, including two public consultation periods of 60 days each, and with 17 physical consultation workshops in 10 countries around the world, as well as 6 physical Task Force meetings. This process resulted in the production of the revised and restructured RSPO Principles and Criteria for Sustainable Palm Oil Production (RSPO P&C 2018).

In line with ISEAL best practices, this document (RSPO P&C 2018) will be completely reviewed again after five years, following adoption by the General Assembly of RSPO.

The RSPO and its members recognise, support and commit to following the United Nations Universal Declaration of Human Rights (UN) [<http://www.un.org/en/documents/udhr>] and the International Labor Organization (ILO)’s Declaration of Principles and Principles Basic Rights at Work [<http://www.ilo.org/declaration/lang-en/index.htm>].

This RSPO P&C 2018 defines Indicators for each Criterion and further Guidance where useful. Indicators are specific pieces of objective evidence that shall (must) be in place to demonstrate or verify that the Criterion is being met, where Indicators together with Principles, Criteria, Definition and Regulations referred to are the normative part of the standard. While Guidance is informative part that is useful to help the unit of certification and auditors understand what the Criterion and/or Indicators mean in practice, to indicate good practice, and practices that should be followed.

This document (RSPO P&C 2018) is effective after adoption by the RSPO 15th General Assembly (GA15) on 15 November 2018. As stated in section 9 of the RSPO Standard Operating Procedures (SOP) for Standard Setting, NIs must be revised to be fully consistent with the RSPO P&C 2018 within 12 months of the date of adoption (i.e. 15 November 2019). Certificate holders must be fully compliant with the newest version of an NI within one year of it being endorsed by the RSPO Board of Governors.

In countries where NIs are not updated by 15 November 2019, RSPO P&C 2018 will be effective until the NI has been updated.

Existing certified entities can continue to be certified after the date of adoption and before the completion of any relevant NI, by conducting a maximum of one further Annual Surveillance Assessment (ASA) against RSPO P&C 2013 (or their current NI applicable), but shall demonstrate compliance to the new provisions (RSPO P&C 2018) at the following ASA.

Criterion 7.12 requires that new land clearing after 15 November 2018 (i.e. adoption of RSPO P&C 2018 by GA15) must be preceded by High Conservation Value (HCV) and High Carbon Stock forests (HCS) assessment. The Task Force recognises that there is an array of scenarios in which HCV assessments have previously undertaken and have been approved or are in the process of approval. Annex 5 shows how the new requirements apply in different scenarios, both for existing and new certifications, with and without new land clearing.

Necessary revisions shall be made to other RSPO normative documents and guidance to ensure consistency with the wording of RSPO P&C 2018 and, in this context, please note the disclaimers and procedural notes for the Supply Chain requirements for Palm Oil Mills (POM) at the end of Principle 3.

In addition to Annex 5, this document contains several other attachments as supporting information, namely:

Annex 1 provides list of the Indonesian National Interpretation Working Group members (INA NIWG);
Annex 2 provides definition of the technical terms used in this standard;
Annex 3 provides a List of Regulations applicable to the production of sustainable palm oil;
Annex 4 provides the necessary details for the implementation procedures for Indicator 2.3.2.

This document identifies the Critical Indicators (C) proposed by the RSPO Principles and Criteria Review Task Force and endorsed by the RSPO Board of Governors on 12 October 2018.

This Indonesia National Interpretation Document is presented in 2 (two) languages; Bahasa Indonesia and English. In the process of translating from Indonesian to English there might be differences in interpretation. Therefore, in case of any difference between the Bahasa Indonesia and English versions, the national interpretation in English version shall be used as reference.

In the event of changes (new or amended) to the laws and regulations, the latest laws and regulations will automatically take precedence and fulfilment of the legal aspects in this National Interpretation document must follow the new regulations.

Finally, INA NIWG would like to express sincere gratitude to all parties who have contributed in the development and completion of this National Interpretation document.

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Acronym	Meaning
AFI	Accountability Framework Initiative
ALS	Assessor Licensing Scheme
APD	<i>Alat Pelindung Diri</i> (Self-Protection Tool)
ASA	Annual Surveillance Assessments
ASEAN	Association of Southeast Asian Nations
BHCVWG	Biodiversity & High Conservation Value Working Group
BOD	Biochemical Oxygen Demand
BoG	Board of Governors
CABI	Centre for Agriculture and Biosciences International
CB	Certification Body
CBD	Convention on Biological Diversity
CPO	Crude Palm Oil
CSO	Civil Society Organisation
DfID	Department for International Development (UK government)
DLW	Decent Living Wage
EFB	Empty Fruit Bunches
FAO	Food and Agriculture Organisation
FFB	Fresh Fruit Bunch

Acronym	Meaning
FPIC	Free, Prior and Informed Consent
FSC	Forest Stewardship Council
GA	General Assembly
GHG	Greenhouse Gas
GLWC	Global Living Wage Coalition
HCS	High Carbon Stock
HCSA	High Carbon Stock Approach
HCV	High Conservation Value
HCVRN	High Conservation Value Resource Network
HFCC	High Forest Cover Country
HFCL	High Forest Cover Landscape
HGU	Hak Guna Usaha
HRC	Human Rights Commission
HRD	Human Rights Defender
IDS	Institute of Development Studies
IFC	International Finance Corporation
IFL	Intact Forest Landscape
IKU	<i>Indikator Kinerja Utama</i> (Key Performance Indicators)
ILO	International Labour Organization

Acronym	Meaning
IP	Identity Preserved
IPCC	Intergovernmental Panel on Climate Change
IPM	Integrated Pest Management
ISO	International Organization for Standardization
IUCN	International Union for Conservation of Nature
JCC	Joint Consultative Committee
K3	<i>Kesehatan dan Keselamatan Kerja</i> (Work Health and Safety)
KBA	Key Biodiversity Area
LTA	Lost Time Accident
LSM	<i>Lembaga Swadaya Masyarakat</i> (Non Government Organization)
LUCA	Land Use Change Analysis
MB	Mass Balance
NDJSG	No Deforestation Joint Steering Group
NGO	Non-Governmental Organisation
NI	National Interpretation
OER	Oil Extraction Rate
P&C	RSPO Principles and Criteria (i.e. this document)
PBB	<i>Perserikatan Bangsa-Bangsa</i> (United Nations)

Acronym	Meaning
PK	Palm Kernel
PKB	<i>Perjanjian Kerja Bersama</i>
PKS	<i>Pabrik Kelapa Sawit</i> (Palm Oil Mill)
PLWG	Peatland Working Group
POME	Palm Oil Mill Effluent
PPT	<i>Praktik Pengelolaan Terbaik</i> (Best Management Practices)
QMS	Quality Management System
RaCP	Remediation and Compensation Procedure
REDD	Reducing Emissions from Deforestation and Forest Degradation
RSPO	Roundtable on Sustainable Palm Oil
RTE	Rare, Threatened or Endangered
SCCS	RSPO Supply Chain Certification Standard
SDG	Sustainable Development Goal
SEIA	Social and Environmental Impact Assessment
SHIG	Smallholder Interim Group
SKI	<i>Sistem Kendali Internal</i> (Internal Control System)
SLAPP	Strategic Lawsuits against Public Participation
SOP	Standard Operating Procedure
ToC	Theory of Change

1. SCOPE

The RSPO Principles and Criteria (RSPO P&C) is applicable for sustainable palm oil production worldwide. The RSPO P&C covers the most significant environmental and social impacts of palm oil production and the immediate inputs for production such as seeds, chemicals and water, social impacts related to on-farm labour community relation.

The RSPO P&C apply to all production level companies, i.e. all mills that are not fall under the definition of independent mill as outlined in the RSPO Supply Chain Certification (SCC) standard; and to all growers who do not meet the definition of Independent Smallholder or the applicability requirements as outlined in the RSPO Smallholder Standards (under development as of September 2018 with finalization expected in 2019), and therefore cannot apply the RSPO 'Smallholder Standards. These parties are referred to as units of certification in RSPO P&C 2018.

The unit of certification is responsible for the certification of related Scheme Smallholder and Outgrowers (see the definition of outgrowers in Annex 2) within three years of obtaining its certificate. Guidance for implementation of the RSPO P&C for Scheme Smallholders and Outgrowers will be developed.

The RSPO P&C apply to existing plantings, as well as planning, siting, development, expansion and new plantings.

If there is a difference between RSPO standards and local law, the higher/stricter of the two shall always prevail and NI has compiled a list of applicable laws and regulations (see Annex 3).

Compliance with the RSPO P&C and all the requirements as outlined in associated documents is required in order for certification to be awarded. Any non-conformities may result in suspension or revocation of certification (see Section 4.9 in RSPO Certification System 2017). Compliance must be demonstrated with the normative part of the P&C, i.e., Principles, Criteria and Indicators. The auditor raises discrepancies at the indicator level. Guidance is informative part to help with implementation of Indicators but is not normative, nor can non-conformities be raised against this section.

Role of each standard element:

Team	Explanation	RSPO Standard Setting document	Category
Principle	Fundamental statements about a desired outcome	A fundamental statement about a desired outcome, often providing greater detail about the objectives.	Normative
Criteria	What implementation of the principle looks like – the pre- conditions/a means of judging whether or not a Principle has been fulfilled	The conditions that need to be met in order to fulfil a principle. Criteria add meaning and operationality to a Principle without themselves being direct measures of performance.	Normative
Indicator	Variable to measure the implementation (positive or negative)	The measurable states, which allow the assessment of whether or not associated Criteria, are being met. Indicators convey a single, Meaningful message or piece of information.	Normative
Guidance	Additional information that assists with the understanding, implementation and auditing of the requirement (i.e. the Indicator)	Guidance consists of useful information to help the unit of certification and auditor understand what the Criterion and/or Indicators mean in practice, to indicate good practice, and practices that shall be followed.	Informative
Procedural Note	Exceptional measure to allow mention of pending developments	A note in the standard only to be used where a methodology or element of the standard is still under development to clarify terms, conditions and procedure prior to the said methodology or element being finalised.	Informative

Role of Definitions

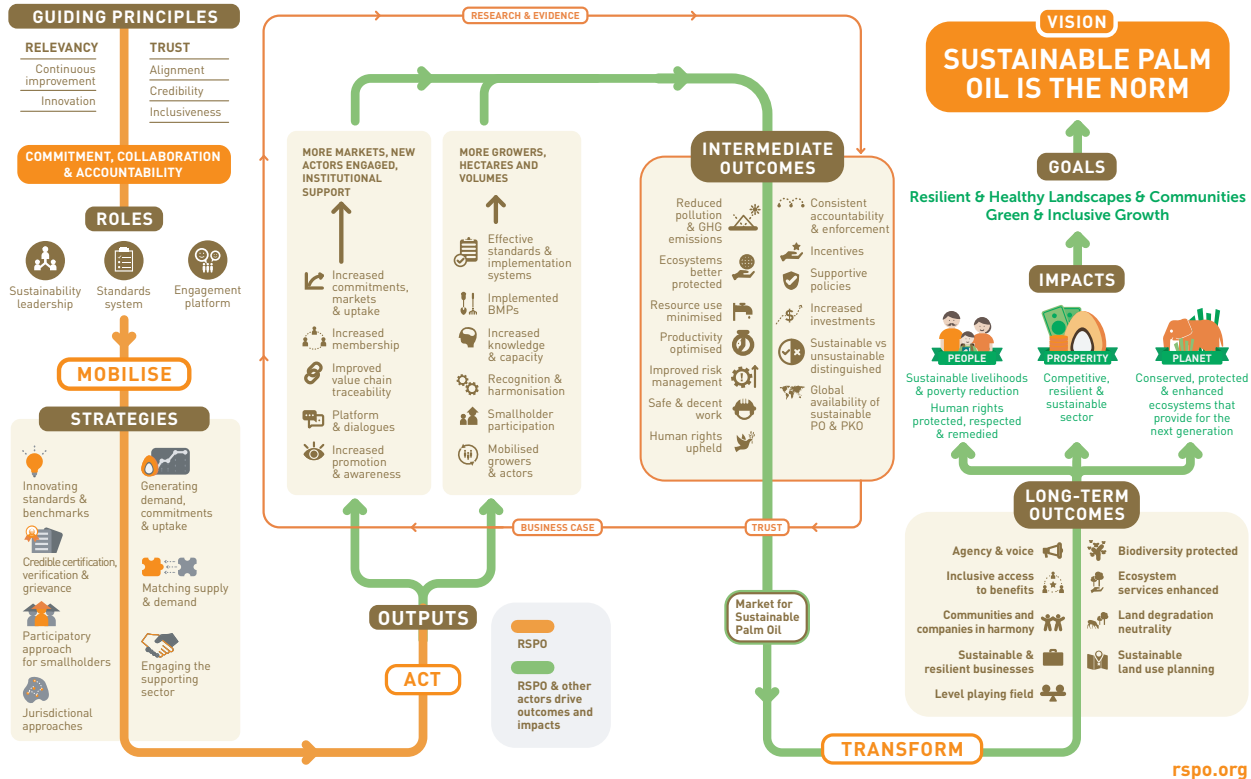
Throughout the standard, some terms carry a specific RSPO definition, which is provided in Annex 2 – Definitions section of this standard. These definitions are binding elements of Criteria and Indicators.

2. RSPO VISION AND THE THEORY OF CHANGE (TOC)



The RSPO Theory of Change (ToC) is a roadmap that demonstrates how the RSPO will achieve its vision of making sustainable palm oil the norm. With the support from its members and partners along with other actors, RSPO will implement key strategies and activities to trigger the transformation of the palm oil sector. These strategies are intended to bring about direct outputs in the form of increased adoption of the RSPO standards, greater transparency and inclusivity in the RSPO systems, increased market uptake of sustainable palm oil, and an improved enabling environment. Over time, these outputs will lead to outcomes that are expected to improve the quality of life of palm oil farmers, create a more prosperous palm oil industry, and enable us to preserve the planet and its resources. When the ToC is fully realised, changes will occur where it matter most on the ground; a situation where palm oil, the environment and the local community can coexist in harmony. The ToC also provides a framework for monitoring, evaluating and reporting on the effects of applying the RSPO P&C. More details on the RSPO ToC are available here: <https://rspo.org/about/impacts/theory-of-change>.

THEORY OF CHANGE RSPO'S ROADMAP FOR SUSTAINABLE PALM OIL



rspo.org



Effective implementation and more growers' uptake of the P&C lead to the intermediate outcomes:

- Resource use minimisation (soil, water, energy), input use reduction – reduced costs
- Reduced pollution (water, air, greenhouse gas (GHG))
- Improved risk management – management plans and assessments
- Ecosystems better protected
- Productivity optimised
- Land and use rights respected
- Safe and decent work for all community members

The process for change at RSPO is characterised by a progression of “**Mobilise, Act and Transform**”. This is the backbone of the RSPO ToC and underpinned by the concept of shared responsibility and accountability for results.

Commitment: All the actors commits to their contribution to transforming market transformation.

Collaboration: Recognising the need to work together and making that happen: transformation of market cannot happen without <https://rspo.org/about/impacts/theory-of-change>.

Accountability: Commitment and collaboration are to be fulfilled with a responsibility for impacts. The expectation of partners and members is that they can commit to participate and there is <https://rspo.org/about/impacts/theory-of-change> and agreed accountability for the results achieved.

3. OUTCOME FOCUS

The core objectives of the 2018 RSPO P&C review include:

- Incorporating elements of impacts;
- Making it more relevant and practical, particularly by making it metricated (measurable);
- Incorporating elements of impacts as prescribed by the ToC.

It is important to keep in mind that it is simply not feasible or meaningful to propose level of indicators and certain measurable outcomes because of many technical and political challenges. Compiled from researches and experiences with another standard, these things include:

- Attribution – achieving outcomes is based on a wide range of actions and context, often out of the control of the grower (weather, market forces, pests);
- Defining globally relevant outcomes;
- Favour larger, more resourced growers potentially demotivating small and medium size growers;
- Costs and burden for data reporting systems and management.

However, outcome focused P&C can still be achieved, by showing very explicitly the links between the set of Criteria and intended outcomes. Furthermore, a requirement for reporting to RSPO has been included into the Management Principle under Criterion 3.2 for continuous improvement.

This will provide RSPO information on the result of implementation of the P&C. This requirement refers to a small set of strategic metrics, directly related to the P&C and align with ToC and RSPO organisational Key Performance Indicators (KPI). The resulting report will be anonymized for analysis, marketing and impact assessment.

The selection criteria for these metrics included:

- Value added to growers;
- Link to P&C requirements;
- Key ToC outcomes;
- Matters that have been required for the purpose of measurement, monitoring and/reporting.

4. STRUCTURE OF THE RSPO P&C

The RSPO P&C are organised into three impact areas according to the RSPO ToC.



Impact Goal PROSPERITY:
Competitive, resilient and sustainable sector

- Principle 1. **Behave ethically and transparently**
- Principle 2. **Operate legally and respect rights**
- Principle 3. **Optimise productivity, efficiency, positive impacts and resilience**



Impact Goal PEOPLE:
Sustainable livelihoods and poverty reduction

- Principle 4. **Respect community and human rights and deliver benefits**
- Principle 5. **Support smallholder inclusion**
- Principle 6. **Respect workers' rights and conditions**



Impact Goal PLANET:
Conserved, protected and enhanced ecosystems that provide for the next generation

- Principle 7. **Protect, conserve and enhance ecosystems and the environment**

Impact Area ToC	Objectives ToC	Principle of Theme
<p>PROSPERITY Impact Goal: Competitive, resilient and sustainable sector</p>	<p>A sustainable, competitive, and resilient palm oil sector ensures long-term viability of the entire supply chain and shared benefits for both private sector as well as the livelihoods of communities where oil palm is grown. Effective planning and management system address economic viability, environmental and social compliance and risk, establishes procedures and systems for ensuring conformance to the RSPO P&C, and supports continuous improvement toward sustainable palm oil.</p>	<ol style="list-style-type: none"> 1. Behave ethically and transparently 2. Operate legally and respect rights 3. Optimise productivity, efficiency, positive impacts and resilience
<p>PEOPLE Impact Goal: Sustainable livelihoods and poverty reduction</p>	<p>Human rights protected, respected and remedied. The palm oil sector contributes to reducing poverty and palm oil production is a source of sustainable livelihoods. Human rights are respected. People participate in processes that affect them with shared access and benefits. Everyone engaged in palm oil production has equal opportunities to fulfill their potential in work and community with dignity and equality and in a healthy working and living environment.</p>	<ol style="list-style-type: none"> 4. Respect community and human rights and deliver benefits 5. Support smallholder inclusion 6. Respect workers' rights and conditions
<p>PLANET Impact Goal: Conserved, protected and enhanced ecosystems that provide for the next generation</p>	<p>Impact Goal: Conserved, protected, and enhanced ecosystems that provide for the next generation. Ecosystems and their services are protected, restored, and resilient, including through sustainable consumption and production and sustainable management of natural resources [sustainably manage forests, combat desertification, halt and reverse and degradation, halt biodiversity loss (SDG 15)]. Climate change is addressed through continuous GHG reductions and air and water pollution are controlled.</p>	<ol style="list-style-type: none"> 7. Protect, conserve and enhance ecosystems and the environment

Preamble

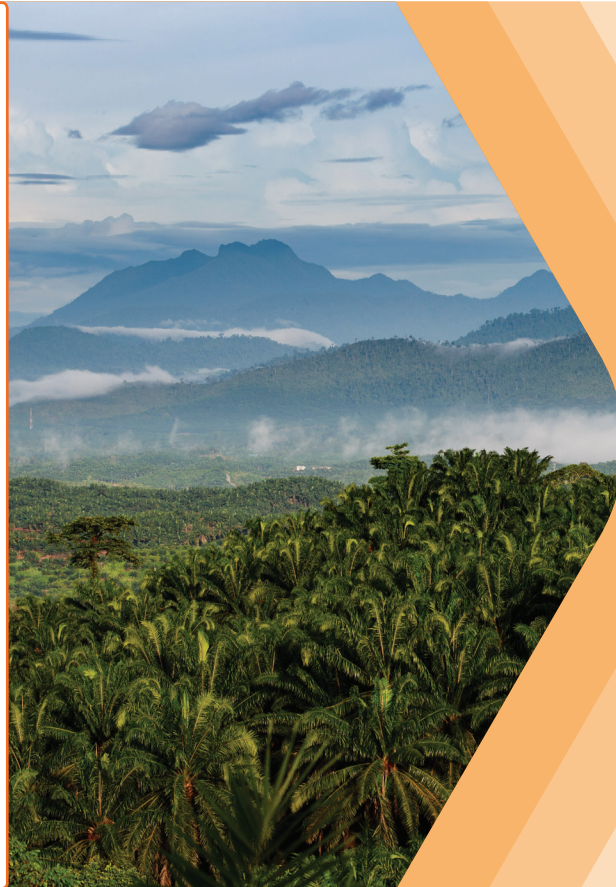
4. STRUCTURE OF THE RSPO P&C



	Criteria Topic	2018 P&C Criterion No	2013 P&C Criterion No	
PROSPERITY	1.	Information and public availability	1.1	1.1 / 1.2 / 6.10
		Communication and consultation	1.1	6.2
		Commitment to ethical conduct	1.2	1.3 / 6.10
	2.	Legal compliance	2.1	2.1 / 6.10
		Third party contractors legal	2.2	n.a.
		Third party FBB legally sourced	2.3	n.a.
	3.	Long term plan and economic viability	3.1	3.1
		Continuous Improvement & Reporting	3.2	8.1
		Standard Operating Procedures	3.3	4.1
		SEIA and Plans	3.4	5.1 / 6.1 / 7.1
		System for managing human resources	3.5	n.a.
		Occupational Health and Safety Plan	3.6	4.7 (part)
		Training	3.7	4.8
PEOPLE	4.	Human Rights	4.1	6.13
		Complaints and Grievances	4.2	6.3
	Contribution to local sustainable development	4.3	6.11 (part)	
	Land use & FPIC	4.4 & 4.5	2.3 / 7.5	
	Land Use : Compensation	4.6 & 4.7	6.4 / 7.6	
	Land Use : Conflict	4.8	2.2	
	5.	Fair and transparent dealings with SH	5.1	6.1
		Improved SH livelihoods	5.2	6.11 (part)
	6.	No discrimination	6.1	6.8
		Pay and working conditions	6.2	6
		Freedom of association	6.3	6.6
		No child labour	6.4	6.7
		No harassment	6.5	6.9
No forced or trafficked labour		6.6	6.12	
Safe working environment		6.7	4.7 (part)	
PLANET	7.	Effective Integrated Pest Management	7.1	4.5
		Pesticide Use	7.2	4.6
		Waste management	7.3	5.3
		Soil health fertility	7.4	4.2 / 7.2
		Soil conservation (erosion and degradation)	7.5	4.3 & 7.4 (parts)
		Soil survey and topographic information	7.6	4.3 & 7.2
		Peat	7.7	4.3 & 7.4 (parts)
		Water quality and quantity	7.8	4.4
		Energy Use	7.9	5.4
		Pollution and GHGs	7.10	5.6 / 7.8
Fire	7.11	5.5 / 7.7		
HCV and HCS	7.12	5.5 / 7.3		

Link to Theory of Change - Intermediate outcomes

Improved Risk Management
Improved Risk Management
Improved Risk Management
Improved Risk Management
Improved Risk Management
Improved Risk Management
Improved Risk Management
Improved Risk Management, Cross cutting
Improved Risk Management, Cross cutting
Improved Risk Management
Improved Risk Management, Safe and Decent work
Improved Risk Management, Safe and Decent work
Improved Risk Management, Safe and Decent work
Human rights upheld
Human rights upheld
Human rights upheld
Human rights upheld
Human rights upheld
Inclusive access, communities
Inclusive access, SH
Inclusive access, SH
Human rights upheld, safe and decent work
Human rights upheld, safe and decent work
Human rights upheld, safe and decent work
Human rights upheld, safe and decent work
Human rights upheld, safe and decent work
Human rights upheld, safe and decent work
Human rights upheld, safe and decent work
Safe and decent work
Resource use, pollution, productivity
Resource use minimised, pollution
Resource use minimised, pollution
Productivity optimised, Ecosystems
Reduced pollution
Ecosystem protected, Resource use minimised, Reduced pollution
Pollution, ecosystems
Resource use, pollution, ecosystems
Resource use minimised, pollution
Reduced pollution
Reduced pollution
Ecosystems protected



PROSPERITY: COMPETITIVE, RESILIENT AND SUSTAINABLE SECTOR



Objectives and outcomes

A sustainable, competitive, and resilient palm oil sector ensures long-term viability of the entire supply chain and shared benefits for both private sector as well as the livelihoods of communities where palm oil is grown. An effective planning and management system addresses economic viability, environmental and social compliance and risk, establishes procedures and systems for ensuring conformance to the RSPO P&C, and supports continuous improvement toward sustainable palm oil.

Principle 1

Behave ethically and transparently

Principle 2

Operate legally and respect rights


Principle 3

Optimise productivity, efficiency, positive impacts and resilience

Principle 1

BEHAVE ETHICALLY AND TRANSPARENTLY

Drive ethical business behavior, build trust and transparency with stakeholders to ensure strong and healthy relationships.

Criteria	Indicator
1.1 The unit of certification provides adequate information to relevant stakeholders on environmental, social and legal issues relevant to RSPO Criteria, in appropriate languages and forms to allow for effective participation in decision making. 	1.1.1 (C) Management documents that are specified in the RSPO P&C are made publicly available.
	1.1.2 Information is provided in appropriate languages and accessible to relevant stakeholders.
	1.1.3 (C) Records of requests for information and responses are maintained.
	1.1.4 (C) Consultation and communication procedures are documented, disclosed, implemented, made available, and explained to all relevant stakeholders by a nominated management official.
	1.1.5 An up-to-date list of contacts and detailed stakeholder information is available along with designated representatives.

Guidance

This indicator concerns management documents relating to environmental, social and legal issues that are in accordance with RSPO Criteria.

Management documents consist of the results of the FPIC process, SEIA/AMDAL, Human Rights Policy (including policies on the protection of Human Rights Defenders or whistle-blower), social programs to avoid or mitigate negative social impacts, social programs to improve living standards, gender distribution of work, which are categorized as management, administrative staff, and workers (wether permanent, freelance and contract workers), cooperation programs with independent smallholders, and education and health programs in the community.

Principle 1

BEHAVE ETHICALLY AND TRANSPARENTLY

Guidance (Continued)

The auditor will give an opinion on the adequacy of the documents listed in the public summary of the assessment report. Confidential commercial information, such as financial data (costs and revenues, cash flow, loans, etc.) and detailed information relating to customers and / or suppliers, need not be disseminated. Data regarding personal privacy must be kept confidential. Detailed stakeholder information in question is name, institution, position, contact number and address.

On going disputes (within or outside of a court) can be considered as a confidential information, especially if the disclosure of information can result in potential negative environmental or social outcomes. However, the affected stakeholders and those seeking resolution to the conflict should have access to the relevant information.

Examples of information disclosure that could result in potential negative environmental or social impact outcomes: information on sites of endangered species which, if disclosed, could increase the risk of hunting or capturing these species for trade, or sacred sites that local communities wish to maintain their confidentiality and protect their existence.

The unit of certification ensures that there is sufficient objective evidence to prove that the level of measurement and monitoring of the management plan and information is appropriate and available.

With regard to data privacy that must be considered in the collection, archiving, use, distribution and publication of personal information, the regulations relating to privacy are:

- Act No. 19 of 2016 concerning Amendments to Law No. 11 of 2008 concerning Electronic Information and Transactions.
- Act No.30 of 2000 concerning Trade Secret.

Guidance (Continued)

The definition of relevant stakeholders is:

The parties that can be affected or have positive and negative impacts on the unit of certification.

Specific Guidance

For 1.1.1:

Documents available at the unit of certification if requested and- corresponds with the company's consideration are:

- Certificate of land rights/cultivation rights (Criterion 4.4)
- Occupational Health and Safety plans (Criterion 3.6)
- Plans and impact assessments relating to environmental and social impacts (Criterion 3.4)
- High Conservation Value (HCV) documentation & High Carbon Stock (HCS) (if relevant) (Criterion 7.12)
- Pollution mitigation and reduction plan (Criterion 7.10)
- Details of complaints and grievances (Criterion 4.2)
- Negotiation procedure (Criterion 4.6)
- Continuous improvement plan (Criterion 3.2)
- Public summary of the certification assessment report
- Human Rights policy (Criterion 4.1)

For 1.1.2:

The unit of certification should provide evidence that information has been received in the appropriate form and language for relevant stakeholders. This information includes the RSPO mechanism for stakeholder engagement, including information on their rights and obligations.

Principle 1

BEHAVE ETHICALLY AND TRANSPARENTLY

Specific Guidance (Continued)

For 1.1.3:

The unit of certification should have a Standard Operating Procedure (SOP) to provide constructive responses to stakeholders, including setting a time frame for responding to requests for information. The unit of certification should respond to requests for information from stakeholders in a constructive and appropriate manner to questions from stakeholders. SOPs should appoint officers who can be contacted by concerned external parties.

The unit of certification should ensure the availability of sufficient objective evidence to demonstrate that responses are provided adequately and in timely manner.


For 1.1.4:

The unit of certification provides representative contact to relevant stakeholders.

For 1.1.5:

An updated list of contact and stakeholder information is provided by the unit of certification, including if there are changes. This list is a list compiled by the unit of certification based on information from stakeholders. With regard to data privacy that must be considered in the collection, storage, use, distribution and publication of personal information, the regulations relating to privacy are:

- Act No. 19 of 2016 concerning an Amendment to Law No. 11 of 2008 concerning Electronic Information and Transactions.
- Act No. 30 of 2000 concerning Trade Secret.
- Act No. 14 of 2008 concerning Public Information Disclosure.

Criteria	Indicator
1.2 The unit of certification commits to ethical conduct in all business operations and transactions. 	1.2.1 A policy for ethical conduct is in place and implemented in all business operations and transactions, including recruitment and contracts. 1.2.2 A system is in place to monitor compliance and the implementation of the policy and overall ethical business practice.

Guidance:

This ethical policy applies to all parties involved in all operational levels of the unit of certification, including at least:

- A respect for fair conduct of business, business that in accordance with the prevailing regulations.
- A prohibition of all forms of corruption, bribery, embezzlement of money and resources.
- A proper disclosure of information in accordance with applicable regulations and commonly applicable business practice.

This policy was designed in accordance with the framework of the UN Convention Against Corruption (UN Convention Against Corruption), in particular Article 12. This policy covers elements such as: bribery; facilitating payments; guidelines and procedures for gifts and gratuities; disclosure of political contributions; guidelines for charitable donations and sponsors; respect for fair conduct of business; proper disclosure of information in accordance with applicable regulations; and compliance with applicable anti-corruption regulations.

Principle 1

BEHAVE ETHICALLY AND TRANSPARENTLY

Guidance (Continued)

Several regulations related to eradication of corruption are:

1. Act No. 7 of 2006 concerning Ratification of UN Convention Against Corruption.
2. Act No. 8 of 2010 concerning Prevention and Eradication of Money- Laundering.
3. Act No. 20 of 2001 concerning an Amendment to Law No. 31 of 1999 concerning Eradication of Corruption.
4. Act No. 31 of 1999 concerning Eradication of Corruption.
5. Presidential Instruction No. 1 of 2013 concerning Act of Prevention and Eradication of Corruption.

Commitment towards a company's ethics policy is outlined in all service contracts.

Specific Guidance


For 1.2.2:

A due diligence procedure is in place for the selection and process of drafting and signing contracts with recruitment agents and suppliers or worker suppliers, carried out according to the principle of continuous improvement, in accordance with the readiness of the local business and the readiness of the company. Unethical behavior includes: the imposition of worker recruitment costs, the imposition of recruitment and transportation costs that are deducted from the worker's wages, receipt of gifts and commissions from the worker supplier or supplier.

Principle 2

OPERATE LEGALLY AND RESPECT RIGHTS

Implement legal requirements as the basic principle of operation in any jurisdiction.

Criteria	Indicator
2.1 There is compliance with all applicable local, national, and ratified international laws and regulations. 	2.1.1 (C) The unit of certification complies to relevant regulations.
	2.1.2 A documented system for ensuring legal compliance is in place. This system has means to track changes to the law and also includes listing and evidence on evaluation of legal compliance of all contracted third parties, such as: recruitment agencies, service provider and labour contractor.
	2.1.3 Legal or authorized boundaries are clearly demarcated and visibly maintained and there is no planting beyond these legal or authorized boundaries.

Guidance

Implementing all legal requirements is an essential baseline requirement for all growers regardless of their location or size. Relevant legislation includes (but not limited to):

1. Land tenure and land use rights
2. Labour
3. Agricultural practices (e.g. chemical use)
4. Environment (e.g. Wildlife Laws, pollution, environmental management and forestry laws)
5. Storage
6. Transportation, and processing practices.

It also includes laws pursuant to a country's obligations under international law or ratified conventions (e.g. the Convention on Biological Diversity (CBD), ILO Core Conventions, and the UN Guiding Principles on Business and Human Rights), and customary law recognized by the government.

Guidance (Continued)

Key International laws and conventions are set out in Annex 3. Existing evidence are incorporated as a part of Criterion 2.3. implementation. See Indicator 4.4.1. for utilization of customary lands.

Specific Guidance


For 2.1.2:

A documented system for ensuring legal compliance can take form of a physical or electronical database consists of applicable laws and regulations with elements on how these laws are interpreted and followed in the running of the operations.

In regard to third-party contracts, unit of certification must ensure the evaluation of legal compliance for all third-party contracts, conducted in accordance with the continuous improvement principle. If no local business unit or third-party are found to fulfil relevant legal provisions, then the unit of certification ought to facilitate said local business and third party to follow applicable rules.

Principle 2

OPERATE LEGALLY AND RESPECT RIGHTS

Criteria		Indicator
2.2	All contractors providing operational services and supplying labour, and Fresh Fruit Bunch (FFB) suppliers, comply with legal requirements. 	2.2.1 A list of contracted parties is available. 2.2.2 All contract, including those for FFB supply, contain specific clause on meeting relevant legal requirements and this can be demonstrated by the third party. 2.2.3 All contracts, including those for FFB supply, contain clauses disallowing child, forced and trafficked labour.

Guidance

Contract of all parties include:

- Temporary employment where workers are employed for only a specified time period. This employment is inclusive with Fixed Period Working Agreement (Perjanjian Kerja Waktu Tertentu/PKWT) contract, project-based contracts, task-based contracts, seasonal or casual work, including day labour.
- Short-term contracts.
- Renewable contracts.

In accordance with Act No. 13 of 2003 concerning Manpower, the minimum age for a worker is 18 years. Thus, worker younger than 18 years old, is not allowed.

- Fixed Period Working Agreement (PKWT), project based or task based working agreement is a contractual relationship between one employer and one employee marked with the existence of limited duration or defined event/matters before terminating the contract.
- Those who possess casual working agreement are employment in a very short-term or based on specific needs and intermittent, often only for a specific couple of hours, days, or weeks with wage regulated by the regulations of casual working agreement.
- Casual workers is a prominent feature of informal working relationship in low-income developing countries, primarily for work that is related with the nature of 'as requested' or 'a dependent economy on temporary contract workers (gig economy)' (https://www.ilo.org/global/topics/non-standard-employment/WCMS_534826/lang-en/index.htm).


Specific Guidance

For 2.2.2:

For the implementation of indicator 2.2.2 refer to Specific Guidance 2.1.2.

Principle 2

OPERATE LEGALLY AND RESPECT RIGHTS

Criteria	Indicator
2.3 All FFB supplies from outside the unit of certification are from legal sources. 	2.3.1 (C) For all directly sourced FFB, Palm Oil Mill (POM) requires: <ul style="list-style-type: none">• Information regarding the geolocation of FFB origins;• Proof of ownership status, right/claim of the land by grower/smallholder;• If relevant, valid planting/operational/trading license , or is part of a cooperative which allows the buying and selling of FFB. 2.3.2 For all indirectly sourced FFB, the unit of certification obtains from the collection centres, agents or other intermediaries, the evidence as listed in indicator 2.3.1.

Guidance

Regarding the legality of the FFB, it is necessary for unit of certification to consider acceptable practices by local authority and local customary law (e.g. Customary Land Certificate) and acceptable as an equal practice with legal position or acceptable by existing authority (e.g. customary court). The minimum required information by unit of certification that should be provided by FFB supplier are:

- Geolocation coordinate data of FFB supplier. Specifically, for FFB that originated from the yards could utilize village office coordinate or cooperative.
- Evidence of right of the land: Land Certificate/Customary Land Certificate/Ownership Certificate, Land-Use Rights (HGU) or other ownership evidences (that are recognizable) from the authority.
- Plantation operational permit in the form of Business Permit (IUP) or its equivalent (SPUP / ITUBP, etc.).

Specific Guidance


For 2.3.2:

If the unit of certification has indirect FFB supplier farmers, then for RSPO certified mill, the time requirement to meet the indicator is three years from November 15, 2018 which is November 15, 2021. For mills that are not yet certified/mills going for first year of certification, the time requirement for the supplying farmer to meet the requirements in accordance with indicator 2.3.1 is three years after the mill is certified.

Principle 3

OPTIMISE PRODUCTIVITY, EFFICIENCY, POSITIVE IMPACTS AND RESILIENCE

Implementing plans, procedures and systems for continuous enhancement.

Criteria	Indicator
3.1 There is an implemented management plan for the unit of certification that aims to achieve long-term economic and financial viability. 	3.1.1 (C) A business or management plan (minimum of three years) is documented and where applicable, includes a jointly developed business case for Scheme Smallholders. 3.1.2 An annual replanting program projected for a minimum five years with yearly review, is available. 3.1.3 The unit of certification holds management review at planned term according to the scale and nature of the activities undertaken.

Guidance

Annual replanting program that are projected for at least the next five years (for longer term if necessary, to reflect fragile soil management, refer Criterion 7.6.2), reviewed annually. Annual replanting program can be formulated by management units, despite not having entered replanting phase.

Unit of certification management is required to conduct long-term management planning by considering that profitability is influenced by controllable and outside of the direct control factors.

By acknowledging that long-term profitability is influenced by factors outside of the direct control of the unit of certification, top management must be able to express attention towards economic and financial feasibility through long-term management planning.

For plantation on peatlands, longer timeframe is necessary to project yearly replanting program according to Criterion 7.7 (indicator 7.7.5 and 7.7.6).

Guidance (Continued)

Unit of Certification must possess a system to enhance its practices to comply with the newest information and technique. For scheme smallholders, scheme management is expected to provide information regarding significant improvement to its members. This criterion is not applicable for independent smallholders.

Management plan at best should include these matters;

1. Consideration on the quality of plantation material.
2. Harvesting projection = FFB harvest result trend.
3. Mill extraction rate = Oil Extraction Rate (OER) of Palm Oil.
4. Production cost = Crude Palm Oil (CPO) cost per ton trend.
5. Price estimation.
6. Financial indicator.

Suggested calculation: Next three years average projection to be based on the inclination of historical pattern in the last decade (FFB inclination need to consider low results during the replantation phase). If relevant, smallholders should be included in the consideration of management plan preparation (see also Principle 5). For scheme smallholder, the content of business plan may be different from the company (nucleus) plan. Should the financial details be not particularly known, then the estimated amount or structure to estimate the amount should be clearly included in the contract.

Specific Guidance

For 3.1.3:

Management review should include:


1. Internal audit result;
2. Customer feedback;
3. Process performance and product appropriateness;
4. Prevention and improvement action status;
5. Follow up action resulted from the management review;
6. Changes that could influence management system;
7. Improvement recommendation.

Principle 3

OPTIMISE PRODUCTIVITY, EFFICIENCY, POSITIVE IMPACTS AND RESILIENCE

Criteria	Indicator
3.2	The unit of certification regularly monitors and reviews their economic, social and environmental performance and develops and implements action plans that allow demonstrable continuous improvement in key operations.
3.2.1	(C) The action plan for continuous improvement is implemented, based on consideration of the main social and environmental impact and opportunities of the unit of certification.
3.2.2	As part of the monitoring and continuous improvement process, annual reports are submitted to the RSPO Secretariat by Certification Body during Annual Surveillance Assessment by using the RSPO metrics template.

Guidance
Unit of certification should possess a system to improve existing practices, in accordance with the newest information and technique, also socialization mechanism for all workers. For smallholders, guidelines and systematic training for continuous improvement should be available.

Criteria	Indicator
3.3 Operating procedures are appropriately documented, consistently implemented and monitored. 	3.3.1 (C) Standard Operating Procedure for the unit of certification are in place. 3.3.2 A mechanism to check consistent implementation of procedure is in place. 3.3.3 Records of monitoring and any actions taken are maintained and available.

Guidance

Monitoring of operational implementation procedure mechanism could include management system documentation and internal control procedure.

SOP and documentation for mill could include related supply chain requirement (see SCCS part on Principle 3).

When unit of certification works with third party FFB supplier related to the traceability and legality, the unit of certification can utilize that opportunity to convey appropriate information regarding the Best Management Practices (BMP).

Those procedures refer to Best Management Practices of palm oil in Indonesia, among others refer to the Minister of Agriculture Regulation No. 131/Permentan/OT.140/12/2013 concerning Guidelines for Good Palm Oil (*Elaeis guineensis*) Cultivation.

Principle 3

OPTIMISE PRODUCTIVITY, EFFICIENCY, POSITIVE IMPACTS AND RESILIENCE

Criteria	Indicator
3.4 A comprehensive Social and Environmental Impact Assessment (SEIA) is undertaken prior to new plantings or operations, and a social and environmental management and monitoring plan is implemented and regularly updated in ongoing operations.	<p>3.4.1 (C) SEIA in new planting or operation including mills, is conducted independently and participatively by involving the affected stakeholders, inclusive of impact assessment from the smallholder outgrower scheme (if any). The assessment is to be documented.</p> <p>3.4.2 For the unit of certification, a SEIA is available and social and environmental management plan and its monitoring have been developed with participation of affected stakeholders.</p> <p>3.4.3 (C) The social and environmental management and monitoring plan is implemented, reviewed and updated regularly in participatory way.</p>



Guidance

Environmental impact analysis documentation is an environmental document in accordance with applicable regulations, such as:

- Environmental Impacts Assessment (*Analisa Mengenai Dampak Lingkungan Hidup/AMDAL*) for plantation with an area > 3000 Ha.
- Environmental Management Efforts (*Upaya Pengelolaan Lingkungan Hidup/UKL*) – Environmental Monitoring Efforts (*Upaya Pemantauan Lingkungan Hidup/UPL*) for plantation with areas of < 3000 Ha.
- Environmental Management Document (*Dokumen Pengelolaan Lingkungan Hidup/DPLH*).
- Environmental Evaluation Document (*Dokumen Evaluasi Lingkungan Hidup/DELH*).

Guidance (Continued)

- e. Environmental Information Performance (*Penyajian informasi Lingkungan Hidup/PIL*).
- f. Environmental Evaluation Performance (*Penyajian Evaluasi Lingkungan Hidup/PEL*).
- g. Environmental Evaluation Study (*Studi Evaluasi Lingkungan Hidup/SEI*).
- h. Environmental Management and Monitoring Document (*Dokumen Pengelolaan dan Pemantauan Lingkungan Hidup/DPPL*).
- i. Declaration Letter for Managing and Monitoring Environment (*Surat Pernyataan Kesanggupan Pengelolaan dan Pemantauan Lingkungan Hidup/SPPL*).
- j. And other recognized documents by applicable regulations.

For independent social and environmental impact assessment, AMDAL and the documents mentioned above can be used as part of the process. However, it is the responsibility of the unit of certification to provide objective and appropriate evidence to the audit team that the overall requirements in assessing social and environmental impacts (SEIA, SIA, HCV, HCS, and GHG calculations) include all aspects of plantation activities and the plant and also covers changes throughout the operation.

The definition of terms and conditions and the implementation of social and environmental impact assessments should be carried out by accredited independent experts. Participatory methodology that involves external stakeholder groups is the most important thing for identifying impacts, especially social impacts. Stakeholders such as local communities, governments, and NGOs should be involved through interviews and meetings, and through a review of the findings and plans for impact reduction.

It is realized that the development of oil palm plantations and mills can have positive and negative impacts. These developments can have indirect/ secondary impacts beyond the control of oil palm plantations and mills. In this context, oil palm plantations and mills should try to identify the indirect / secondary impacts within the SEIA framework, and if possible, work together with partners to obtain information about mechanisms for reducing indirect negative impacts and increasing positive impacts.

Plans and field operations should be developed and implemented by integrating the results of the assessment. One of the results of the potential assessment process is that part or all of the development cannot be continued because of the magnitude of the impact they may caused.

If an impact is identified that has to change the ongoing activities of the unit of certification, the unit of certification should make improvements to the operation within a certain period.

Principle 3

OPTIMISE PRODUCTIVITY, EFFICIENCY, POSITIVE IMPACTS AND RESILIENCE

Guidance (Continued)

Social and environmental impact evaluation should include:

1. Impact assessment of all major planned activities, including land clearing, planting, replanting, use of pesticides and fertilizers, mill operations, roads, drainage and irrigation systems, and other infrastructures.
2. Assessment of impacts on HCV, biodiversity and RTE species, including those outside the concession boundary and all actions to maintain and/or enhance it.
3. Assessment of the potential impacts on the natural ecosystem around the planned development site, including whether the development or expansion will increase pressure on the surrounding natural ecosystem.
4. Identification of water ways and wetlands and assessment of potential impacts on the hydrological system and subsidence of land caused by planned development. Actions taken should be planned and aimed at maintaining the quantity, quality and access to water and land resources.
5. Initial soil surveys that serve as baseline data and topographic information, including identification of steep sloped land, marginal and fragile soils, areas prone to erosion, degradation, subsidence and flooding.
6. Analysis of the type of land to be cultivated (forest, degraded forest, peatland, open land, etc.).
7. Assessment of land ownership rights and cultivation rights.
8. Assessment of current land use patterns.
9. Assessment of the impact on facilities that benefits the community.
10. Assess the impact on work relations, employment opportunities, or from changes in work conditions.
11. Cost-benefit analysis of existing social aspects.
12. Assessment of potential social impacts on communities surrounding the plantations, including analysis of potential impacts on livelihoods, and different impacts on women and men, ethnic communities, and between migrant populations and those who have lived in an area for a long period of time.
13. Assessment of the main risks of human rights violations.

Guidance (Continued)

14. Assessment of impacts on the dimensions of food and water security, including the right to adequate food, and monitoring of food and water security for affected communities.
15. Evaluation of activities that have an impact on air quality or that produce significant GHG emissions.

For scheme smallholders, scheme management is responsible for carrying out impact assessment and planning and carrying out operations in accordance with the results of the assessment. Management documents can include social programs to avoid / mitigate negative social impacts, including partnership programs for farmers, human rights, CSR (Corporate Social Responsibility) programs to improve livelihood, gender equality, education and public health. Affected stakeholders can voice their views through their own representative institutions or their chosen spokespersons, who review findings and plans for mitigation, and monitor the success of the plans implemented.

Among the related regulations with social and environmental impact evaluations are:

- a. Government Regulation No. 27 of 2012 concerning Environmental Licensing.
- b. Minister of Environment Regulation No. 14 of 2010 concerning Environmental Document for businesses and/or activities that have acquired business license and/or activities that have not acquired Environmental Document.
- c. Minister of Environment Regulation No. 12 of 2007 concerning Environmental Management and Monitoring Document for businesses and/or activities that have not acquired Environmental Management Document.
- d. Minister of Environment and Forestry Regulation No. 38 of 2019 concerning Types of Businesses Plan and/or Activity that is mandatory to Have AMDAL.
- e. Minister of Environment and Forestry of the Republic of Indonesia Regulation No. P.25/MENLHK/SETJEN/KUM.1/7/2018 concerning Guidelines for Determining the Types of Business Plans and/or Activities that are required to obtain Environment Management Efforts (UKL) and Environment Monitoring Efforts (UPL) and Declaration Letter for Managing and Monitoring the Environment (SPKL).
- f. Minister of Environment Regulation No. 16 of 2012 concerning Guidelines on the development of Environment Documents.
- g. Minister of Environment and Forestry of the Republic of Indonesia Regulation No. P.26/MENLHK/SETJEN/KUM.1/ 7/2018 concerning Guidelines for the Preparation and Evaluation and Inspection of Environmental Documents in the Implementation of Electronically Integrated Business Licensing Services.
- h. Minister of Environment Regulation No. 8 of 2013 concerning Procedures for Assessment and Inspection of Environmental Documents and Issuance of Environmental Permits.

Principle 3

OPTIMISE PRODUCTIVITY, EFFICIENCY, POSITIVE IMPACTS AND RESILIENCE


Guidance (Continued)

- i. Minister of Environment Regulation No.17 of 2012 concerning Guidelines for Community Involvement in the Environmental Impact Analysis and Environmental Permit Process.
- j. Head of the Environmental Impact Management Agency Decree No. 299 of 1996 concerning the Technical Guidelines for the Study of Social Aspects in the Compilation of Analysis of Environmental Impacts.
- k. Minister of Environment Regulation No. 7 of 2010 concerning Certification of Competence for Document Compiler of Environmental Impacts Analysis and Requirements of Competency Training Institutions for Document Compiler of Environmental Impacts Analysis.
- l. Minister of Environment and Forestry of the Republic of Indonesia Regulation No. P.22/MENLHK/SETJEN/KUM.1/7/2018/ K.1/ 8/2018 concerning Norms, Standards, Procedures, and Criteria for Electronic Integrated Licensing Service Scope of the Ministry of Environment and Forestry.
- m. Minister of Environment and Forestry of the Republic of Indonesia Regulation No. P.23/MENLHK/SETJEN/KUM.1/7/2018 concerning Criteria for Changing Businesses and/or Activities and Procedures for Changing Environmental Permits.
- n. Minister of Environment and Forestry of the Republic of Indonesia Regulation No. P.24/MENLHK/SETJEN/KUM.1/07/2018 concerning the Exclusion of the Obligation to Compile an Analysis of Environmental Impacts for Businesses and/or Activities Located in Regencies/Cities that Have Detailed Spatial Planning.

The review of monitoring and management plans should be carried out internally or externally every two years.


Additional information on social and environmental impact assessments can be found in multiple external sources, such as Module 3 of the HCSA Guidelines and Biodiversity Guidelines for the Private sector: The Social and Environmental Impact Process of the International Finance Corporation.

Management documents can consist of social programs that avoid or mitigate negative social impacts including human rights issues, social programs that improve community livelihoods and gender equality, partnership programs for farmers, education, and public health. When identifying impacts, affected stakeholders can voice their views through their own representative institutions or freely chosen spokespersons, who review findings and plans for mitigation, and monitor the success of plans implemented.

Criteria	Indicator
3.5 A system for managing human resources is in place.	3.5.1 Employment procedures for recruitment, selection, hiring, promotion, retirement and termination are documented and made available to the workers and their representatives in accordance with the applicable regulation. 3.5.2 Employment procedures are implemented, and records are maintained.
Guidance Applicable regulation that can be made as a reference for this Criterion is the Act No. 13 of 2003 concerning Manpower.	
3.6 An occupational health and safety (H&S) plan is documented, effectively communicated and implemented. 	3.6.1 (C) All operational activities risks assessed to identify the H&S issues. Mitigation plans and procedures are documented and implemented. 3.6.2 (C) The effectiveness of the H&S plan to address health and safety risks to people is monitored.
Guidance See the national regulations concerning OHS such as: Government Regulation No. 50 of 2012 concerning The Implementation of Occupational Health and Safety Management System.	

Principle 3

OPTIMISE PRODUCTIVITY, EFFICIENCY, POSITIVE IMPACTS AND RESILIENCE

Criteria	Indicator
3.7 All staff, workers, Scheme Smallholders, outgrowers, and contract workers are appropriately trained. 	<p>3.7.1 (C) A documented programme that provides training is in place, which is accessible to all staff, workers, scheme smallholders, and outgrowers taking into account gender-specific needs, and which covers applicable aspects of P&C Principles, in a form they understand and includes assessment of the training.</p> <p>3.7.2 Records of training are maintained, where appropriate on an individual basis.</p> <p>3.7.3 Appropriate training is provided for personnel carrying out the tasks critical to the effective implementation of the Supply Chain Certification Standard (SCCS). Training is specific and relevant to the task(s) performed.</p>

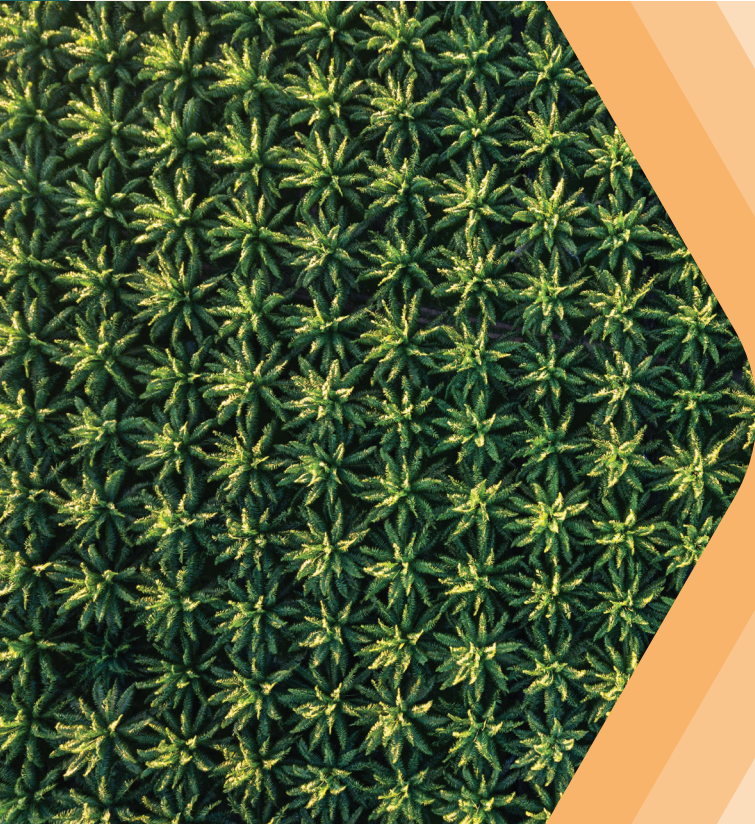
Guidance

Training Content: Workers receive adequate training on: health and environmental risks; exposure to pesticides; recognition of acute symptoms and the consequences of long-term exposure, including vulnerable groups (e.g. pregnant women, nursing mothers); ways to minimize exposure to workers and their families; and international and national instruments or regulations that protect workers' health. The training program covers productivity and best management practices and be appropriate to the scale of the unit of certification. The program should enable everyone to fulfil their jobs and responsibilities in accordance with documented procedures.

Training participants: Training should be given to all staff and workers, including women smallholders and women plantation workers, within the unit of certification, as well as contract workers.

The unit of certification proves the existence of training activities for scheme smallholders who provide FFB on a contracted basis. Workers on smallholder plots also need adequate training and skills, and this can be achieved through extension activities provided by unit of certification that purchase fruit from these farmers, by smallholder's organizations, or through collaboration with other institutions and organizations. For individual scheme smallholder operations, training records should not be required for their workers. But anyone working on the farm should be adequately trained for the job they are doing.

SUPPLY CHAIN REQUIREMENTS FOR MILLS



This chapter was endorsed by the RSPO Board of Governors on 1 February 2020.

The following section stipulates the requirements for mills which are identified as complying with the Identity Preserved (IP) Module and Mass Balance (MB) Module.

For independent mills, that are only required to obtain RSPO Supply Chain Certification, Compliance with modules A and/or C of the Supply Chain Certification Standard will be required. All definition in Supply Chain Certification Standard applies.

As per RSPO Principles and Criteria, all requirements are classified as Critical Indicators.

SUPPLY CHAIN REQUIREMENTS FOR MILLS

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills	<p>3.8.1 Identity Preserved Module</p> <p>A mill is deemed to be Identity Preserved (IP) if the FFB processed by the mill are sourced from plantations/estates that are certified against the RSPO Principles and Criteria (RSPO P&C), or against the Group Certification scheme.</p> <p>Certification for CPO mills is necessary to verify the volumes and sources of certified FFB entering the mill, the implementation of any processing controls (for example, if physical separation is used), and volume sales of RSPO certified products. If a mill processes certified and uncertified FFB without physically separating them, then only Mass Balance Module is applicable.</p>	Improved risk management
	<p>3.8.2 Mass Balance Module</p> <p>A mill is deemed to be Mass Balance (MB) if the mill process FFB from both RSPO certified and uncertified plantations/estates. A mill may be taking delivery of FFB from uncertified growers, in addition to those from its own and 3rd party certified supply base. In that scenario, the mill can claim only the volume of oil palm products produced from processing of the certified FFB as MB.</p>	Improved risk management

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	<p>3.8.3 The estimated tonnage of CPO and PK products that could potentially be produced by the certified mill shall be recorded by the certification body (CB) in the public summary of the P&C certification report. This figure represents the total volume of certified oil palm product (CPO and PK) that the certified mill is allowed to deliver in a year. The actual tonnage produced shall then be recorded in each subsequent annual surveillance report.</p>	Improved risk management
	<p>3.8.4 The mill shall also meet all registration and reporting requirements for the appropriate supply chain through the RSPO IT platform.</p>	Improved risk management
	<p>3.8.5 Documented procedures</p> <p>The mill shall have written procedures and/or work instructions or equivalent to ensure the implementation of all elements of the applicable supply chain model specified. This shall include at minimum the following:</p> <ul style="list-style-type: none"> a) Complete and up to date procedures covering the implementation of all elements of the supply chain model requirements. b) Complete and up to date records and reports that demonstrate compliance with the supply chain model requirements (including training records). 	Improved risk management

SUPPLY CHAIN REQUIREMENTS FOR MILLS

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	<ul style="list-style-type: none"> c) Identification of the role of the person having overall responsibility for and authority over the implementation of these requirements and compliance with all applicable requirements. This person shall be able to demonstrate awareness of the mill's procedures for the implementation of this standard. d) The mill shall have documented procedures for receiving and processing certified and non-certified FFBs including ensuring no contamination in the IP mill. 	
	3.8.6 Internal Audit <ul style="list-style-type: none"> i) The mill shall have a written procedure to conduct an annual internal audit to determine whether the mill; <ul style="list-style-type: none"> (a) conforms to the requirements in the RSPO Supply Chain requirements for mills and the RSPO Rules on Market Communications and Claims. (b) effectively implements and maintains the standard requirements within its organisation. ii) Any non-conformities found as part of the internal audit shall be issued and required corrective action. The outcomes of the internal audits and all actions taken to correct non-conformities shall be subject to management review at least annually. The mill shall maintain the internal audit records and reports. 	Improved risk management

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	3.8.7 Purchasing and Goods in <ul style="list-style-type: none"> i) The mill shall verify and document the tonnage and sources of certified and the tonnage of non-certified FFBs received. ii) The mill shall inform the CB immediately if there is a projected overproduction of certified volume. iii) The mill shall have a mechanism in place for handling of non-conforming FFB and/or documents 	Improved risk management
	3.8.8 Sales and Goods Out <p>The supplying mill shall ensure that the following minimum information for RSPO certified products is made available in document form. The information shall be complete and can be presented either on a single document or across a range of documents issued for RSPO certified oil palm products (for example, delivery notes, shipping documents and specification documentation):</p> <ul style="list-style-type: none"> a) The name and address of the buyer; b) The name and address of the seller; c) The loading or shipment / delivery date; d) The date on which the documents were issued; e) RSPO certificate number; f) A description of the product, including the applicable supply chain model (Identity Preserved or Mass Balance or the approved abbreviations); 	Improved risk management

SUPPLY CHAIN REQUIREMENTS FOR MILLS

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	g) The quantity of the products delivered; h) Any related transport documentation; i) A unique identification number.	
	3.8.9 Outsourcing Activities (i) The mill shall not outsource its milling activities. In cases where the mill outsources activities to independent third parties (e.g. subcontractors for storage, transport or other outsourced activities), the mill holding the certificate shall ensure that the independent third party complies with relevant requirements of this RSPO Supply Chain Certification.	Improved risk management

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	(ii) The mill shall ensure the following: <ul style="list-style-type: none"> a) The mill has legal ownership of all input material to be included in outsourced processes b) The mill has an agreement or contract covering the outsourced process with each contractor through a signed and enforceable agreement with the contractor. The onus is on the mill to ensure that certification body (CB) has access to the outsourcing contractor or operation if an audit is deemed necessary. c) The mill has a documented control system with explicit procedures for the outsourced process which is communicated to the relevant contractor. (d) The mill shall furthermore ensure (e.g. through contractual arrangements) that independent third parties engaged provide relevant access for duly accredited CBs to their respective operations, systems, and all information, when this is announced in advance. 	
	3.8.10 The mill shall record the names and contact details of all contractors used for the physical handling of RSPO certified oil palm products.	Improved risk management
	3.8.11 The mill shall inform its CB in advance prior to conduct of its next audit of the names and contact details of any new contractor used for the physical handling of RSPO certified oil palm products.	Improved risk management

SUPPLY CHAIN REQUIREMENTS FOR MILLS

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	3.8.12 Record keeping <ul style="list-style-type: none"> i) The mill shall maintain accurate, complete, up-to-date and accessible records and reports covering all aspects of this RSPO Supply Chain Certification Standard requirements. ii) Retention times for all records and reports shall be a minimum of two (2) years and shall comply with relevant legal and regulatory requirements and be able to confirm the certified status of raw materials or products held in stock. iii) For Identity Preserved Module, the mill shall record and balance all receipts of RSPO certified FFB and deliveries of RSPO certified CPO and PK on a real-time basis. iv) For Mass Balance Module, the mill: <ul style="list-style-type: none"> a) shall record and balance all receipts of RSPO certified FFB and deliveries of RSPO certified CPO and PK on a real-time basis and / or three-monthly basis. b) All volumes of certified CPO and PK that are delivered are deducted from the material accounting system according to conversion ratios stated by RSPO. c) The mill can only deliver Mass Balance sales from a positive stock. Positive stock can include product ordered for delivery within three (3) months. However, a mill is allowed to sell short (i.e. product can be sold before it is in stock.) 	Improved risk management

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	3.8.13 Extraction Rate The oil extraction rate(OER) and the kernel extraction rate(KER) shall be applied to provide a reliable estimate of the amount of certified CPO and PK from the associated inputs. Mill shall determine and set their own extraction rates based upon past experience, documented and applied it consistently.	Improved risk management
	3.8.14 Extraction rates shall be updated periodically to ensure accuracy against actual performance or industry average if appropriate.	Improved risk management
	3.8.15 Processing For Identity Preserved Module, the mill shall assure and verify through documented procedures and record keeping that the RSPO certified oil palm product is kept separated from non-certified oil palm products, including during transport and storage to strive for 100% separation.	Improved risk management

SUPPLY CHAIN REQUIREMENTS FOR MILLS

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	3.8.16 Registration of Transactions <ul style="list-style-type: none"> i) Shipping Announcement in the RSPO IT platform shall be carried out by the mills when RSPO certified products are sold as certified to refineries, crushers, and traders not more than three months after dispatch with the dispatch date being the Bill of Lading or the dispatch documentation date. ii) Remove: RSPO certified volumes sold under different scheme or as conventional, or in case of underproduction, loss or damage shall be removed in the RSPO IT platform. 	Improved risk management
	3.8.17 Claims <p>The mill shall only make claims regarding the production of RSPO certified oil that are in compliance with the RSPO Rules on Market Communications and Claims.</p>	Improved risk management

PEOPLE: SUSTAINABLE LIVELIHOODS AND POVERTY REDUCTION



Objectives and outcomes

Human rights protected, respected and remedied. The palm oil sector contributes to reducing poverty and palm oil production is a source of a sustainable livelihoods. Human rights are respected. People participate in processes that affect them with shared access and benefits. Everyone engaged in palm oil production has equal opportunities to fulfil their potential in work and community with dignity and equality, and in a healthy working and living environment.

Principle 4

Respect community and human rights and deliver benefits

Principle 5

Support smallholder inclusion

Principle 6

Respect workers' rights and conditions

Principle 4

RESPECT COMMUNITY AND HUMAN RIGHTS AND DELIVER BENEFITS

Respect community rights, provide equal opportunities, maximise benefits from engagement and ensure remediation where needed.

Criteria	Indicator
4.1 The unit of certification respects human rights, which includes respecting the rights of Human Rights Defenders.	4.1.1 (C) A policy to respect human rights, including prohibiting retaliation against Human Rights Defenders (HRDs), prohibits intimidation and harassment by the unit of certification and contracted services, including contracted security forces. This policy is documented and communicated to all levels of the workforce, operations, supply chain and local communities. 4.1.2 The Unit of certification does not instigate violence or any form of intimidation in its operations.

Guidance

All levels of operation here including contractors (e.g. parties involved in security).

UN Guiding Principle on Business and Human Rights states that:

‘Responsibility of a business entity to respect human rights refer to internationally acknowledged Human Rights, at least as how it was understood in International Bill of Human Rights and principles regarding basic rights that are contained within the International Labor Organization Declaration concerning Principles and Basic Rights at Workplace.’

UN Guiding Principle concerning Business and Human Rights also stipulates that the responsibility of a business entity to respect human rights exists regardless to the capability/will of state to fulfil its own obligation of human rights and is above the compliance to national rules and regulations that protect human rights. (see “Corporate Responsibility to Respect Human Rights” in Guiding Principles concerning Business and Human Rights.

Guidance (Continued)

RSPO Human Rights Working Group will provide additional guideline to identify, prevent, mitigate and handle matters and impacts related to human rights. Resulting guidelines will later identify relevant human rights matters for all RSPO members.

Detailed regulations concerning provisions to protect the rights of Human Rights Defender, including the complainant, whistle-blower and community representative is regulated in the *RSPO Policy on the Protection of Human Rights Defenders, Whistleblowers, Complainants and Community Spokespersons*.

Among the related regulations are:

1. Act No. 39 of 1999 concerning Human Rights.
2. Act No. 39 of 2014 concerning Plantation.
3. Act No. 31 of 2014 concerning Amendments to Act No.13 of 2006 concerning Protection of Witnesses and Victims.
4. Act No. 8 of 1981 concerning Criminal Procedure Law.
5. Act No.32 of 2009 concerning Environmental Protection and Management.
6. Act No.40 of 2008 concerning the Elimination of Racial and Ethnic Discrimination.

Specific Guidance

For 4.1.1:


If any criminal act or security disturbance occurred to the unit of certification then reporting to the government and security apparatus is not a retaliatory measure, but a part of a valid legal process when it has been preceded by stages of conflict resolution such as investigation, verification, negotiation and mediation.

For 4.1.2:

Indonesia does not recognize mercenaries or paramilitary, thus the term is not utilized in indicator 4.1.2 of the National Interpretation. Policy of the unit of certification should require to only use private security contractors that are legally recognized in its operations and prohibit extra-judicial acts of interference (disturbance) and intimidation by said private security contractors. The use of security forces (TNI/POLRI) is permitted if there is potential and/or there have been security disturbances or criminal acts within the operational area of the unit of certification and as long as permission from the government to safeguard is obtained.

Principle 4

RESPECT COMMUNITY AND HUMAN RIGHTS AND DELIVER BENEFITS

Criteria	Indicator
4.2 There is a mutually agreed and documented system for dealing with complaints and grievances, which is implemented and accepted by all affected parties. 	<p>4.2.1 (C) The mutually agreed system is in place, open to all parties affected, resolve disputes in an effective, timely and appropriate manner, ensuring the anonymity of complainants, Human Rights Defenders, community spokespersons and whistleblowers, where requested, as long as the report is supported with sufficient preliminary evidences. The system ensures that there is no risk of reprisal or intimidation and follows the RSPO's policy for HRDs.</p> <p>4.2.2 Procedures are in place to ensure the system is understood by affected parties, including by illiterate parties.</p> <p>4.2.3 The unit of certification keeps parties informed of its progress, including against agreed timeframe and the outcome is available and communicated to relevant stakeholders.</p> <p>4.2.4 The conflict resolution mechanism includes the option of access to independent legal and technical advice. The complainants have the freedom to choose individuals or groups to support them and/or act as observers. The parties can choose the option to engage a third-party mediator.</p>

Guidance

Dispute resolution mechanisms should be developed through open agreement and consensus with relevant affected parties.

Existing complaints should be handled using mechanisms such as the Joint Consultative Committees (JCC), with representative of affected parties, gender representatives and, if any, migrant worker representatives. If it does not reach consensus, then complaints can be submitted to the RSPO Complaints System. Complaints can be internal (employee) or external.

For Independent Smallholders, see the RSPO Guidance Document that applies to Independent Smallholders.

Guidance (Continued)

For guidelines, documents such as “*Guiding Principles on Business and Human Rights: Implementing the UN” Protect, Respect and Remedy “Framework ’2011 and RSPO Policy on the Protection of Human Rights Defenders, Whistleblowers, Complainants and Community Spokespersons”*, may be utilized.

Specific Guidance

For 4.2.1:

Evidence of Implementation may be in the form of:

- The socialization of conflict resolution mechanisms with language and methods that are easy and understandable, including to those who cannot read and write (illiterate).
- Information on the progress of conflict resolution is available according to the agreed mechanism.
- Information delivery receipt of conflict resolution progress to the parties.

The agreed mechanism also includes discussion of funding for the involvement of independent third parties, observers, and mediators.


For 4.2.2:

Information to illiterate parties can be delivered, through:

1. Use of pictures / posters.
2. Use of audio visual.
3. Representatives who are literate.

Principle 4

RESPECT COMMUNITY AND HUMAN RIGHTS AND DELIVER BENEFITS

Criteria	Indicator
4.3 The unit of certification contributes to local sustainable development as agreed by local communities. 	4.3.1 Contributions to community development that are based on the results of consultation with local community are demonstrated.

Guidance

Contributions to sustainable development at the local level should be based on the results of consultations with local communities and provide long-term economic, social and/or environmental benefits. Such consultations should be based on the principles of transparency, openness and participation, and encourage communities to identify their own priorities and needs, including the different needs of men, women and minority vulnerable groups.

The unit of certification can utilize the Social Impact Assessment report to develop a contribution program to sustainable development at the local level (see Guidance on criteria 3.4).

The unit of certification can build partnerships with Non-Governmental Organizations (NGOs) and Civil Society Organizations (CSOs) to identify key environmental and/or social issues that stand out in the community, as well as develop and implement solutions to address problems as part of the contribution to sustainable development.

Guidance (Continued)

Examples of contributions to sustainable development at the local level can be in the form of (but are not limited to):

- a) Reduction of poverty;
- b) Access to health and well-being;
- c) Access to quality education;
- d) Access to clean water and sanitation;
- e) Conservation or restoration of natural resources;
- f) Gender equality program;
- g) Support/increase/guarantee food and water security.


If there are several prospective workers who are of equal quality, then those chosen to be employed should always be those who are members of the local community. Positive discrimination cannot be considered contrary to Criterion 6.1.

Related regulations include:

1. For Private owned Plantations refer to Act No. 40 of 2007 concerning Limited Liability Company article 74 paragraph 1 and 2 and its explanations; and Government Regulation No.47 of 2012 concerning Social and Environmental Responsibility of Limited Liability Company article 5 paragraph 1 and its explanation, where social and environmental responsibilities must be carried out.
2. For state owned plantations refer to Act No. 19 of 2003 concerning State Owned Enterprises (BUMN) article 9 paragraph 1.
3. Act No. 25 of 2007 on Capital Investment.

Principle 4

RESPECT COMMUNITY AND HUMAN RIGHTS AND DELIVER BENEFITS

Criteria	Indicator
4.4 Use of the land for oil palm does not diminish the legal, customary or user rights of other users without their Free, Prior and Informed Consent (FPIC). 	<p>4.4.1 (C) Documents showing legal ownership or lease, or authorised use of customary land authorised by customary landowners through a Free, Prior and Informed (FPIC) process. Documents related to the history of land tenure and the actual legal or customary use of the land are available.</p> <p>4.4.2 Copies documents evidencing agreement-making processes and negotiated agreements detailing the FPIC process are available and include:</p> <ul style="list-style-type: none">a) Evidence that a plan has been developed through consultation and discussion held in good faith with all affected groups within the community, with specific assurances that vulnerable, minority and gender groups are asked for their opinions, and that information has been provided to all affected groups, including in it information about the steps taken to involve them in decision making;b) Evidence that the unit of certification has respected communities to give or withhold their consent to the operations at the time that these decisions were taken;c) Evidence that the legal, economic, environmental and social implications of permitting operations on their land have been understood and accepted by affected communities. Including the implications for the legal status of their land at the expiry of the unit of certification's title, concession or lease on the land.

Criteria	Indicator
4.4 Use of the land for oil palm does not diminish the legal, customary or user rights of other users without their FPIC. (Continued)	4.4.3 (C) Maps of an appropriate scale showing the extent of recognised legal, customary or user rights are developed through participatory mapping involving affected parties (including neighbouring communities where applicable, and relevant authorities). 4.4.4 All relevant information is available in appropriate forms and languages, including assesment of impact, proposed benefit sharing, and legal arrangements. 4.4.5 (C) Evidence is available to show that communities are represented through institutions or representatives of their own choosing, including by legal counsel if they so choose. 4.4.6 There is evidence that implementation of agreement negotiated through FPIC is annually reviewed in consultation with affected parties.



Guidance

All indicators will apply to current operations, but there are exceptions to plantations established before November 2015 (during the implementation of the FPIC guides revision of the RSPO Human Rights Working Group), which may not have a record for decision making in the past, specifically for compliance with Indicators 4.4.2 and 4.4.3.

The definition of customary territories and the establishment of customary rights to land refer to Minister of Home Affairs Regulation No. 52 of 2014 concerning Guidelines for the Recognition and Protection of Indigenous Peoples.

Where there are legal or customary rights over land, the unit of certification should demonstrate that these rights are understood and are not being threatened or reduced. This Criterion should be considered in conjunction with Criterion 4.5, 4.6 and 4.7. Where customary rights areas are unclear these should be established through participatory mapping exercises involving affected parties (including neighbouring communities and local authorities).

Principle 4

RESPECT COMMUNITY AND HUMAN RIGHTS AND DELIVER BENEFITS

Guidance (Continued)

This Criterion allows for negotiated agreements to compensate other users for lost benefits and/ or relinquished rights. Negotiated agreements should be non-coercive and entered into voluntarily, carried out prior to new investments or operations, and based on an open sharing of all relevant information. The representation of communities should be transparent and in open communication with other community members.

Relevant legal arrangements may include negotiated benefit-sharing agreements, joint venture agreements, legal representation on management boards, restrictions on prior land use, co-management arrangements, smallholder contracts, rental and leasehold arrangements, royalty payments, and the implications of land acquisition and permits for community land tenure, use and access rights.

FPIC processes refer to the RSPO FPIC Guidance (November 2015) and other relevant technical guidelines related to FPIC.

Related regulations include:

1. Act No. 39 of 2014 concerning Plantations.
2. Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of National Land Agency No. 14 of 2018 concerning Location Permits.

Specific Guidance

For 4.4.1:

Documents that are required to be shown for ownership or leasing or control, and legal land userights are documents relating to the acquisition of land permits or the transfer of land rights land up to concessions.

For 4.4.2:

A copy of the negotiated agreement should include evidence, at least for the following:

Specific Guidance (Continued)

- The unit of certification's activity plan has been prepared through a process of consultation and discussion with all affected groups in the community, and information is given to all affected groups, including the steps that must be taken to involve the affected groups in the decision making process;
- The unit of certification has respected the community's decision to give or not approve activities when the decision was made;
- The unit of certification has ensured that affected communities understand and receive legal, economic, environmental and social impacts from the granting of operational licenses on community land including impacts on the legal status of community land and the expiry of rights or concessions. The unit of certification must convey the legal impact based on applicable laws and regulations, including but not limited to: Agrarian Law No. 5 of 1960, Government Regulation No. 40 of 1996 concerning Land Use Rights, Building Use Rights and Use Rights of the Land where by after the Land Use Right (HGU) has expired or not extended and or not renewed, the land becomes state property;
- The form of land legality is adequately consulted through the FPIC process with the community and in accordance with applicable laws and regulations;
- The company has submitted a partnership program plan.

For 4.4.4:

List of relevant information refers to RSPO FPIC Guidance (November 2015) and other relevant technical guidance related to FPIC.

For 4.4.5:

Evidence must be in the form of a power of attorney for appointment from community groups, individuals and / or companies to the representative institutions during the negotiation process must be demonstrated.

For 4.4.6:

Evidence of annual review of the FPIC agreement through a process of consultation with affected parties is available. Evidence of this annual review will include:

1. Implementation of initial agreement points of agreement for plantation development;
2. The period of fulfilment of the initial agreement.


FPIC reviewing process is conducted until the agreed timeline.

Principle 4

RESPECT COMMUNITY AND HUMAN RIGHTS AND DELIVER BENEFITS

Criteria	Indicator
4.5 No new plantings are established on local peoples' land where it can be demonstrated that there are legal, customary or user rights, without their FPIC. This is dealt with through a documented system that enables these and other stakeholders to express their views through their own representative institutions.	<p>4.5.1 (C) Documents showing identification and assessment of demonstrable legal, customary and user rights are available.</p> <p>4.5.2 (C) FPIC is obtained for all oil palm development through a comprehensive process, including in particular, full respect for their legal and customary rights to the territories, lands and resources via local communities' own representative institutions. All the relevant information and documents are made available, and community have option of resourced access to independent third-party advice through a documented, long-term and two-way process of consultation and negotiation.</p> <p>4.5.3 Evidence is available that affected local peoples understand they have the right to say 'agree' or 'not agree' to operations planned on their lands before and during initial discussions, during the stage of information gathering and associated consultations, during negotiations, and up until an agreement with the unit of certification is signed and ratified by these local peoples. Negotiated agreements are non-coercive and entered into voluntarily and carried out prior to new operations.</p> <p>4.5.4 To ensure local food and water security and as part of the FPIC process, SEIA participation and participatory land-use planning with local peoples, the full range of food and water provisioning options are considered. There is transparency of land allocations process.</p> <p>4.5.5 Evidence is available that the affected communities and rights holders have had the option to access information and advice, that is independent of the project proponent, concerning the legal, economic, environmental and social implications of the proposed operations on their lands.</p> <p>4.5.6 Evidence is available that the communities or their representatives gave consent to the initial planning phases of the operations prior to the issuance of a new concession or land title to the operator.</p>



Criteria	Indicator
<p>4.5 No new plantings are established on local peoples' land where it can be demonstrated that there are legal, customary or user rights, without their FPIC. This is dealt with through a documented system that enables these and other stakeholders to express their views through their own representative institutions. (Continued)</p> 	<p>4.5.7 After 15 November 2018, new lands will not be acquired for plantations and mills as a result of recent (after November 2005) expropriations in the national interest (eminent domain) without FPIC process, except in cases of smallholders benefitting from agrarian reform or anti-drug programmes.</p> <p>4.5.8 (C) New lands are not acquired in areas inhabited by communities in voluntary isolation.</p>

Guidance

The unit of certification can, through compliance with RSPO criteria demonstrate its commitment to support the UN Sustainable Development Goals (especially SDGs 2, 6 and 15).

The unit of certification should support the implementation of existing national strategies with regard to food and water security, and not contradict them by any of its business activities.

The unit of certification should recognise national and/or international natural disaster risk assessments, strategies and maps in the management plan/strategy for the managed areas. The unit of certification should inform suppliers and communities in the concerned region about natural risks and provide support in case of strong adverse natural and human made disasters.

Principle 4

RESPECT COMMUNITY AND HUMAN RIGHTS AND DELIVER BENEFITS

Guidance (Continued)

This activity should be integrated with the SEIA required by Criterion 3.4.

Within the FPIC process, measures to balance potential negative impacts on food and water security for local communities should be discussed and agreed between the unit of certification and the local communities. These measures and their proposed implementation features (what, how, how long, recipients, threats and opportunities to implementation) are documented as part of the resource management planning.

In cases where the availability, access, quality, and stability of food and water is negatively affected by the planned operation, mitigation and relief measures should be agreed.

Where applicable, in communities resettled in accordance with FPIC, the unit of certification should monitor the food and water security situation through a screening process and, for example, through continuous dialogue, to ensure local food and water security.

Efforts should be made to consider population dynamics. The set of measures is to be reviewed regularly (proposed biannually) to reflect on changes in needs and capacities and the resources available.

The unit of certification should not restrict access to markets for local communities through its operations. The unit of certification should assess water catchments in order to identify key water risks or shared challenges (see HCV 4). The unit of certification should regularly monitor their operations' impacts on water availability and quality.

Where new plantings are considered to be acceptable, management plans and operations should maintain sacred sites (HCV 6). This activity should be integrated in HCV and HCS forest assessments as set out in Criterion 7.12.2 Agreements with indigenous peoples, local communities and other stakeholders should be made without coercion or other undue influence (see Guidance for Criterion 4.4). Relevant stakeholders include those affected by or concerned with the new plantings.

Guidance (Continued)

Customary and user rights will be demonstrated through participatory user mapping as part of the FPIC process.

FPIC is a guiding principle and should be applied to all RSPO members throughout the supply chain. Refer to RSPO approved FPIC guidance ('FPIC and the RSPO; A Guide for Members', November 2015).

If the development of new plantations is accepted by community, management and operation plans should reduce negative impacts (e.g. disturbing sacred sites) and increase positive impacts. Agreements with indigenous peoples, local communities and other stakeholders should be reached without coercion or undue influence.

If the community that has land rights, refuses to relinquish the rights to the land, the unit of certification must look for other alternatives in accordance with applicable regulations such as a lease/contract/loan/enclave scheme or other mutually agreed scheme or decide not to proceed with the development plan.

The unit of certification communicates with the community to ensure that the community understands the FPIC process that has been, is being and will be carried out.

Evidence of implementation can be in the form of a socialization document to the affected community, documentation of agreement or disagreement from the community, evidence of communication and consultation with the community.

Related regulations include:

1. Act No. 39 of 2014 concerning Plantations.
2. Regulation of the Minister of Agrarian Affairs and Spatial Planning / Head of National Land Agency No. 14 of 2018 concerning Location Permits.

Principle 4

RESPECT COMMUNITY AND HUMAN RIGHTS AND DELIVER BENEFITS

Specific Guidance


For 4.5.5 and 4.5.6:

The unit of certification will confirm that the community (or its representatives) gives their initial approval to the initial operational planning stage before the Plantation Business License (IUP) and if requested, land rights (Land Use Right (HGU)/Building Use Right (HGB)).

There is documented evidence that the community had been informed before releasing their rights to the oil palm plantations and mills that the legal consequences of obtaining Cultivation (HGU)/ Building (HGB) rights by the oil palm plantations and mills meant that they would permanently deprive the land rights on the land.

For 4.5.8

Evidence of implementation may take the form of, among others, FPIC scoping, Land Tenure Study (LTS) to ensure land acquisition does not originate from areas occupied by voluntary isolating communities.

Criteria	Indicator
<p>4.6 Any negotiations concerning compensation for loss of legal, customary or user rights are dealt with through a documented system that enables indigenous peoples, local communities and other stakeholders to express their views through their own representative institutions.</p> 	<p>4.6.1 (C) A mutually agreed procedure for identifying legal, customary or user rights, and a procedure for identifying people entitled to compensation, is in place.</p> <p>4.6.2 (C) A mutually agreed procedure for calculating and distributing fair and gender-equal compensation (monetary or otherwise) is established and implemented, monitored and evaluated in a participatory way, and corrective actions taken as a result of this evaluation.</p> <p>4.6.3 Evidence is available that equal opportunities are provided to both men and women to hold land titles for smallholdings (if possible based on local law, customs and/or agreement).</p> <p>4.6.4 The process and outcomes of any negotiated agreements, compensation and payments are documented with evidence of the participation of affected parties and made available to them.</p>

Principle 4

RESPECT COMMUNITY AND HUMAN RIGHTS AND DELIVER BENEFITS

Guidance

If there is a conflict about the condition of the land use in accordance with the existing land rights, the unit of certification should show evidence that necessary action has been taken to resolve the conflict with relevant parties.

Mechanisms for resolving conflicts should be available (Criteria 4.2 and 4.6).

If there is an overlap between operations carried out with other rights holders, the relevant unit of certification should resolve the issue with the appropriate authorities, in accordance with Criteria 4.2 and 4.6.

Specific Guidance

For 4.6.1:

The definition of customary territories and the establishment of customary rights to land refer to Minister of Home Affairs Regulations No. 52 of 2014 concerning Guidelines for the Recognition and Protection of Indigenous Peoples.

For 4.6.2:

Calculation and compensation procedures should consider:

- a. Difference between subject, object and type of land rights.
- b. Difference between transmigrants and local residents.
- c. The difference between proof of legal ownership and communal ownership of ethnic groups (indigenous peoples).

Criteria	Indicator
4.7	<p>Where it can be demonstrated that local peoples have legal, customary or user rights, they are compensated for any agreed land acquisitions and relinquishment of rights, subject to their FPIC and negotiated agreements</p> <p>4.7.1 (C) A mutually agreed procedure for identifying people entitled to compensation is in place.</p> <p>4.7.2 (C) A mutually agreed procedure for calculating and distributing fair compensation (monetary or otherwise) is in place and documented and made available to affected parties.</p> <p>4.7.3 Communities that have lost access and rights to land for plantation expansion are given opportunities to benefit from plantation development.</p>
4.8	<p>The right to use the land is demonstrated and is not legitimately contested by local people who can demonstrate that they have legal, customary, or user rights.</p> <p>4.8.1 Where there are or have been disputes, proof of legal acquisition of title and evidence that mutually agreed compensation has been made to all people who held legal, customary, or user rights at the time of acquisition is available and provided to parties to a dispute, and that any compensation was accepted following a documented process of FPIC.</p> <p>4.8.2 (C) Land conflict is not present in the area of the unit of certification. Where land conflict exists, acceptable conflict resolution processes (see Criteria 4.2 and 4.6) are implemented and accepted by the parties involved. In the case of newly acquired plantations, the unit of certification addresses any unresolved conflict through appropriate conflict resolution mechanisms.</p> <p>4.8.3 Where there is evidence of acquisition through dispossession or forced abandonment of customary and user rights prior to the current operations and there remain parties with demonstrable customary and land use rights, these claims will be settled using the relevant requirements (Indicators 4.4.2, 4.4.3 and 4.4.4).</p> <p>4.8.4 For any conflict or dispute over the land, the extent of the disputed area is mapped out in a participatory way with involvement of affected parties (including neighbouring communities where applicable).</p>


Guidance:


Consultation in the conflict resolution process according to the FPIC guidelines can be carried out at several appropriate levels and also with several types of organizations and individuals as long as it is mutually agreed with the affected communities.

Principle 5

SUPPORT SMALLHOLDER INCLUSION

Include smallholders in the RSPO supply chain and improve their livelihood through fair and transparent partnership.

Criteria	Indicator
5.1 The unit of certification deals fairly and transparently with all smallholders (Independent and Scheme) and other local businesses. 	<p>5.1.1 Current and previous period prices for FFB are publicly available and accessible by smallholders.</p> <p>5.1.2 (C) Evidence is available that the unit of certification regularly explains the FFB pricing to smallholders.</p> <p>5.1.3 (C) Fair pricing, including premium pricing, when applicable, is agreed with smallholders in the supply base and documented.</p> <p>5.1.4 (C) Evidences is available that all parties, including women and independent representative organization assisting smallholders where requested, are involved in the decision making processes and understand the contracts. These include involving finance, loans/credits, and re-payments through FFB price reductions for replanting and/or, other support mechanisms where applicable.</p> <p>5.1.5 Contracts are fair, legal and transparent and have an agreed timeframe.</p>

Criteria		Indicator
5.1	The unit of certification deals fairly and transparently with all smallholders (Independent and Scheme) and other local businesses. (Continued) 	5.1.6 (C) Agreed payments are made in a timely manner and receipts specifying price, weigh, deductions and amount paid are given. 5.1.7 Weighing equipment is verified by an independent third party on a regular basis. 5.1.8 The unit of certification supports Independent smallholders with certification, where applicable, ensuring mutual agreements between the unit of certification and the smallholder on who runs the Internal Controlling System (ICS), who holds the certificate, and who owns and sells certified materials. 5.1.9 (C) The unit of certification has a grievance mechanism for smallholders, and all grievances raised are dealt with in a timely manner.

Guidance

A fair price for FFB with a standard quality should be equal to or more than the price determined by referring to Minister of Agriculture Regulation No. 1 of 2018 concerning Determination of FFB Prices.

This should also be applied to situations where the unit of certification acts as a group manager for groups that are certified by group certification documents.

Transactions conducted with farmers should consider issues such as the role of collectors, transportation and storage of FFB, quality and grading. The need to recycle nutrients in FFB (see Criterion 7.4) should also be considered; if waste recycling is not something that can be done for farmers, then compensation for the value of nutrients released can be given through the price of FFB.

Principle 5

SUPPORT SMALLHOLDER INCLUSION

Guidance (Continued)



Smallholders should have access to the complaint handling procedure set out in Criterion 4.2 if they feel they do not get a fair price for FFB, regardless of the presence or absence of middlemen.

If the unit of certification asks farmers to change their practices in order to meet the RSPO Principles and Criteria, then the costs required to make these changes should be considered by the unit of certification, so it can consider the possibility of advance payment of FFB or other benefits.

Specific Guidance

For 5.1.8:

The agreement is not only limited to the management of ICS, certificate holder, and who own/sell certified materials but also should include the party managing benefits of the certification, including settings of account that will be used to manage funds from credit sales.

Criteria	Indicator
5.2 The unit of certification supports improved livelihoods of smallholders and their inclusion in sustainable palm oil value chain. 	5.2.1 The unit of certification consults with interested smallholders (irrespective of type), including women or other partners in their supply base to assess their needs for support to improve their livelihoods and their interest in RSPO certification. 5.2.2 The unit of certification develops and implements livelihood improvement programmes, including at least capacity building to enhance productivity, quality, organisational and managerial competencies, and specific elements of RSPO certification (including the RSPO Standard for Independent Smallholder).
5.2 The unit of certification supports improved livelihoods of smallholders and their inclusion in sustainable palm oil value chains. (Continued) 	5.2.3 Where applicable, the unit of certification provides support to smallholders to promote legality of FFB production. 5.2.4 (C) Evidence exists that the unit of certification trains scheme smallholders on pesticide handling. 5.2.5 The unit of certification regularly reviews and publicly reports on the progress of the smallholders support programme.

Guidance

The RSPO will develop guidelines on support for smallholders.

Specific Guidance

For 5.2.1:

This consultation can include the location of the FFB collection centers or other parties such as representative organizations, if any.

When assessing smallholders’ livelihoods, the focus is on the needs of oil palm farmers to increase the productivity of their plantations, including meeting RSPO Principles and Criteria.

Principle 5

SUPPORT SMALLHOLDER INCLUSION

Specific Guidance (Continued)

If the unit of certification conducts a feasibility assessment of the support program for Independent Farmers, the following factors can be considered and explained to be understood by smallholders:

- Hopes for a sustainable supply of FFB to POM.
- Farmers' readiness to implement improvement programs.

For 5.2.2:

For Scheme Smallholders, support programs are based on long-term relationships.

Specific elements in RSPO certification can include:

- Information about RSPO;
- Occupational Safety and Health (OHS) Training;
- FPIC; and
- HCV

This support can include (but not limited to) cooperatives, agents, collection centers, and representative organizations.


For 5.2.5:

Reports on smallholders' support programs can be published in the form of company annual reports, sustainability reports, journals, print and electronic media.

Principle 6

RESPECT WORKERS' RIGHTS AND CONDITIONS

Protect workers' rights and ensure safe and decent working conditions.

Criteria	Indicator
6.1 Any form of discrimination is prohibited. 	<p>6.1.1 (C) A publicly available non-discrimination and equal opportunity policy is implemented in such way to prevent discrimination based on ethnic origin, caste, national origin, religion, disability, gender, sexual orientation, gender identity, union membership, political affiliation or age.</p> <p>6.1.2 (C) Evidence is provided that workers and groups including local communities, women, and migrant workers have not been discriminated against. Evidence includes migrant workers non payment of recruitment fees.</p> <p>6.1.3 The unit of certification demonstrates that the recruitment selection, hiring access to training and promotion are based on skills, capabilities, qualities and medical fitness necessary for the jobs available.</p> <p>6.1.4 Pregnancy testing is not conducted as a discriminatory measure and is only permissible when it is legally mandated. Alternative equivalent employment is offered for pregnant women.</p> <p>6.1.5 (C) A gender committee is in place specifically to raise awareness, identify and address issues of concern, as well as opportunities and improvements for women.</p> <p>6.1.6 There is evidence of equal pay for the same work scope.</p>

Principle 6

RESPECT WORKERS' RIGHTS AND CONDITIONS

Guidance

Non-discriminatory provisions are applied to all workers, regardless of their contract status.

Examples of compliance to this principle can be in the form of documentation that is carried out accordingly (for example: a job vacancy advertisements, job descriptions, performance appraisal, etc.), and/or information obtained through interviews with relevant stakeholders such as affected groups that could include women, local communities, foreign workers, migrant workers, etc. Notwithstanding national laws and regulations, medical conditions should not be used for discrimination.

Regulations related to non-discriminatory provisions can refer to:

1. Act No. 13 of 2003 concerning Manpower.
2. Act No. 39 of 1999 concerning Human Rights.
3. Act No. 7 of 1984 concerning The Ratification of Eradication of All Forms of Discrimination Against Women.
4. Act No. 40 of 2008 concerning Elimination of Racial and Ethnic Discrimination.

Regulations related to procedures of worker's health examination and medical eligibility refer to Minister of Manpower and Transmigration Regulation No. 2 of 1980 concerning Worker's Health Examination.

Complaint procedure as described in Criterion 4.2 applies. Positive discrimination to provide work and benefit to certain community is acceptable as a part of negotiation result.

Specific Guidance

For 6.1.1:

Minimum and maximum age of workforce does not count as age discrimination when following government regulations.

Specific Guidance (Continued)

For 6.1.2:

Examples of evidence for Indicator 6.1.2 can include contracts between employers and agencies; contract between worker and agency; clear company policies and recruitment procedures; and affirmation from the workers and the agency that there are no recruitment fees.

Foreign workers and migrant workers should not pay anything that is not required to local workers, unless ordered so by law. Workers should not be chosen for a job based on their ability to pay.

For 6.1.5:


A gender committee that specifically deals with women's issues is required to meet these criteria. This committee should consist of female and male workers representatives from all field of work, who consider issues such as: training for women's rights; counseling for women involved in violence cases; and handling other issues of concern.


For 6.1.6:

Equal wage, besides considering the similarity of the scope of work, other considerations that could be considered are the working period/ experience, work productivity, competence, and other relevant factors. Regulations related to this indicator is Government Regulation No. 78 of 2015 concerning Payment of Wages.

Principle 6

RESPECT WORKERS' RIGHTS AND CONDITIONS

Criteria	Indicator
6.2 Pay and conditions for staff and workers and for contract workers always meet at least legal or industry minimum standards and are sufficient to provide decent living wages (DLW). 	<p>6.2.1 (C) Documentation of pay and working conditions in accordance with applicable labour laws are available to the workers in national languages and explained to them in language they understand.</p> <p>6.2.2 (C) Employment contracts and related documents detailing payments and conditions of employment (e.g. regular working hours, deductions, overtime, sick leave, holiday entitlement, maternity leave, reasons for dismissal, period of notice, etc. in compliance with national legal requirements) and payroll documents give accurate information on compensation for all work performed.</p> <p>6.2.3 (C) There is evidence of legal compliance for regular working hours, deductions, overtime, sickness, holiday entitlement, maternity leave, reasons for dismissal, period of notice, and other legal labour requirements.</p> <p>6.2.4 (C) The unit of certification provides adequate housing. Sanitation facilities, water supplies, medical, educational and welfare amenities to national standards or above, where no such public facilities are available or accessible. In the case of acquisitions of non-certified units, a plan is developed detailing the upgrade of infrastructure. A reasonable time (5 years) is allowed to upgrade the infrastructure.</p> <p>6.2.5 The unit of certification makes efforts to improve workers' access to adequate, sufficient and affordable food.</p> <p>6.2.6 A DLW is paid to all workers in accordance with applicable regulations, including workers who work on a piece rate/quota basis, the calculation of which is based on a quota that can be achieved during regular working hours.</p>

Criteria	Indicator
<p>6.2 Pay and conditions for staff and workers and for contract workers always meet at least legal or industry minimum standards and are sufficient to provide decent living wages (DLW). (Continued)</p> 	<p>PROCEDURAL NOTE for 6.2.6: The RSPO has published guidelines on the calculation of Decent Living Wage (DLW) in June 2019. Since Indonesia does not have DLW benchmark yet, the RSPO Secretariat will conduct a DLW benchmark study in accordance with the Global Living Wage Coalition (GLWC) and Indonesian laws and regulations. In the meantime, until DLW benchmark for Indonesia is endorsed by the RSPO, the unit of certification carries out interim measures that was published by RSPO (dated 11 November 2019), including:</p> <ol style="list-style-type: none"> 1. Payment of minimum wages in accordance with applicable regulations. 2. Assessment of wages paid (prevailing wages) and in-kind benefits. <p><i>Once the DLW benchmark is available, this procedural note is no longer applicable.</i></p> <p>6.2.7 Permanent fulltime employment is used for all core work performed by the unit of certification. Casual, temporary and day labour is limited to jobs that are temporary or seasonal.</p>

Guidance

If the unit of certification does not meet the wage payment provisions in accordance with the DLW, the unit of certification must have an implementation plan for DLW payments with specific targets, and a phased implementation process including:

- a. Current assessment of prevailing wages and in-kind benefit.
- b. There is annual progress on the implementation of living wages.
- c. Where a minimum wage based on equivalent basket of goods, is stipulated in Collective Bargaining Agreement (CBA), the CBA must be used as the foundation for the gradual implementation of the living wage payment.
- d. The unit of certification may choose to implement the living wage payment in a specific section as a pilot project; the pilot will then be evaluated and adapted before an eventual scale-up of the living wage implementation.

Without reducing the wage distribution, the employer can provide more or better non-cash benefits to improve the standard of living of the workers, as long as the benefits are agreed by the workers union (if any) or workers' representatives.

Principle 6

RESPECT WORKERS' RIGHTS AND CONDITIONS

Specific Guidance

For 6.2.2:

Company Regulations or Collective Bargaining Agreements (CBA) are made by companies together with trade unions/labor unions if they exist in the company by referring to labor regulations such as Minister of Manpower Regulation No. 28 of 2014 concerning Procedures for the Making and Endorsement of Company Regulations and the Formulation and Registration of Collective Bargaining Agreements.

Related to work carried out by family members of workers who are not registered as workers in the unit of certification, as stated in indicator 6.2.2, it is not relevant, because of work requirements in Indonesia only allows the work performed by workers who are registered.

For 6.2.4:

The fulfillment of this indicator should refer to Act No. 13 of 2003 concerning Manpower.

For 6.2.5:

This applies if public facilities are not available or inaccessible to get decent, adequate and affordable food. Efforts may include providing transportation facilities, employee cooperative shops, weekly markets, etc.

For 6.2.6:

Regulations related to minimum wages include:

1. Government Regulation No. 78 of 2015 concerning Payment of Wages.
2. Minister of Manpower No. 15 of 2018 concerning Minimum Wage.
3. Minister of Manpower No. 21 of 2016 concerning Decent Living Needs.
4. Minister of Manpower and Transmigration Regulation No. 13 of 2012 concerning Components and Implementation of Phases to Fulfill Decent Living Needs.

Specific Guidance (Continued)

For 6.2.7:


Provisions related to the types of main work and supporting work refer to:

1. Act No. 13 of 2003 concerning Manpower.
2. Minister of Manpower and Transmigration Regulation No. 19 of 2012 concerning Requirements of Submission of Partial Work Implementation to Other Companies.
3. Minister of Manpower and Transmigration Decree No. 100 of 2004 concerning Provisions of Specific Time Working Agreement Implementation.
4. Circular of the Indonesian Palm Oil Association (GAPKI) No. 073 / GAPKI / II / 2013 concerning Circular on Activities of Work Process in Palm Oil Plantation Business Sector.

By referring to Minister of Manpower and Transmigration Decree No. 100 of 2004 concerning Provisions of Specific Time Working Agreement Implementation, the unit of certification can hire specific time workers to meet certain targets or to do additional work (e.g. harvesting and quoting loose fruits during peak season crop).

Principle 6


RESPECT WORKERS' RIGHTS AND CONDITIONS

Criteria	Indicator
6.3 The unit of certification respects the rights of all personnel to form and join trade unions of their choice and to bargain collectively. Where the right to freedom of association and collective bargaining are restricted under law, the employer facilitates parallel means of independent and free association and bargaining for all such personnel. 	<p>6.3.1 (C) A published statement recognizing freedom of association and right to collective bargaining in national languages is available and is explained to all workers in languages that they understand, and is demonstrably implemented.</p> <p>6.3.2 Minutes of meetings between the unit of certification with trade unions or worker representatives who are freely elected, are documented in the national languages and available upon request.</p> <p>6.3.3 Management does not interfere with the formation or operation of registered labour organizations/ unions, or other freely elected representatives for all workers, including migrant and contract workers.</p>

Guidance

The right of staff and workers, including migrant workers and Inter-Regional Workforce and contract workers, to associate and bargain collectively with unit of certification should be respected, in accordance with Act No 21 of 2000 concerning Labour Union and Act No. 13 of 2003 concerning Manpower.

Collective bargaining is encouraged to include terms and conditions relevant to workers' rights, and also to the rights of workers and their families to access health facilities, education, nutritious food, OHS equipment, energy, and can include clear mechanisms for complaints and recoveries.

Criteria	Indicator
6.4 Children are not employed or exploited. 	6.4.1 A formal policy for the protection of children, including prohibition of child labour and remediation is in place, and included into service contracts and supplier agreements. 6.4.2 (C) Documented evidence on the fulfillment of worker’s minimum age requirements in accordance with applicable regulation and verification procedures for age requirements, are available. 6.4.3 (C) Young person maybe employed only for non-hazardous work with protective restrictions in place for that work. 6.4.4 The unit of certification demonstrates communication about its ‘no child labour’ policy and the negative effects of child labour, and promotes child protection to supervisors and other key staff, smallholders, FFB suppliers and communities where workers live.

Guidance

Service contracts and supplier agreements refer to agreements signed and can be affected by the unit of certification, and not agreements that cover services or infrastructure development such as telephone or electricity.

The unit of certification must determine the minimum age for work and working hours in accordance with applicable regulations. By referring to Act No. 13 of 2003 concerning Manpower, Act No. 35 of 2014 concerning Child Protection, Presidential Decree No. 59 of 2002 concerning National Action Plan to Eradicate All Forms of Worst Employment for Children and consider the risks of hazards in oil palm plantations and mills on the development and physical, mental and social health of children; the national interpretation mandates that unit of certification in Indonesia does not employ people under the age of 18.

If a self-managed plantation is contracted or cooperates with a unit of certification and is part of the scope of certification for that unit, then it is prohibited to use child labor.

Working in family farm is only permitted when it is for family’s own consumption. Regulations related to this criterion include:

1. Act No. 13 of 2003 concerning Manpower.
2. Act No. 20 of 1999 concerning Ratification of International Labour Organization Convention (ILO) No. 138 of 1973 concerning Minimum Age Allowed for Employment.

Principle 6

RESPECT WORKERS' RIGHTS AND CONDITIONS

Guidance (Continued)

3. Minister of Manpower and Transmigration Regulation No. 235 of 2003 concerning Types of Work That Endangers the Safety, Health or Moral of Children.
4. Act No. 35 of 2014 concerning Amendments to Act No. 23 of 2002 concerning Child Protection.

Specific Guidance

For 6.4.1:

Examples of recovery are: procedures for assisting underage workers found to be working; ensure that children are not in the workplace, parents/guardians are informed, and medical testing to assess physical and mental health of children is conducted; and the unit of certification ensures children are enrolled in schools.

For 6.4.2:


Age verification documents can be in the form of: personnel files, copies of government-recognized identity cards.

For 6.4.3:

In the context of oil palm plantations of RSPO members in Indonesia, young workers are not recognized, but there are students who carry out fieldwork practices at the palm oil plantations to meet the learning curriculum requirements as referred to in Article 70 of Act No. 13 of 2003 concerning Manpower.

For 6.4.4:

It is best to socialize the prohibition on the use of child labor to all levels of operations.

Criteria	Indicator
<p>6.5 There is no harassment or abuse in the workplace, and reproductive rights are protected.</p> 	<p>6.5.1 (C) A policy to prevent sexual and all other form of harassment and violence is documented, implemented and communicated to all levels of the workforce.</p> <p>6.5.2 (C) A policy to protect the reproductive rights of all, especially of women, is documented, implemented and communicated to all levels of the workforce.</p> <p>6.5.3 Management has assessed the needs of new mothers, in consultation with the new mothers, and actions are taken to address the needs that have been identified in accordance with applicable regulations in Indonesia.</p> <p>6.5.4 A grievance mechanism, which respects anonymity and protects complainants where requested, as long as the complaint is supported with adequate information, is documented, implemented and communicated to all levels of the workforce.</p>

Specific Guidance

For 6.5.1 and 6.5.2:

A clear policy should be developed through consultation with staff and workers, contract workers and other relevant stakeholders, and the policy should be publicly available. Progress in implementing policies should be regularly monitored, and the results of the monitoring activities should be recorded.

Principle 6

RESPECT WORKERS' RIGHTS AND CONDITIONS


Specific Guidance (Continued)

The policy should include education for women and awareness about the workforce. There should be a program dedicated to particular problems faced by women, such as violence and sexual harassment in the workplace. The committee which must include representatives from all fields of work will consider matters such as: training on women's rights; counseling for women affected by violence; child care facilities must be provided by the unit of certification; breastfeeding women are prohibited from carrying out spraying duties or work that uses chemicals; and women are given specific breaks to be able to breastfeed effectively. A gender committee that specifically addresses women's issues is required to meet these criteria. This committee should consist of representatives from all fields of work.

For 6.5.3:

The Gender Committee and medical staff can support the assessment of new nursing mothers. The unit of certification provides appropriate opportunities so that mothers can carry out their obligations to provide exclusive breastfeeding (6 months based on Act No. 36 of 2009 concerning Health) or a longer period of time based on the child's needs.

Adequate lactation space should be provided for nursing mothers who have babies with 24 months of age or younger. Lactation activities should not reduce employee's income.

Criteria	Indicator
6.6	<p data-bbox="181 288 448 356">No forms of forced or trafficked labour are used.</p> <div data-bbox="181 356 448 692" style="background-color: #d9d9d9; padding: 10px; border-radius: 5px;">  </div> <p data-bbox="448 288 1481 632">6.6.1 (C) All work is voluntary and the following are prohibited:</p> <ul data-bbox="528 333 1442 599" style="list-style-type: none"> • Retention of identity documents or passports; • Payment of recruitment fees; • Contract substitution without worker’s consent; • Involuntary overtime; • Lack of freedom of workers to resign; • Penalty for termination of employment, unless the unit of certification and the workers agree to the penalty and it is stated in the employment agreement; • Debt bondage; • Withholding of wages. <p data-bbox="448 632 1481 692">6.6.2 (C) Where temporary (Specified Time Work Agreement/PKWT) or migrant workers are employed, a specific labour policy and procedures are established and evidence of implementation is available.</p>

Guidance

Migrant workers/foreigners should be legalized and contractual arrangements should be drawn up to meet immigration requirements for foreign workers and international standards. Existing deductions may not reduce the amount of DLW.

Specific work policies regarding migrant workers must include:

- Statements about non discriminatory practices;
- There is no substitution of employment contract agreements without the consent of the workers;
- A post arrival orientation program is held with a main focus on language, security, legislation in the area of employment, cultural practices, etc.
- The provision of decent housing refers to the best practices of oil palm plantations or in accordance with ILO Recommendation No. 115; and
- Collection of fees related to recruitment and recruitment of migrant workers.

Principle 6

RESPECT WORKERS' RIGHTS AND CONDITIONS

Guidance (Continued)

Regulations regarding foreign workers refer to Presidential Regulation No. 20 of 2018 concerning The Use of Foreign Worker. Workers can voluntarily leave their passports or identification documents with management for safekeeping. In such cases, the document must be returned to the worker when requested. There should be evidence of due diligence in applying such provisions to all sub-contracted workers and suppliers.

Related Regulations refers to Act No. 13 of 2003 concerning Manpower.

Specific Guidance

For 6.6.1:

The substitution of an employment agreement/contract is prohibited if the agreed work is changed without the worker's consent.

Criteria	Indicator
<p>6.7 The unit of certification ensures that the working environment under its control is safe and without undue risk to health.</p>	<p>6.7.1 (C) The responsible person(s) for H&S is identified. There are records of regular meetings between the responsible person(s) and workers. Concerns of all parties about health, safety and welfare are discussed at these meetings, and any issues raised are recorded.</p> <p>6.7.2 Accident and emergency procedures in Indonesian language are in place and clearly understood by all workers. Assigned operatives trained in first aid are present in both field and other operations. First aid equipment is available at worksites. Records of all accidents are kept and periodically reviewed.</p> <p>6.7.3 (C) Workers use appropriate personal protective equipment (PPE) which is provided free of charge to all workers in the workplace, to cover all potentially hazardous operations, such as pesticides application, machine operations, land preparation, and harvesting. Sanitation facilities for those applying pesticides are available, so that workers can change out of PPE, wash and put on their personal clothing.</p> <p>6.7.4 All workers are provided medical care and covered by accident insurance. Costs incurred from work related incidents, leading to injury or illness, are covered in accordance with applicable regulations or by the unit of certification if applicable regulations do not provide protection.</p> <p>6.7.5 Occupational injuries are recorded using Lost Time Accident (LTA) metrics.</p>

Principle 6

RESPECT WORKERS' RIGHTS AND CONDITIONS

Guidance

The unit of certification should ensure that the workplace, machinery, equipment, transportation and processes under their control are always safe and do not endanger health. The unit of certification should ensure that chemical, physical and biological substances and things under their control do not endanger excessive health and take action if necessary.

Regulations related to occupational safety and health refer to:

1. Act No.1 of 1970 concerning Occupational Health and Safety.
2. Minister of Manpower Regulation No. 4 of 1987 concerning Occupational Health and Safety Committee and Procedures of Appointing Occupational Health and Safety Expert.
3. Minister of Manpower Decree No. 4 of 1993 concerning Work Accident Insurance.
4. Minister of Manpower and Transmigration Decree No. 609 of 2012 concerning Guidelines to Settle Cases of Work Related Accident and Illness.

Specific Guidance

For 6.7.3:

The unit of certification should establish procedures for the supply and use of PPE. This procedure also includes provisions on procedures for replacement and sanctions for improper use of PPE. The procedure is socialized and understood by workers.

Sanctions for the improper use of PPE should be stated in the joint agreement with the workers.

PLANET: CONSERVED, PROTECTED AND ENHANCED ECOSYSTEMS THAT PROVIDE FOR THE NEXT GENERATION



Objectives and outcomes

Ecosystems and their services are protected, restored and resilient, supported by sustainable consumption and production, and sustainable management of natural resources (in line with SDG 15 – sustainably manage forests, combat desertification, halt and reverse land degradation, halt biodiversity loss). Climate change is addressed through continuous GHG reductions; air and water pollution are controlled. There is greater resilience in our food and fibre production. The water and air are cleaner, and carbon is drawn out of the air to regenerate soils for current and future generations. Inputs decrease while yields are maintained, or even improved.

Principle 7

Protect, conserve and enhance ecosystems and the environment

Principle 7

PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT

Protect the environment, conserve biodiversity and ensure sustainable natural resource management.

Criteria	Indicator
7.1 Pests, diseases, weeds and invasive introduced species are effectively managed using appropriate Integrated Pest Management (IPM) techniques.	<p>7.1.1 (C) IPM plans are implemented and monitored to ensure effective pest control.</p> <p>7.1.2 Invasive species are not to be used according to applicable regulation in managed areas, unless plans to prevent and monitor their spread are implemented.</p> <p>7.1.3 There is no use of fire for pest control unless in exceptional circumstances, i.e. where no other effective methods exist, and with prior approval of government authorities.</p>



Guidance

The unit of certification should apply IPM techniques that are recognized by combining traditional, biological, mechanical and physical methods to minimize the use of chemicals. Wherever possible native species should be used in biological control.

Specific Guidance

For 7.1.2:

Invasive species refers to applicable regulation: Minister of Environment and Forestry Regulation No. P. 94/MENLHK/SEKJEN/KUM.1/12/2016 concerning Invasive Species.

Principle 7


PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT

Specific Guidance (Continued)

For 7.1.3:


The use of fire should only be done if it is assessed as the most effective way (based on an accountable assessment) with the least level of environmental damage to minimize the risk of pests and disease spread, and a very high level of caution is required for burning peatlands (peat). It should also be adjusted to the ASEAN Policy on Zero Burning, 2003 and the provisions of the regulations in the applicable national environmental legislation.

On Government Regulation No. 4 of 2001 concerning Damage and Pollution Control of the Environment related to Forest and/or Land Fires, an explanation section of Article 11 stated that activities which result in forest and/or land fires are among others land preparation activities for businesses fields of forestry, plantation, agriculture, transmigration, mining, and tourism that are carried out by burning. Therefore, in conducting such business, fire is prohibited, except for special purposes or inevitable conditions, including controlling forest fires, eradicating pests and diseases, and fostering habitat for plants and animals. Implementation of limited fire must obtain permission and authorities.

Criteria	Indicator
<p>7.2 Pesticides are used in ways that do not endanger health of workers, families, communities or the environment.</p> 	<p>7.2.1 (C) Justification of all pesticides used is demonstrated. Selective products and application methods that are specific to the target pest, weed or disease are prioritised.</p> <p>7.2.2 (C) Records of pesticides use (including active ingredients used and their LD50, area treated, amount of active ingredients applied per Ha and number of applications) are provided.</p> <p>7.2.3 (C) Any use of pesticides is minimised as part of a plan, eliminated where possible, in accordance with IPM plans.</p> <p>7.2.4 There is no prophylactic use of pesticides, unless in exceptional circumstances, as identified in Indonesia best practice guidelines.</p> <p>7.2.5 Pesticides that are categorised as World Health Organisation Class 1A or 1B, or that are listed by the Stockholm or Rotterdam Conventions and paraquat, are not to be used, unless in exceptional circumstances, as validated by a due diligence process, or when authorised by government authorities for pest outbreaks.</p> <p>The due diligence refers to:</p> <ol style="list-style-type: none"> Judgment of the threat and verify why this is a major threat. Why there is no other alternative which can be used. Which process was applied to verify why there is no other less hazardous alternative. Process to limit the negative impacts of the application. Estimation of the timescale of the application and steps taken to limit application to the specific outbreak.

Principle 7

PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT

Criteria	Indicator
7.2 Pesticides are used in ways that do not endanger health of workers, families, communities or the environment. (Continued) 	<p>7.2.6 (C) Pesticides are only handled, used or applied by persons who have completed the necessary training and are always applied in accordance with the product label. All precautions attached to the products are properly observed, applied, and understood by workers (see Criterion 3.6). Personnel applying pesticides must show evidence of regular updates on the knowledge about the activity they conduct.</p> <p>7.2.7 (C) Storage of all pesticides in accordance with recognized best practices.</p> <p>7.2.8 All pesticide containers that are disposed of and/or used for other purposes are managed according to applicable regulations and/or instructions on the packaging.</p> <p>7.2.9 (C) Aerial spraying of pesticides is prohibited, unless in exceptional circumstances where no other viable alternatives are available. This requires prior government authority approval. All relevant information is provided to affected local communities at least 48 hours prior to application of aerial spraying.</p> <p>7.2.10 Specific annual medical surveillance for pesticide operators, and documented action to treat related health conditions, is demonstrated.</p> <p>7.2.11 No pesticide-related work is carried out by pregnant or breastfeeding women, or people with medical limitations and they are offered other equivalent work alternatives.</p>

Guidance

The RSPO has identified several alternative examples besides the use of pesticides which include, among others, the ingredients listed in the Research Project on Integrated Weed Management Strategies for Palm Oil, CABI, April 2011.

Recognized best practices include: storage of all pesticide ingredients as regulated in the *“FAO International Code of Ethics for the Distribution and Use of Pesticides”* and their Guidelines and supplemented with relevant industry Guidelines in order to support the International Code of Ethics (See Annex 3).

Some of the regulations related to the pesticide are:

- a. Government Regulation No. 101 of 2014 concerning Hazardous and Toxic Waste Management.
- b. FAO International Code of Conduct on the distribution and use of pesticides dan its guidelines supported with relevant industrial guidelines (see Annex 3).
- c. Minister of Agriculture Regulation No. 01/Permentan/OT.140/1/2007 concerning List of Prohibited and Restricted Active Pesticide Materials.
- d. Minister of Agriculture No. 39/Permentan/Sr.330/7/2015 concerning Pesticide Registration.
- e. Stockholm Convention concerning Consistent Organic Pollutant Material ratified into Act No. 19 of 2009.
- f. Coaching Guideline of Pesticide Utilization of 2011 by Directorate General of Infrastructure and Facilities of Ministry of Agriculture.

Principle 7

PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT

Specific Guidance

For 7.2.5:

Due diligence is a process in which the unit of certification must identify, assess, mitigate, prevent, and explain how to verify the emergency use of pesticides, which are categorized as WHO Class 1A or 1B or registered in the Stockholm or Rotterdam Conventions and paraquat, which are banned from use in RSPO, except in certain circumstances which are very specific. The nature and scope of due diligence is influenced by factors such as the total area that needs to get pesticide application, the context and location of pesticide application, the nature of products and services, and the severity of the negative impact of the application of pesticides to the level of high danger, whether actual or potential.

For 7.2.6:


Socialization routine in the field could be regarded as periodic updates and documented. Tailored training for periodic updates, such as changes in composition, introduction of new chemicals, changes in the safety system for chemicals that have been used (Material Safety Data Sheet), new employees, accidents related to chemical material used. If there is a difference between the use of pesticides with instructions for use on the product label, documented justification is needed.

For 7.2.7:

Handling of Hazardous and Toxic Substances (B3) refer to Government Regulation No. 74 of 2001 concerning Hazardous and Toxic Substance Management.

Note For 7.2.11

Referring to Act No. 13 of 2003 concerning Manpower, Act No. 35 of 2014 concerning Child Protection, and taking into account the risks of hazards on palm oil plantations and mills on the development and physical, mental and social health of children, the national interpretation mandates that the unit of certifications does not employ people under the age of 18 for pesticide spraying. For this reason, the provisions of young workers under 18 years in indicator 7.2.11 are irrelevant.

Criteria	Indicator
7.3 Waste is reduced, recycled, reused and disposed of in an environmentally and socially responsible manner. 	7.3.1 A waste management plan which includes reduction, recycling, reusing, and disposal based on toxicity and hazardous characteristics, is documented and implemented in accordance with applicable laws and regulations. 7.3.2 Proper disposal of waste material, according to procedures that are fully understood by workers and managers, is demonstrated. 7.3.3 The unit of certification does not use open fire for waste disposal.

Guidance

The waste management and disposal plan should include the following actions:

- Improving the efficiency of resource utilization and recycling potential of waste into nutrients or converting them into value-added products (e.g. through the manufacture of animal feed);
- Proper management and disposal of hazardous chemicals and containers. Excess chemical containers should be reused, recycled or disposed of in an environmentally and socially responsible manner using existing best practices (for example, returning it to the seller or cleaning it with the three times washing method) and based on applicable regulations; in such a way that there is no risk of contamination of water sources or risk to human health. Disposal instructions on the factory label should be followed.

The unit of certification is encouraged to improve waste management in their environment.

If there are no options for the collection of non-toxic and non-hazardous domestic waste by the local government agency, a landfill is needed as a solution for disposal.

Principle 7

PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT


Guidance (Continued)

If the landfill is being used, the disposal mechanism must follow the appropriate Guidelines, which include the following:

- Only for domestic and household waste, where non-organic waste is minimized.
- Located far from water sources, communities and is outside of conservation areas.
- Well covered when full and has clear boundaries and information/signposts to avoid disturbance.

Regulations relating to waste management include:

1. Act No. 32 of 2009 concerning Protection and Management of The Environment.
2. Act No. 18 of 2008 concerning Waste Management.
3. Government Regulation No. 101 of 2014 concerning Hazardous and Toxic Waste Management.
4. Minister of Environment Regulation No. 5 of 2014 concerning Wastewater Quality Standard.
5. Government Regulation No. 82 of 2001 concerning Water Quality Management and Water Pollution Control (grafted in it is the criteria of water quality and requirements of utilization and disposal of wastewater).
6. Government Regulation No. 81 of 2012 concerning Household Waste and Similar to Household Waste Management.
7. Minister of Environment and Forestry Regulation No. P.68/MENLHK-SETJEN/2016 concerning Domestic Wastewater Quality Standard.
8. Minister of Environment and Forestry Decree No. 28 of 2003 concerning Technical Guideline for the Study of Utilization of Wastewater from the Palm Oil Industry on Palm Oil Plantation Soil.
9. Minister of Environment No. 29 of 2003 concerning Requirement Guidelines and Permit Procedure of Palm Oil Wastewater Utilization on Palm Oil Plantation Soil.
10. Minister of Environment and Forestry Regulation No P.102/MENLHK/SETJEN/KUM.1/11/2018 concerning Procedures for Licensing of Waste Water Disposal Through Integrated Electronic Business License Services.


Criteria		Indicator
7.4	Practices maintain soil fertility at, or where possible improve soil fertility to, a level that ensures optimal and sustained yield. 	7.4.1 Good agricultural practices, as contained in SOPs, are followed to manage soil fertility to optimise yield and minimise environmental impacts is documented. 7.4.2 Analysis of tissue samples (e.g. leaves) and soil on a regular basis to monitor and manage changes in soil fertility and plant health is documented. 7.4.3 A nutrient recycling strategy is in place, which include the recycling of Empty Fruit Bunches (EFB), Palm Oil Mill Effluent (POME), palm residues and optimal use of inorganic fertilisers. 7.4.4 Records of fertilizer inputs are maintained.

Guidance

Long-term fertility depends on the maintenance of structure, organic matter content, nutrient status, and soil microbiological health. Nutrient efficiency should consider plant age and soil conditions. The nutrient recycling strategy should include any use of biomass for by-products or energy production and should drive to minimise in-organic fertiliser use.

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Criteria	Indicator
7.5 Practices minimise and control erosion and degradation of soils. 	7.5.1 (C) Maps that identify marginal and fragile soils, including steep sloped land are available.
	7.5.2 The replanting of palm oil is not conducted extensively on steep terrain in accordance with applicable regulations.
	7.5.3 New palm oil planting is not conducted on steep terrain in accordance with applicable regulations.

Guidance

Techniques that can minimize soil erosion must be techniques that are well known and should be applied if possible. This could include practices such as cover crops, biomass recycling, terracing and natural regeneration or restoration instead of replanting.

The provisions concerning the limit of slopes that can still be cultivated as cultivated area (not a protected area) is approximately $\leq 40\%$ as according to:

- Minister of Agriculture Regulation No. 47 of 2006 concerning General Guideline of Agricultural Cultivation on Mountainous Terrain.
- Minister of Agriculture Regulation No. 131/Permentan/OT.140/12/2013 concerning Good Palm Oil (*Elaeis guineensis*) Cultivation Guideline.

Criteria	Indicator
7.6 Soil surveys and topographic information are used for site planning in the establishment of new plantings, and the results are incorporated into plans and operations. 	7.6.1 (C) Evidence of long-term land suitability for oil palm cultivation, soil maps or soil surveys that identify marginal and fragile soils, including steep terrain are available, in planning and operations. 7.6.2 Extensive planting on marginal and fragile soils is avoided or, if necessary, carried out according to the best-practice soil management plan. 7.6.3 Soil surveys and topographic information guide the planning of drainage and irrigation systems, roads and other infrastructure.

Guidance

These activities can be linked to Social and Environmental Impact Assessments (see Criteria 3.4). Soil and topography survey need not be done by independent experts.

Land suitability maps or soil surveys should be appropriate to the scale of operations and should include information on soil type, topography, hydrology, rooting depth, moisture availability, stoniness, and fertility to ensure long-term sustainability of the development.

Lands that need proper practice should be identified (see Criteria 7.7). This information should be used to plan planting programs, etc.

Principle 7

PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT

Guidance (Continued)


There should be planning for actions aimed at minimizing erosion through the use of appropriate heavy equipment, terracing on the slopes, proper road construction, rapid planting of land cover, river border protection, and other actions.

Areas that are located within the boundaries of the plantations but are deemed unsuitable for long-term palm oil cultivation should be clearly delineated/ marked in the existing plans and included in conservation or rehabilitation operations as needed (see Criteria 7.7).

Land suitability assessments are also important for smallholders, especially if there are a significant number of smallholders operating in certain locations.


Unit of certification should collect land suitability information if it plans to buy FFB from activities that could be the development of independent smallholder farmers in certain locations. The unit of certification should assess this information and provide land suitability information to independent smallholder farmers, and/or with government agencies or public institutions and other relevant organizations (including NGOs) and provide information to assist independent smallholder farmers in carrying out sustainable palm oil cultivation.

One guideline that can be referred to is Minister of Agriculture Regulation No. 131/Permentan/OT.140/12/2013 concerning Guidelines for Good Palm Oil Cultivation (*Elaeis guineensis*).

Criteria	Indicator
<p>7.7 No new planting on peat, regardless of depth after 15 November 2018 and all peatlands are managed responsibly.</p> 	<p>7.7.1 (C) No new planting on peatlands, regardless of depth, after 15 November 2018, in existing plantation areas, as well as in new development areas.</p> <p>7.7.2 Peat areas within the managed area are inventoried, documented and reported to the RSPO Secretariat (effective from November 15, 2018).</p> <p>Procedural Note: Maps and other documentation for peatlands are provided, prepared and shared according to the RSPO Working Group (Peatland Working Group / PLWG) audit guide (See Procedural Notes for Indicator 7.7.5 below).</p> <p>7.7.3 (C) Peat subsidence is monitored, documented, and minimized.</p> <p>7.7.4 (C) Availability of implementation evidence of the water and land cover management program.</p> <p>7.7.5 (C) Drainability assessments are conducted for plantations planted on peat following the RSPO Drainability Assessment Procedure, or other method recognized by RSPO, (at least five years or in accordance with the provisions of the RSPO Drainability Assessment Procedure) before replanting. The results of the assessment are used to determine the period of replanting to be carried out, as well as to gradually replace oil palm cultivation for at least 40 years or two cycles, (whichever is longer), before reaching the natural gravitational drainage limit for peat. If oil palm is gradually replaced, it is replaced by other commodity crops that are better suited for higher groundwater levels (paludiculture) or rehabilitated with natural vegetation.</p>

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Criteria	Indicator
<p>7.7 No new planting on peat, regardless of depth after 15 November 2018 and all peatlands are managed responsibly. (Continued)</p> <p></p>	<p>Procedural Note:</p> <p>For 7.7.5: Detailed information on the RSPO Drainability Assessment Guide along with related concepts and detailed actions is contained in the Guidelines currently being adjusted / tested by the RSPO Working Group on Peatlands (Peatland Working Group / PLWG). The final version must obtain PLWG approval in January 2019 and will include additional Guide on the steps to be followed after deciding not to replant and the consequences for other stakeholders, farmers, local communities, and the unit of certification concerned. It is recommended that the trial methodology period is proposed to be extended for 12 months for all relevant management units (ie management units that have plantations on peat) to utilize the methodology and provide input to PLWG so that existing procedures can be further refined as needed before January 2020. The unit of certification has the option to delay replanting until the issuance of the revised Guidelines for the guidelines. Additional guidance for alternative commodity crops and rehabilitation of natural vegetation will be regulated by the PLWG.</p> <p>7.7.6 (C) All existing plantations on peat are managed according to applicable laws and/or “RSPO Guidelines for Best Management Practices (BMP) for Oil Palm Cultivation that are already on Peatlands”, version 2 (June 2019) along with related audit guidelines (May 2019).</p> <p>7.7.7 (C) All peat areas not planted and reserved in managed areas (regardless of depth) are protected as ‘peatland conservation areas’; unit of certification are prohibited from constructing drainage channels, building roads and new electricity lines on peatlands; unless unless if it is for a non-corporate land clearance. Peatlands are managed in accordance with ‘RSPO Best Management Practices for the Management and Rehabilitation of Natural Vegetation related to Oil Palm Cultivation that already exists in Peatlands’ (the latest version) along with relevant audit guidelines.</p>

Guidance

The unit of certification is encouraged to map the existing peatlands in the supply base within the scope of certification so that they can monitor and encourage the use of Best Management Practices (BMP).

The definition of peat refers to:

1. Government Regulation No. 57 of 2016 concerning Amendments to Government Regulation No. 71 of 2014 concerning the Protection and Management of Peat Ecosystems, which is organic material that is formed naturally from the remains of imperfect decomposed plants with a thickness of 50 (fifty) centimeters or more and accumulates in swamps.
2. Minister of Agriculture Regulation No. 14/Permentan/PL.110/2/2009 concerning Guidelines for the Utilization of Peatlands for Palm Oil Cultivation, which is soil accumulated from a pile of organic material that is naturally greater than 65% (sixty-five percent) from weathered vegetation that grows on it which is inhibited by the decomposition process due to the anaerobic and wet atmosphere.

Specific Guidance

For 7.7.2:

If there are differences in data on the area of peatlands managed between those determined by the government and the results of a peatland survey conducted by the unit of certification, then according to applicable regulations, the unit of certification should show evidence of effort to align the data.

For 7.7.3 and 7.7.4:

Peat ecosystems with a cultivation function are defined as damaged if they meet the following criteria:

- a) water table in peatlands is more than 0.4 (zero point four) meters below the surface of the peat at ground water table's measurement reference point (*titik penaatan*) (piezometer); and/or
- b) exposure of pyrite and/or quartz sediments beneath layers of peat.

To maintain water table in peatlands equal to or less than 0.4 (zero point four) meters below ground surface of the peat at ground water table's measurement reference point (*titik penaatan*), the water management system in the collection drains in the field is maintained at 50-70 cm below the surface of the peat, through a network of appropriate water control structures (eg: dams, sandbags, etc.) in the field and water gates at the discharge points of main drains.

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Specific Guidance (Continued)


In addition, the unit certification measures the level of subsidence of the peatland surface. The monitoring location of the subsidence point is at ground water table's measurement reference point (*titik penaatan*) in accordance with applicable regulations and the RSPO Manual on BMP for Existing Palm Oil Cultivation on Peat, Version 2 (2018).

Related regulations include:

1. Government Regulation No.57 of 2016 concerning amendments to PP No.71 of 2014 concerning Protection and Management of Peatland Ecosystems.
2. Regulation of Minister Environment and Forestry No.16 / MENLHK / SETJEN / KUM.1 / 2/2017 concerning Technical Guidelines for the Restoration of Peatland Ecosystem Functions.
3. Regulation of Minister Environment and Forestry No.P.15 / MENLHK / SETJEN / KUM.1 / 2/2017 concerning Procedures for Measuring Groundwater in the Peatland Ecosystems Ground Water Table's Measurement Reference Point (*Titik Penaatan*).

For 7.7.7:

Non-corporate land clearance is defined as land clearance for other than corporate purposes, including government projects that involve public works or other public interest facilities and infrastructures (e.g. road, canal, port).

Criteria	Indicator
7.8	<p data-bbox="183 303 446 796">Practices maintain the quality and availability of surface and groundwater.</p>  <p data-bbox="446 303 1481 796"> 7.8.1 A water management plan is available and is implemented to support efficient use of water sources and continuous availability and avoid negative impacts on other users in the catchment. The plan referred to contains the following matters: <ul style="list-style-type: none"> <li data-bbox="510 425 1481 487">a) The unit of certification does not limit access to clean water or does not pollute the water used by the community. <li data-bbox="510 487 1481 520">b) Workers have adequate access to clean water. 7.8.2 (C) Water courses and wetlands are protected, including the maintenance and restoration of riparian zones and other buffer zones during or before replanting, in accordance with the “RSPO Manual on BMPs for the management and rehabilitation of riparian reserves” (April 2017) or Simplified Guide Management and Rehabilitation of Riparian Reserves (2018). 7.8.3 Mill effluent is managed according to applicable regulations. The quality of mill effluent discharged, especially BOD (Biochemical Oxygen Demand) is monitored in accordance with applicable regulations. 7.8.4 Mill water use per tonne of FFB is monitored and recorded. </p>

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Guidance

Water management plans should include:

- a. Considerations from relevant stakeholders, their water use, and availability of water resources.
- b. Consider the efficiency of usage and the ability to renew water sources.
- c. Ensure that the use and management of water in the unit of certification will not have a negative impact on other users in the same catchment area, including local communities and traditional water users.
- d. Aimed at ensuring access of local communities, workers and their families have sufficient access to clean water for drinking water and BWT (Bathing, Washing, Toilet).
- e. Avoid ground water and surface water contamination from surface erosion, washing of nutrients or chemicals, or due to improper disposal of other wastes, including palm oil mill effluent.

Water quality testing is carried out by an accredited laboratory or the one recommended by the Governor.

Regulations and thresholds that can be referred to include:

- a. Minister of Environment Regulation No.5 of 2014 concerning Wastewater Quality Standards;
- b. Minister of Environment Decree No. 28 of 2003 concerning Technical Guidelines for the Study of Utilization of Wastewater from Industry on Soil in Oil Palm Plantations;
- c. Minister for the Environment Decree No. 29 of 2003 concerning Guidelines for Terms and Procedures for Licensing for the Utilization of Wastewater Oil Palm Oil Industry on Soil in Oil Palm Plantations;
- d. Minister of Environment Regulation No. 12 of 2006 concerning Requirements and Procedures for Permit of Disposal of Wastewater into the Sea.

Guidance (Continued)



National regulations relating to river borders include:

1. Government Regulation No. 38 of 2011 concerning the River.
2. Government Regulation No. 37 of 2012 concerning Watershed Management.
3. Government Regulation No. 26 of 2008 concerning National Spatial Planning, Article 56 (2) of the river border outside the settlement is determined with the following criteria:
 - The land, along the banks of the embankment, with a width of at least 5 (five) meters from the outer foot of the embankment.
 - Land, along the banks of large rivers with no bore, outside residential areas with a width of at least 100 (one hundred) meters from the riverbank.
 - Land, along the banks of tributaries, outside the residential areas with a width of at least 50 (fifty) meters from the riverbank.
4. Presidential Decree No. 32 of 1990 concerning the Management of Protected Areas, Article 16 concerning Criteria for river border are:
 - a. At least 100 meters on either side of a large river and 50 meters on either side of a tributary river outside the settlement.
 - b. For rivers in residential areas in the form of riverbanks which are estimated to be sufficient to build inspection roads between 10-15 meters.
5. Minister of Public Works Regulation No. 18/PRT/M/2009 of 2009 concerning Guidelines for River Diversion and/or Utilization of Used River Segments.
6. Presidential Decree No.12 of 2012 concerning the Establishment of River Areas.
7. Minister of Public Work and Housing Regulation Number 28/PRT/M/2015 of 2015 concerning the Determination of River Borderline and Lake Borderline Lines.

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Guidance (Continued)



No	Category of River	Cross Section	Outside the Settlement		Inside at the Settlement		Articles
			Criteria	Minimum Riparian Zone	Criteria	Minimum Riparian Zone	
1	Levee		-	5 m	-	3 m	Article 6
2	Rivers with no dike (from river bank)		Big River River Basin > 500 km ²	100 m	Depth : > 20 m	30 m	Articles 7 & 8
					Depth : 3 m to 20 m	15 m	Articles 7 & 8
			Small River River Basin < 500 km ²	50 m	Depth : 0 m to 3 m	10 m	Articles 7 & 8
3	Lake / Reservoir		-	50 m	-	50 m	Article 10
4	Water Springs		-	200 m	-	200 m	Article 10
5	Rivers affected by tides (from river bank)		-	100 m	-	100 m	Article 10

Specific Guidance

For 7.8.2:

Riparian width for rivers defined by the Government is determined based on applicable laws and regulations.

The unit of certification should consult with the relevant government authorities if uncertain on determining riparian width for rivers that are yet to be defined by the government.

Criteria	Indicator
7.9 Efficiency of fossil fuel use and the use of renewable energy is optimised. 	7.9.1 Plans to increase the efficiency of fossil fuel use and to optimize renewable energy are available, monitored and documented.
<p>Guidance</p> <p>The use of renewable energy per ton of Crude Palm Oil (CPO) or other palm oil products in the mill should be monitored and documented.</p> <p>The direct use of fossil fuels per ton of CPO or Fresh Fruit Bunches (FFB) should be monitored. Energy efficiency should be taken into account in the construction or upgrading of all operations.</p> <p>The unit of certification should assess the direct use of energy in their operations, including fuel and electricity, and the level of energy efficiency of their operations. This includes estimating on-site use of fuel by contract workers, including all machine and transportation operations.</p> <p>If possible, the feasibility of collecting and using biogas should also be assessed.</p>	
7.10 Plans to reduce pollution and emissions, including greenhouse gases (GHG), are developed, implemented and monitored and new developments are designed to minimise GHG emissions. 	7.10.1 (C) GHG emissions for the unit of certification are identified and assessed. Plans to reduce or minimize GHG emissions are implemented, monitored through the PalmGHG calculator, and reported publicly. 7.10.2 (C) Since 2014, an estimate of carbon stocks in the proposed development area has been carried out along with potential sources of emissions that can occur directly as a result of the development and plans to minimize these emissions are prepared and implemented (following the RSPO GHG Assessment Procedure for New Development). 7.10.3 (C) Other significant pollutant identification results are available and plans to reduce or minimize them are implemented and monitored.

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Guidance

The unit of certification should only carry out new plantings on mineral soils, land with low carbon stock, and cultivation areas (including rubber commodity crops and other trees), where current land users are willing to develop the land into oil palm plantations.


The plan made by the unit of certification should determine what actions will be taken to reduce GHG emissions, for example by adopting good low emissions management practices for POM (for example: better management of POM wastewater (POME), efficient steam boilers, methane capture, etc.) or plantations (for example: optimal use of fertilizers, energy efficient transportation, good water management, compost application and peatland restoration and conservation areas). This can refer to the 'RSPO Best Management Practices Compilation (BMP) to Reduce Total Emissions from Palm Oil Production' / 'RSPO Compilation of BMPs to Reduce Total Emissions from Palm Oil Production'. These criteria include plantations, mill activities, roads, and other infrastructure (including access channels and outside boundaries).

Other significant pollutants can refer to RKL / RPL or UKL/UPL documents.

Specific Guidance

For 7.10.1:

"Reported publicly" may be in the form of sustainability report, ACOP, or Audit Report.

Criteria	Indicator
7.11 Fire is not used for preparing land and is prevented in the managed area. 	7.11.1 (C) Land for new planting or replanting is not prepared by burning. 7.11.2 The unit of certification establishes fire prevention and control measures for lands that are directly managed by the unit of certification. 7.11.3 The unit of certification engages stakeholders in adjacent locations for fire prevention and control measures.

Guidance

Related regulations include:

1. Minister of Agriculture Regulation No. 5 of 2018 concerning Opening and / or Processing of Plantation Land Without Fire.
2. Directorate General of Forest Protection and Conservation Regulation No.P.2 of 2014 concerning the Formation and Development of Fire Concerned Communities.
3. Minister of Agriculture Regulation No. 47 of 2014 concerning the Brigade and Guidelines for the Implementation of the Prevention and Control of Land and Plantation Fire.
4. Act No. 32 of 2009 concerning Environmental Protection and Management.

Specific Guidance

For 7.11.2:
 Fire prevention and control measures can be in the form of infrastructure developed in peat areas as needed, based on approval from the relevant government agencies. This does not conflict with indicator 7.7.7.

For 7.11.3:
 Training/extension programs for fire prevention and control for farmers can be carried out if needed.

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Procedural Note for Criteria 7.12:


The RSPO Principles and Criteria 2018 include new requirements to ensure the effective contribution of the RSPO in stopping deforestation. This will be achieved by incorporating the High Carbon Stock Approach (HCSA) Approach Guide into the revised standard.

The RSPO ToC also encourages RSPO to commit to balancing between sustainable livelihoods and reducing poverty with the need to conserve, protect and improve the quality of ecosystems.

High Forest Cover Countries (HFCC) are in dire need of economic opportunities that can help people choose their own path in carrying out development, while at the same time providing social and economic benefits and safeguards.


Procedures will be developed that are adapted to support the development of sustainable palm oil by indigenous peoples and local communities who have legal or customary rights. The procedure will apply in certain HFCC countries and in the High Forest Cover Landscape (HFCL) within it.

The development of this procedure will be guided by the No Deforestation Joint Steering Group (NDJSG) between the RSPO and HCSA members. In HFCC countries, RSPO will work with governments, communities and other stakeholders to develop this procedure through participatory processes at national and regional levels. The duration of this activity is specified in the Terms of Reference for NDJSG and is publicly available.

Criteria	Indicator
<p>7.12 Land clearing does not cause deforestation or damage any area required to protect or enhance High Conservation Values (HCVs) or High Carbon Stock (HCS) forest. HCVs and HCS forests in the managed area are identified and protected or enhanced.</p> 	<p>7.12.1 (C) Land clearing since November 2005 has not damaged primary forest or any area required to protect or enhance HCVs. Land clearing since 15 November 2018 has not damaged HCV or HCS forests. Historical analysis of Land Use Change Analysis (LUCA) is carried out before any new land clearing, in accordance with the RSPO LUCA Guidance document (see indicator 7.12.2).</p> <p>7.12.2 (C) HCV and HCS forests, and other conservation areas are identified as follows:</p> <ol style="list-style-type: none"> a) For existing plantations, with an HCV assessments conducted by RSPO-approved assessors and have no new land clearing after 15 November 2018, the existing HCV assessments remains valid. b) Any new land clearing (in existing plantations or new plantings) after 15 November 2018 is preceded by an HCV-HCS assessment, using the latest HCSA Toolkit and HCV-HCSA Assessment Manual that is applicable at the time of the assessment. This includes stakeholder consultation and take into account wider landscape- level consideration. <p>7.12.3 (C) In High Forest Cover Landscapes (HFCLs) within HFCCs, a specific procedure will apply for legacy cases and development by indigenous peoples and local communities with legal or customary rights, taking into consideration regional and national multi-stakeholder processes. Until this procedure is developed and endorsed, 7.12.2 applies.</p> <p>Procedural Note: <i>Indicator 7.12.3. is not relevant to Indonesia, until further decisions by the RSPO.</i></p> <p>7.12.4 (C) Where HCVs, HCS forests after 15 November 2018, peatland and other conservation areas have been identified, they are protected and/or enhanced. An Integrated management plans to protect and/or enhance HCV and HCS forests, peatland and other conservation areas are developed, implemented and adapted if necessary, and contains monitoring requirements. The integrated management plan is reviewed at least once every five years. The integrated management plan was developed in consultation with relevant stakeholders and includes the directly managed area and any relevant wider landscape level considerations (where these are identified).</p>

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Criteria	Indicator
<p>7.12 Land clearing does not cause deforestation or damage any area required to protect or enhance High Conservation Values (HCVs) or High Carbon Stock (HCS) forest. HCVs and HCS forests in the managed area are identified and protected or enhanced. (Continued)</p> <p></p>	<p>7.12.5 Where rights of local communities have been identified in HCV areas and HCS forest after 15 November 2018, peatland and other conservation areas, there is no reduction of these rights without evidence of a negotiated agreement, obtained through FPIC, encouraging their involvement in the maintenance and management of these conservation areas.</p> <p>7.12.6 All rare, threatened or endangered (RTE) species are protected, whether or not they are identified in an HCV assessment. A programme to regularly educate the workforce about the status of RTE species is in place. Appropriate disciplinary measures are taken and documented in accordance with company rules and national law if any individual working for the company is found to capture, harm, collect, trade, possess or kill these species.</p> <p>7.12.7 The status of HCVs, HCS forests after 15 November 2018, other natural ecosystems, peatland conservation areas and RTE species is monitored. Outcomes of this monitoring are fed back into the management plan.</p> <p>7.12.8 (C) Where there has been land clearing without prior HCV assessment since November 2005, or without prior HCV-HCSA assessment since 15 November 2018, the Remediation and Compensation Procedures (RaCP) applies.</p>

Specific Guidance

For 7.12.2:

Compliance to this indicator refers to the Interpretation of Indicator 7.12.2 and Annex 5 for the RSPO Principles and Criteria document.

HCV assessments carried out as part of an integrated HCV-HCS assessment should follow the HCVRN procedure using an ALS-HCVRN licensed assessor for HCV assessments at the new plantings, in line with the current version of the General Guide to HCV Identification provided by HCVRN or the National HCV Toolkit.

NIs of HCV definitions that apply globally can be used to help carry out HCV assessment studies. For each case where there is a conflict with NI, the definition of HCV that applies globally in the Common Guidance takes precedence.

If there is a landscape level HCV and/or HCS map that has been developed, then the map should also be considered in project planning, regardless of whether the map is used or not in the government land use plans.

Further guidance for implementing “wider landscape-level considerations” and other natural ecosystems will be developed by the Biodiversity and HCV Working Group (BHCV WG). This guide includes references to the Key Biodiversity Area (KBA) that are identified based on global standards (IUCN 2016) and should be identified through an HCV assessment study.

For 7.12.4:

Implementation of the indicators refers to the guidance documents on the RSPO and HCVRN websites.

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PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT

Specific Guidance (Continued)

An integrated management plan should be developed together with other stakeholders who carry out active activities in the landscape before and during project implementation. This plan should be able to adjust to changes in HCV. Evidence of cooperative efforts undertaken should be documented and available. The plan and area of cooperation should include (but are not limited to) the following.

- Identify, protect and / or enhance forest connectivity that is important for biodiversity, ecosystem services, or watershed protection.
- Minimizing the hydrological impact on the landscape associated with or originating from drainage systems and access roads or canals (waterways) connected to plantations.
- Ensure all legal provisions relating to the protection of species or habitats are met.
- Avoid damage and degradation of HCV habitat quality. For example, by ensuring that the existing High Conservation Value Areas (HCV) are interconnected, corridors are preserved, and buffer zones are established around HCV.
- Protect and manage other conservation areas, including water courses, wetlands, peatlands, river border zones, and steep sloped land.
- Control all illegal hunting, fishing or fishing and illegal encroachment activities.
- Develop responsible actions to resolve human-wildlife conflicts (for example elephant invasion).

For Indicator 7.12.5:

Decisions are made in consultation with affected communities.

Areas needed by affected communities to meet their basic needs, considering the potential for positive and negative changes in their livelihoods as a result of the proposed operation, should be identified in consultation with the community and included in HCV and HCS assessment and management plans.

The unit of certification should consider various management and tenure options to protect HCV management areas in a way that also protects the rights and livelihoods of local communities. Some areas should be allocated for community management and protected through customary or legal tenure, or in other cases, it is proposed to choose joint management options.

Specific Guidance (Continued)

If communities are asked to give up their rights so that HCVs can be protected or enhanced by companies or government bodies, this should be done very carefully to ensure that these communities continue to have adequate access to resources and land to ensure the fulfilment of their basic needs. All assignments of these rights must be based on FPIC. If a negotiation agreement cannot be reached, there should be evidence that there has been a continuing effort to reach the agreement. This evidence may take the form of third-party arbitration.

For Indicator 7.12.7:

See the HCVRN General Guide document for HCV Management and Monitoring Documents.

Regulations National regulations relating to the protection of species and habitats include:

1. Act No. 5 of 1990 concerning Conservation of Biological Natural Resources and their Ecosystems.
2. Act No. 16 of 1992 concerning Animal, Fish and Plant Quarantine.
3. Act No. 5 of 1994 concerning Ratification of the United Nations Convention on Biological Diversity.
4. Government Regulation No. 13 of 1994 concerning the Hunting of Animals.
5. PP No.28 of 2011 Management of Natural Reserve Areas and Natural Conservation Areas jo. PP No.108 of 2015 concerning amendments to PP No. 28 of 2011.
6. Minister of Environment and Forestry Regulation P.106/MENLHK/SETJEN/KUM.1/12/2018 concerning Amendment to Regulation of the Minister of Environment and Forestry No. P.20.MENLHK/SETJEN/KUM.1/6/2018 concerning Protected Plant and Animal Types.
7. Minister of Forestry Regulation No. P.48/Menhut-II/2008 concerning Guidelines for Conflict Prevention between Humans and Wildlife.
8. Minister of Forestry Regulation Number: P.53/Menhut-II/2014 concerning Amendment to the Minister of Forestry Regulation Number P. 48/ Menhut-II/2008 concerning Guidelines for Conflict Prevention between Humans and Wildlife.
9. Presidential Decree No. 43 of 1978 concerning the Ratification of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).
10. Presidential Decree No.32 of 1990 concerning Management of Protected Areas.
11. Government Regulation No. 38 of 2011 concerning the River.
12. Presidential Decree No.12 of 2012 concerning Establishment of River Areas.

The relevant RSPO procedure is:

1. RSPO Manual on Best Management Practices (BMPs) for Management and Rehabilitation of Riparian Reserves 2017.

ANNEX 1: INA NIWG MEMBERS

No	Name	Organization	Position
1	Ismu Zulfikar	Golden Agri Resources	Chairman
2	Cahyo Nugroho	Fauna & Flora International	Co-Chairman
3	Geetha Govindan	PT ANJ, Tbk	Substantive
4	H. Narno	Asosiasi Petani Swadaya Amanah	Substantive
5	Dian Novita P	PT Triputra Agro Persada	Substantive
6	Agam F	Bumitama Agri Ltd	Substantive
7	Watik Tri Kusuma	PT Dharma Satya Nusantara	Substantive
8	Joko Sarjito	Yayasan WWF Indonesia	Substantive
9	Jamartin Sihite	Borneo Orangutan Survival Foundation	Substantive
10	Emil Kleden	Forest People Program	Substantive
11	Feybe Lumuru	Lingkar Komunitas Sawit	Substantive
12	Rukaiyah Rafiq	Yayasan SETARA- Jambi	Substantive
13	Achmad Adhitya	Unilever Indonesia	Substantive
14	Bremen Yong	Apical	Substantive
15	Dr. Gan Lian Tong	Musim Mas Holding	Substantive
16	Yunita Widiastuti	Cargill Incorporated	Substantive
17	Hendi Hidayat	Golden Agri Resources	Alternate Member

No	Name	Organization	Position
18	Hidayat Aprilianto	Bumitama Agri Ltd	Alternate Member
19	Welly Joel Candra	PT Asian Agri	Alternate Member
20	Yusi Rosalina	PT Sampoerna Agro, Tbk	Alternate Member
21	Istini	PT ANJ, Tbk	Alternate Member
22	Alfat Agus S	Pasific Agro Sentosa	Alternate Member
23	Lana Kristanto	Unilever Indonesia	Alternate Member
24	Kokok Yulianto	Yayasan WWF Indonesia	Alternate Member
25	Eko Prasetyo	Borneo Orangutan Survival Foundation	Alternate Member
26	Erlangga Muhammad	Fauna & Flora International	Alternate Member
27	Rizaul Insan	Lingkar Komunitas Sawit	Alternate Member
28	Maryo	Sawit Watch	Alternate Member
29	Fitria Kurniawan	Apical	Alternate Member
30	Widyanata	Musim Mas Holding	Alternate Member
31	Jules Soni Parapat	Wilmar	Alternate Member
32	Haskarlianus Pasang	Golden Agri Resources	Observer
33	Syahrial Anhar H	Wilmar	Observer
34	Harry Puguh S	Ecogreen	Observer
35	Laura E Hutagalung	Indonesian Grower Caucus	Observer

Annex 1**MEMBERS OF INA NIWG**

No	Name	Organization	Position
36	Ivan Novrizaldie	PT Asian Agri	Observer
37	Edwin Nursyamsu	Gawi Plantation	Observer
38	Leonardo Simorangkir	Wilmar	Observer
39	Joko Triyanto	PT Sawit Sumber Mas Sarana	Observer
40	Daniel Dwimiasto	Bumitama Agri Ltd	Observer
41	Rian Erisman	Yayasan WWF Indonesia	Observer
42	Andri Najiburrahman	PT Sawit Sumber Mas Sarana	Observer
43	Ardi Chandra Yunianto	First Resources Ltd	Observer
44	Nandang Mulyana	Bumitama Agri Ltd	Observer
45	Eka Setiyadi	Wilmar	Observer
46	Novingky F	BRI Syariah	Observer
47	Noor Rachmad	BRI Syariah	Observer
48	Fakri Karim	PT ANJ, Tbk	Observer
49	Wan Muqtadir	RSPO	Observer
50	Djaka Riksanto	RSPO	Observer
51	Tiur Rumondang	RSPO	Observer
52	Winda Saragih	RSPO	Observer
53	Nizar Wicaksono	RSPO	Observer

No	Name	Organization	Position
54	Suryanta Sapta Atmaja	Direktorat Pengendalian Kerusakan Gambut	Expert
55	Nyoman Suryadiputra	Wetland International Indonesia	Expert
56	Keumala Dewi	Pusat Kajian Perlindungan Anak	Expert
57	Adriani	Kementerian Tenaga Kerja	Expert
58	Ari Prayitno	Dirjen PDASHL	Expert
59	Victor Chandrawira	Bhawa Cesta	Main Facilitator
60	Dessy M Mulasari	Bhawa Cesta	Facilitator
61	Gedsiri Suhartono	Bhawa Cesta	Facilitator

ANNEX 2: DEFINITIONS

The following list of definitions includes terms in the 2013 Principles and Criteria and new terms are introduced are contained in the 2018 Principles and Criteria

Term	Definition	Source
Child	The term child applies to all persons under the age of 18, including children who are still in the womb.	Act No. 35 of 2014 concerning Child Protection
Child labour	Every child who does work that has the nature and intensity which can disturb and endanger the health and safety of the child and the child's optimal growth and development, physically, mentally, socially and intellectually.	Roadmap Towards a Child Labor-Free Indonesia (Third National Action Plan for Implementation of Presidential Decree No. 52 of 2002 concerning the National Action Plan for the Elimination of the Worst Forms of Child Labor).
Child Labor Practices	<p>Child labour is work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. The term applies to:</p> <ul style="list-style-type: none"> • All children under 18 involved in the “worst forms of child labour” (as per ILO Convention No. 182); • All children aged under 12 taking part in economic activity; and • All 12 to 14-year-olds engaged in more than light work. 	<p>ILO Minimum Age Convention No. 138 of 1973</p> <p>ILO Convention No. 182 of 1999 concerning Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor.</p>

Term	Definition	Source
Child Labor Practices (Continued)	<p>The ILO defines light work as work that is not likely to be harmful to children’s health or development and not likely to be detrimental to their attendance at school or vocational training.</p> <p>The ILO and the Government of Indonesia categorize work in agriculture and plantations as one of the worst forms of child labor due to extreme weather (such as hot sun, rain or cold), work that is too heavy for the bodies of young children, vulnerable to work accidents, use of chemicals toxic, direct contact with organic dust and very long working hours.</p> <p>In order to support the National Action Plan on the Elimination of the Worst Forms of Child Labor, this National Interpretation guide mandates the unit of certification not to employ Children under the age of 18.</p>	<p>Presidential Decree No. 52 of 2002 concerning the National Action Plan for the Elimination of the Worst Forms of Child Labor.</p>
Contract Substitution	<p>The practice of substituting or changing the terms of employment to which the worker originally agreed, either in writing or verbally, which results in worse conditions or less benefits. Changes to the employment agreement or contract are prohibited unless these changes are made to meet local law and provide equal or better terms.</p>	<p>ILO Report to the Committee examining alleged non-compliance by Qatar of Forced Labour 29th Convention Paragraph 9.</p>
Contract Worker	<p>Contract worker refers to persons engaged in temporary work, or work for a specific period of time. It also refers to workers who are not employed directly by the company but employed by a contractor or consultant with whom the company has a direct contract.</p>	<p>ILO, Forms of Non – Standard Forms of Employment.</p>

DEFINITIONS

Term	Definition	Source
Core Work	The primary area or activity that a company was founded to do or focuses on in its business operations. Core work pertains to work that is essential and desirable to the growth of the organisation. All agricultural and milling activities are considered core work, e.g. planting, harvesting, fertilising, maintenance; FFB sorting and grading; machine-technical maintenance; and machine operation.	P&C Review 2018
Debt Bondage	The status or condition of debt bondage when their labour, or the labour of a third party under their control, is demanded as repayment of a loan or of money given in advance, and the value of their labour is not applied towards the liquidation of the debt or the length of the service is not limited and/or the nature of the service is not defined.	UN GA Human Rights Council: Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences. July 2016.
Decent Living Wage	The remuneration received by a worker, for work performed on regular hours, in a particular place sufficient to afford a decent standard of living for the worker and her / or his family.	Adapted from GLWC.
Deforestation	Loss of natural forest as a result of: <ul style="list-style-type: none"> i) Conversion to agriculture or other non-forest land use; ii) Conversion to a plantation forest; or iii) Severe and sustained degradation. 	Draft Accountability Framework Initiative ^a (AFI) (July 2018). Refer to latest AFI definition
Due diligence	A risk management process implemented by a company to identify, prevent, mitigate, and account for how it addresses environmental and social risks and impacts in its operations, supply chains, and investments.	Draft AFI (July 2018). Always refer to latest AFI definition

Term	Definition	Source
Eminent domain and expropriation	Eminent domain is the statutory power of governments to expropriate private property for public use or in the national interest, usually with the payment of compensation according to rates defined by law. Expropriation implies divesting persons of their property without their agreement or consent.	P&C Review 2018
Extensive replanting on steep terrain	Any individual, contiguous planted area on steep terrain (>25 degrees) greater than 25 ha within the re-planting area.	P&C 2013, Annex 2, NI Guidance
Facilitation payment	Bribes paid to facilitate routine government action ^[1] . A common example is where a government official is given money or goods to perform (or speed up the performance of) an existing duty ^[2] .	¹ UK Bribery Act 2010 Guidance ² UK Serious Fraud Office Bribery Act Guidance
Family farm	A farm operated and mostly owned by a family, for the growing of oil palm, sometimes along with subsistence production of other crops, and where the family provides the majority of the labour used. Such farms provide the principal source of income, and the planted area of oil palm is below 50 ha in size. Work by children is acceptable on family farms, under adult supervision; when not interfering with education programmes; when children are part of the family and when they are not exposed to hazardous working conditions.	P&C 2013
Food security	Food security is achieved when all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life. Four dimensions of food security are commonly identified: food availability, food access, utilisation and stability.	FAO World Food Summit, 1996. See FAO Policy Brief Issue 2, June 2006 for further detail.

DEFINITIONS

Term	Definition	Source
Forced labour	<p>All work or service which is exacted from any person under the menace of any penalty and for which said person has not offered him or herself voluntarily.</p> <p>This definition consists of three elements:</p> <ol style="list-style-type: none"> 1. Work or service refers to all types of work occurring in any activity, industry or sector including in the informal economy. 2. Menace of any penalty refers to a wide range of penalties used to compel someone to work. 3. Involuntariness: The terms “offered voluntarily” refer to the free and informed consent of a worker to take a job and his or her freedom to leave at any time. This is not the case for example when an employer or recruiter makes false promises so that a worker takes a job he or she would not otherwise have accepted. 	<p>ILO Forced Labour Definition</p> <p>ILO, Forced Labour Convention, 1930 (No. 29)</p> <p>ILO, Protocol of 2014 to the Forced Labour Convention, 1930 (P029)</p> <p>ILO, Abolition of Forced Labour Convention, 1957(No. 105)</p> <p>ILO, Forced Labour Recommendation 2014 (No. 203)</p>
Fragile soil	<p>A soil that is susceptible to degradation (reduction in fertility) when disturbed. A soil is particularly fragile if the degradation rapidly leads to an unacceptably low level of fertility or if it is irreversible using economically feasible management inputs. (See also definition for ‘marginal soil’).</p>	P&C Review 2018
Gender equal	<p>This refers to the equal rights, responsibilities and opportunities of women and men, and girls and boys.</p>	UN Women, OSAGI Gender Mainstreaming - Concepts and definitions

Term	Definition	Source
Greenhouse gas (GHG)	<p>Greenhouse gases (GHGs) are those gaseous constituents of the atmosphere, both natural and anthropogenic, that absorb and emit radiation at specific wavelengths within the spectrum of thermal infrared radiation emitted by the Earth’s surface, the atmosphere itself, and by clouds.</p> <p>GHGs are measured in terms of their global warming potential – the impact a GHG has on the atmosphere expressed in the equivalent amount of carbon dioxide CO₂ (CO₂e). Greenhouse gases regulated by the Kyoto Protocol include carbon dioxide (CO₂), methane (CH₄), nitrous oxides (N₂O), Hydrofluorocarbons (HFCs), perfluorocarbons (PFC), and sulphur hexafluoride (SF₆).</p>	Intergovernmental Panel on Climate Change (IPCC) Data Distribution Centre
Hazardous work	<p>Hazardous work is work performed in hazardous conditions; or “in the most hazardous sectors and occupations, such as agriculture, construction, mining, or ship-breaking, or where working relationships or conditions create particular risks, such as exposure to hazardous agents, such as chemical substances or radiation, or in the informal economy.” (https://www.ilo.org/safework/areasofwork/hazardous-work/lang-en/index.htm).</p> <p>Hazardous work is also defined as “any work which is likely to jeopardise children’s physical, mental or moral health, safety or morals” and which “should not be done by anyone under the age of 18.” (https://www.ilo.org/ipec/facts/ILOconventionsonchildlabour/lang-en/index.htm).</p>	Article 3 (d) of ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (No. 182)
High Carbon Stock forest	Forests that have been identified using the High Carbon Stock Approach (HCSA) Toolkit.	HCSA website www.highcarbonstock.org
High Forest Cover Country (HFCC)	Countries defined as having >60% forest cover (based on recent, trusted REDD+ and national data); <1% oil palm cover; a deforestation trajectory that is historically low but increasing or constant; and a known frontier area for oil palm or where major areas have been allocated for development.	RSPO No Deforestation consultancy: HFCC Proforest, 2018

DEFINITIONS

Term	Definition	Source
High Forest Cover Landscape (HFCL)	Landscapes having >80% forest cover. Landscape as defined under HCSA Toolkit (Module 5): <i>“The size of a landscape may be determined by (a) identifying the watershed or the geographical land unit containing a cluster of interacting ecosystems; (b) selecting a unit size that includes the plantation concession and a buffer of the surrounding area (e.g. 50,000 ha or 100,000 ha); or (c) using a radius of 5 km from the area of interest (for instance, the planned concession).”</i>	HCSA Toolkit (v2)
High Conservation Value (HCV) areas:	<p>The areas necessary to maintain or enhance one or more High Conservation Values (HCVs):</p> <p>HCV 1 – Species diversity; Concentrations of biological diversity including endemic species, and rare, threatened or endangered (RTE) species, that are significant at global, regional or national levels.</p> <p>HCV 2 – Landscape-level ecosystems, ecosystem mosaics and Intact Forest Landscapes (IFL); Large landscape-level ecosystems, ecosystem mosaics and IFL that are significant at global, regional or national levels, and that contain viable populations of the great majority of the naturally occurring species in natural patterns of distribution and abundance.</p>	High Conservation Value Resource Network (HCVRN) Common Guidance for Identification of HCVs 2017

Term	Definition	Source
High Conservation Value (HCV) areas: (Continued)	<p>HCV 3 – Ecosystems and habitats; RTE ecosystems, habitats or refugia.</p> <p>HCV 4 – Ecosystem services; Basic ecosystem services in critical situations, including protection of water catchments and control of erosion of vulnerable soils and slopes.</p> <p>HCV 5 – Community needs; Sites and resources fundamental for satisfying the basic necessities of local communities or indigenous peoples (for livelihoods, health, nutrition, water, etc.), identified through engagement with these communities or indigenous peoples.</p> <p>HCV 6 – Cultural values; Sites, resources, habitats and landscapes of global or national cultural, archaeological or historical significance, and/or of critical cultural, ecological, economic or religious/sacred importance for the traditional cultures of local communities or indigenous peoples, identified through engagement with these local communities or indigenous peoples.</p>	High Conservation Value Resource Network (HCVRN) Common Guidance for Identification of HCVs 2017
Human Rights Defenders (HRD)	Individuals, groups and associations who promote and protect universally recognised human rights and contribute to the effective elimination of all forms of violations of human rights and fundamental freedoms of individuals and peoples. This definition includes Environmental HRD, whistle-blowers, complainants and community spokespersons. This definition does not include those individuals who commit or propagate violence.	RSPO policy on the protection of HRD, Whistle-blowers, Complainants and Community Spokesmen (endorsed by BoG on 24 Sept 2018)

DEFINITIONS

Term	Definition	Source
Independent Smallholder	All smallholder farmers that are not considered to be Scheme Smallholders [see definition for Scheme Smallholders] are considered Independent Smallholder farmers.	Smallholder Interim Group (SHIG)
Indigenous peoples	<p>Indigenous peoples are inheritors and practitioners of unique cultures and ways of relating to people and the environment. They have retained social, cultural, economic and political characteristics that are distinct from those of the dominant societies in which they live. Despite their cultural differences, indigenous peoples from around the world share common problems related to the protection of their rights as distinct peoples.</p> <p>Indigenous peoples have sought recognition of their identities, way of life and their right to traditional lands, territories and natural resources for years, yet throughout history, their rights have always been violated. Indigenous peoples today, are arguably among the most disadvantaged and vulnerable groups of people in the world. The international community now recognises that special measures are required to protect their rights and maintain their distinct cultures and way of life. In the context of Indonesia, the Customary Law Community is Indonesian citizens with unique characteristics, lives in harmony in groups according to their customary law, has ties to the ancestral origins and/or commonality of residence, there is a strong relationship with land and the environment, and a value system that determines economic, political, social, cultural, legal institutions and utilizes a particular region for generations.</p>	UNDESA, Division for Inclusive Social Development, Indigenous Peoples Ministry of Home Affairs Regulation No. 52 of 2014 concerning Guidelines for the Recognition and Protection of Indigenous and Tribal Peoples

Term	Definition	Source
In good faith	The principle of good faith implies that the parties make every effort to reach an agreement, conduct genuine and constructive negotiations, avoid unjustified delays in negotiations, respect agreements concluded and applied in good faith, and give sufficient time to discuss and settle collective disputes. In the case of multinational enterprises, such companies should not threaten to transfer the whole or part of an operating unit from the country concerned in order to unfairly influence negotiations.	ILO Q&As on business and collective bargaining
Integrated Pest Management (IPM)	Careful consideration of all available pest control techniques and subsequent integration of appropriate measures that discourage the development of pest populations and keep pesticides and other interventions to levels that are economically justified and reduce or minimise risks to human health and the environment. IPM emphasises the growth of a healthy crop with the least possible disruption to agro-ecosystems and encourages natural pest control mechanisms.	P&C 2013FAO 2013 http://www.fao.org/agriculture/crops/thematic-sitemap/theme/pests/ipm/en/
Intimidation and Harassment	Intimidation and harassment include loss of income due to/resulting in organisational restrictions, threats of dismissal from employment, restrictions on travel, restrictions to the environment in which the HRDs operate, deliberate obstruction to holding of meetings between HRDs, hostility within the community the HRDs lives as claims may be seen to jeopardise the community’s honour and culture (this may especially be the case with women HRDs). More serious measures include character assassination of HRDs, discrediting, defamation campaigns, arbitrary use of security forces, surveillance, SLAPP suits (Strategic Lawsuits against Public Participation) due to his or her work and/or in the course of his/her activities, threats of physical violence and death threats. Special attention is needed to avoid gender-specific violence such as rape or threats of sexual violence used to silence women.	Intimidation and Harassment

DEFINITIONS

Term	Definition	Source
ISO standards	Standards developed by the International Organization for Standardization.	ISO standards
Land clearing	Conversion of land from one land use to another. Clearing actively managed oil palm plantation to replant oil palm is not considered land clearing. Within existing certified units, clearing of less than 10 ha is not considered new land clearing.	Land clearing
Landscape	A geographical mosaic composed of interacting ecosystems resulting from the influence of geological, topographical, soil, climatic, biotic and human interactions in a given area.	Landscape
Landscape level	The size of a landscape may be determined by (a) identifying the watershed or the geographical land unit containing a cluster of interacting ecosystems; (b) selecting a unit size that includes the plantation concession and a buffer of the surrounding area (e.g. 50,000 ha or 100,000 ha); or (c) using a radius of 5 km from the area of interest (i.e. planned concession boundaries).	Landscape level
Livelihood	A person's or a group's way of making a living, from their environment or in the economy, including how they provision their basic needs and assure themselves and following generations secure access to food, clean water, health, education, housing and the materials needed for their life and comfort either through their own direct use of natural resources or through exchange, barter, trade or engagement in the market.	P&C 2013

Term	Definition	Source
Livelihood (Continued)	<p>A livelihood includes not just access to resources but the knowledge and institutions that make this possible such as time for community participation and integration, personal, local or traditional ecological knowledge, skills, endowments and practices, the assets that are intrinsic to that way of making a living (e.g. farms, fields, pastures, crops, stock, natural resources, tools, machinery and intangible cultural properties) and their position in the legal, political and social fabric of society.</p> <p>The risk of livelihood failure determines the level of vulnerability of a person or a group to income, food, health and nutritional insecurity. Therefore, livelihoods are secure when they have secure ownership of, or access to, resources and income earning activities, including reserves and assets, to offset risks, ease shocks and meet contingencies.</p> <p>(Compiled from various definitions of livelihoods from Department for International Development (DfID), Institute of Development Studies (IDS) and FAO and academic texts from: http://www.fao.org/docrep/X0051T/X0051t05.htm.)</p>	P&C 2013
Managed area	The land containing oil palm and associated land uses such as infrastructure (e.g. roads), riparian zones and conservation set-asides.	P&C Review 2018
Management documents	Management documents are documented information and evidence to interact with the RSPO P&C. It shall be in the form of manual, working procedures, report and records that subject to be audited and reviewed periodically.	ISO 9001 QMS – https://advisera.com

DEFINITIONS

Term	Definition	Source
Marginal soil	A soil that is unlikely to produce acceptable economic returns for the proposed crop at reasonable projections of crop value and costs of amelioration. Degraded soils are not marginal soils if their amelioration and resulting productivity is cost effective. (See also definition for 'fragile soil').	P&C Review 2018
Migrant worker	A person who migrates from one country to another with a view to being employed otherwise than on his own account and includes any person regularly admitted as a migrant for employment. Migrants are defined as those who cross international boundaries for the purposes of employment, and do not include those workers who move within a country for the purposes of employment.	P&C 2013
Natural ecosystems	All land with natural, native vegetation, including but not limited to native forests, riparian vegetation, natural wetlands, peatlands, grasslands, savannahs, and prairies.	P&C Review 2018
New planting	Planned or proposed planting on land not previously cultivated with oil palm.	NPP 2015
Non-Hazardous Work	See definition for hazardous work.	
Operations	All activities planned and/or undertaken by the management unit within the boundaries of the palm oil mill and its supply base.	P&C 2013
Other conservation areas	Areas (in addition to HCV, HCS forests and peatland conservation areas) that are required to be conserved by the RSPO P&C (such as riparian areas and steep slopes) and other areas allocated by the unit of certification.	P&C Review 2018
Outgrowers	Farmers, where the sale of FFB is exclusively contracted to the unit of certification. Outgrowers may be smallholders.	P&C 2013

Term	Definition	Source
Peat	A soil with cumulative organic layer(s) comprising more than half of the upper 80 cm or 100 cm of the soil surface containing 35% or more of organic matter (35% or more Loss on Ignition) or 18% or more organic carbon. Note for management of existing plantations in Malaysia and Indonesia, a narrower definition has been used, based on national regulations: namely soil with an organic layer of more than 50% in the top 100 cm containing more than 65% organic matter.	PLWG2 July 2018 Derived from FAO and USDA definition for histosols (organic soils) (FAO 1998, 2006/7; USDA 2014)
Pesticide	Substances or a mixture of substances intended for preventing, destroying, repelling or mitigating any pest. Pesticides are categorised into four main constituent chemicals: herbicides; fungicides; insecticides and bactericides.	P&C 2013
Plan	A time-bound and detailed scheme, programme, or method for achieving objective(s) and desired outcome(s). Plans shall have clear targets with timelines for delivery, actions to be taken and a process for monitoring progress, adapting plans to changing circumstances and reporting. Plans shall also include the identification of named individuals or positions responsible for the delivery of the plan. There shall be evidence that sufficient resources are available to carry out the plan and the plan is implemented in full.	P&C 2013
Plantation	The land on which oil palm is grown. (See also definition for 'managed area'.)	P&C Review 2018
Prophylactic	A treatment or course of action applied as a preventive measure.	P&C 2013
Rare, threatened or endangered (RTE) species	Species as defined by the High Conservation Value Resource Network (HCVRN).	HCVRN Common Guidance for the Identification of HCVs

DEFINITIONS

Term	Definition	Source
Recruitment fees	Recruitment fees pertain to costs and expenses associated with the recruitment and hiring of the worker, i.e. recruiter and agent service fees, documents processing, employer-required skills and medical testing, training, documentation, visa, work permits, transportation (from sending country to point of entry, and return), administrative and overhead costs.	Dhaka Principles and ILO 181.
Restore	Returning degraded or converted areas within a plantation to a semi-natural state.	P&C 2013
Rights	Rights are legal, social, or ethical principles of freedom or entitlement, in accordance with the International Bill of Rights, and other relevant international human rights instruments including the UN Declaration on the Rights of Indigenous Peoples, UN Guiding Principles on Business and Human Rights, The Global Compact for Safe, Orderly and Regular Migration. <ol style="list-style-type: none"> 1. Customary rights: Patterns of long-standing community land and resource usage in accordance with indigenous peoples' customary laws, values, customs and traditions, including seasonal or cyclical use rather than formal legal title to land and resources issued by the State. 2. Legal rights: Rights given to individual(s), entities and others through applicable local, national or ratified international laws and regulations. 	<p>P&C 2013</p> <p>UN Refugees & Migrants, Global Compact for Safe, Orderly and Regular Migration, 2018</p> <p>World Bank Operational Policy 4.10</p> <p>From FSC Principles & Criteria</p> <p>Act No. 5 of 1960 concerning Basic Rules of Agrarian Principles.</p>

Term	Definition	Source
Rights (Continued)	3. User rights: The right to use and/or collect the resources from land that is directly controlled by the State or land owned by another person, which gives the authority and obligations specified in the decision to grant it by the official authorized to give it or in an agreement with the land owner, which is not a lease agreement or land management agreement.	P&C 2013 UN Refugees & Migrants, Global Compact for Safe, Orderly and Regular Migration, 2018
	4. Demonstrable rights: Indigenous peoples, local communities (including natives) and users may have informal or customary rights in land that are not registered or recognised by the government or national laws. Demonstrable rights are distinguished from spurious claims by direct engagement with local communities, so they have adequate opportunities to justify their claims, and are best ascertained through participatory mapping with the involvement of neighbouring communities of the mapped area.	World Bank Operational Policy 4.10 From FSC Principles & Criteria Act No. 5 of 1960 concerning Basic Rules of Agrarian Principles.
Risk assessment	A systematic process of identifying and evaluating the potential risks that may be involved in a projected activity or undertaking. It enables a weighing up of whether enough precautions are in place or whether more should be done to prevent harm to those at risk, including workers and members of the public.	Adapted from ILO, A 5 step guide foremployers, workers and theirrepresentatives on conducting workplace risk assessments, 2014

DEFINITIONS

Term	Definition	Source
Scheme Smallholder	Farmers, landowners or their delegates that do not have the: <ul style="list-style-type: none"> • Enforceable decision-making power on the operation of the land and production practices; and/or • Freedom to choose how they utilise their lands, type of crops to plant, and how they manage them (whether and how they organise, manage and finance the land). 	SHIG
Significant pollutant	Chemical or biological substances which have a substantial adverse impact on water, air or land quality including POME, sewage, and other wastewater, sediment, fertiliser, pesticides, fuels and oil, air pollutants, as guided by national regulations and international standards.	P&C Review 2018
Site	A single functional unit of an organisation or a combination of units situated at one locality, which is geographically distinct from other units.	RSPO 2017 SCCS Standard
Smallholder	Farmers growing oil palm, sometimes along with subsistence production of other crops, where the family provides the majority of labour and the farm provides the principal source of income and where the planted area of oil palm is usually below 50 ha in size.	P&C 2013 SHIG
Social and Environmental Impact Assessment (SEIA)	An analysis and planning process to be carried out prior to new plantings or operations. This process incorporates relevant environmental and social data, as well as stakeholder consultation, in order to identify potential impacts (both direct and indirect) and to determine whether these impacts can be satisfactorily addressed, in which case the proponent also defines specific actions to minimize and mitigate identified potential negative impacts.	P&C Review 2018

Term	Definition	Source
Stakeholders	An individual or group with a legitimate and/or demonstrable interest in, or who is directly affected by, the activities of an organisation and the consequences of those activities.	P&C 2013
Steep terrain	Areas above 25 degrees or based on a National Interpretation (NI) process.	P&C 2013 Annex 2 Guidance NI
Trafficked labor	Trafficked labour is a form of exploitation that results from the recruitment, transport, transfer, harbouring, and receipt of individuals to perform labour or services through the use of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits.	The UN Palermo Protocols to Prevent, Suppress and Punish Trafficking in Persons.
Transmigrant	A person who migrates from one part of the country to another with a view to being employed otherwise than on his own account.	P&C 2013
Undue influence	The exertion by a third party of any kind of control such that a person signs a contract or other agreement which, absent the influence of the third party, he would not have signed.	P&C 2013
Unit of certification	The unit of certification shall be the mill and its supply base and shall include both directly managed land (and estates) and Scheme Smallholders, where estates have been legally established with proportions of lands allocated to each.	RSPO Certification Systems 2017
Voluntary isolation	Indigenous peoples in voluntary isolation are indigenous peoples or segments of indigenous peoples who do not maintain sustained contacts with the majority non-indigenous population, and who generally reject any type of contact with persons not part of their own people. They may also be peoples or segments of peoples previously contacted and who, after intermittent contact with the non indigenous societies, have returned to a situation of isolation and break the relations of contact that they may have had with those societies. In line with the principle of FPIC, RSPO prohibits oil palm expansion in these peoples' territories.	Inter-American Commission on Human Rights, Indigenous Peoples in Voluntary Isolation and Initial Contact in the Americas, 2013

DEFINITIONS

Term	Definition	Source
Vulnerable groups	Any group or sector of society that is at higher risk or being subjected to social exclusion, discriminatory practices, violence, natural or environmental disaster, or economic hardship than other groups, such as indigenous peoples, ethnic minorities, migrants, disabled people, the homeless, isolated elderly people, women and children.	P&C Review 2018
Water security	The capacity of a population to safeguard sustainable access to adequate quantities of acceptable quality water for sustaining livelihoods, human well-being, and socio-economic development; for ensuring protection against water-borne pollution and water-related disasters; and for preserving ecosystems in a climate of peace and political stability.	UN Water, Water Security Infographic
Whistleblower	Individuals who are employees or former employees who report on illegal, irregular, dangerous or unethical practices or actions by employers which contravene RSPO Code of Conduct and related key documents and who may potentially be at risk of reprisal. This includes individuals who are outside the traditional employee-employer relationship, such as contract workers, temporary workers, consultants, contractors, trainees/interns, volunteers, student workers and former employees.	RSPO policy on the protection of HRD, Whistleblowers, Complainants and Community Spokesmen (endorsed by BoG on 24 September 2018)
Worker	Men and women, migrants, transmigrants, contract workers, casual workers and employees from all levels of the organisation.	P&C Review 2018
Workforce	The total number of workers employed by the management unit either directly or indirectly. This includes contract workers and consultants.	P&C 2013

Term	Definition	Source
Young person /Young worker	Young workers are aged 15, or above the minimum age of employment, but under the age of 18. According to the ILO, <i>“these workers are considered ‘children’ even where they may legally perform certain jobs.”</i>	ILO Minimum Age Convention, 1973 (No. 138), Article 3 ILO Safety and Health in Agriculture Convention, 2001 (No. 184), Article 16
Gratification	Giving in the broadest sense, which includes the provision of money, goods, rebates (discounts), commissions, loans without interest, travel tickets, lodging facilities, travel, free medical treatment, and other facilities. The gratuities were received both domestically and abroad and which were carried out using electronic or non-electronic means.	Act no. 20 of 2001 concerning Amendment to Act no 31 of 1999 concerning Eradication of Criminal Acts (explanation of Article 12 B) Corruption Guidelines for Gratification Control 2015 – KPK

ANNEX 3A: KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Ethical Business Conduct	1.1 1.2 2	United Nations Convention against Corruption (2000)			Art 12	Promoting the development of standards and procedures to safeguard the integrity of private entities, including codes of conduct, for business activities and preventing conflict of interest.
	Promoting transparency.					
	1.2 2.1 2.2	Private Employment Agencies Convention 1997 (No. 181)				Ensuring that companies have sufficient internal auditing controls to prevent corruption.
						Covers protection for workers who are employed through third party and/or private employment agencies.
Respect for Human Rights	4.1 4.2		Declaration on the Rights of Human Rights Defenders			Contains human rights standards enshrined in other international instruments that are legally binding for the protection of human rights, including HRDs.

KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	4 5 6			United Nations Guiding Principles on Business and Human Rights (2011)	Principles 11-24	Respect human rights, by avoiding and/or mitigating negative impacts regardless of their organisation size, sector of operation or ownership.
	4 5 6	Core International Human Rights Treaties: - International Covenant on Civil and Political Rights (ICCPR) - International Covenant on Economic, Social and Cultural Rights (ICESCR)			All core human rights treaties	Respect for human rights regardless of age, nationality, gender, race, ethnicity, religion, ability, marital status, sexual orientation and gender identity, political opinion or affiliation, etc.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	4 5 6	<ul style="list-style-type: none"> - International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) - Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) - Convention on the Rights of the Child (CRC) - International Convention on Protection of the Rights of All Migrant Workers and Members of Their Families (ICMRW) - Convention for the Protection of All Persons from Enforced Disappearance (CPED) - Convention on the Rights of Persons with Disabilities (CRPD) 			All core human rights treaties	Respect for human rights regardless of age, nationality, gender, race, ethnicity, religion, ability, marital status, sexual orientation and gender identity, political opinion or affiliation, etc.
Just Land Acquisition	4	ILO Convention 169 (1989) on Indigenous and Tribal Peoples			Art 13-19	Respect and safeguard rights to lands and natural resources traditionally occupied and used; respect for customs of inheritance; no forced removals; compensation for loss and injury.

Annex 3a

KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	4		UN Declaration on the Rights of Indigenous Peoples (2007)			
	4	UN Convention on Biological Diversity (1992)			Art 10(c)	Protect and encourage customary use of biological resources in accordance with traditional practices.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Public Participation of Affective Communities	4.5			Rio Declaration on Environment and Development (1992) and Agenda 21	Principle 10	Environmental issues are best handled with the participation of all concerned citizens, at the relevant level. Principle 10 combines public participation with public access to information and access to remedial procedures. According to Agenda 21, one of the fundamental principles for the achievement of sustainable development is broad public participation in decision-making. Both Agenda 21 and the Rio Declaration emphasise the importance of the participation of all major groups, and special emphasis has been given, including in legally binding international instruments, to ensuring participation in decision-making of those groups that are considered to be politically disadvantaged, such as indigenous peoples and women.
Fair Representation and Participation of Indigenous and Tribal People	4.2 4.4 4.5. 4.6	ILO Convention 169 (1989) on Indigenous and Tribal Peoples			Art 6-9	Self-representation through institutions; consultations with objective of achieving agreement or consent; rights to decide their own priorities, retain their own customs and resolve their offences according to customary law (compatible with international laws).

KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	4.4-4.8		UN Declaration on the Rights of Indigenous Peoples (2007)		Art 3	Indigenous peoples have the right to self-determination and to freely pursue their economic, social and cultural development.
	4.4 4.5 4.7		UN Declaration on the Rights of Indigenous Peoples (2007)		Art 10, 11(2), 19, 28(1), 29(2) and 32(2)	Right to FPIC to any project affecting their lands as expressed through their own representative institutions.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	4.4 4.5 4.7	Convention on the Eliminations of All Forms of Racial Discrimination, International Covenant on Economic, Social and Cultural Rights, Inter American Human Rights System			UN CERD Committee, UN Committee on Social Culture and Economic Rights, Inter American Commission on Human Rights	FPIC for decisions that may affect indigenous people. (This standard has been widely accepted as ‘best practice’ standard by bodies such as World Commission on Dams, Extractive Industries Review, Forest Stewardship Council, UNDP, CBD, IUCN, WWF).
No Forced Labour	2.2 6.6	ILO Convention 29 (1930) Forced Labour			Art 5	No concession to companies shall involve any form of forced or compulsory labor.
	6.6		Protocol of 2014 to the Forced Labor Convention 1930		Art 1, 2, 4	Provides the measures which should be taken for the avoidance of forced or compulsory labour.

KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.6	ILO Convention 105 (1957) Abolition of Forced Labor			Art 1	Not make use of any form of forced or compulsory labor
Protection of Children	6.4	ILO Convention 138 (1973) Minimum Age			Arts 1-9	Abolition of child labour and definition of national minimum age for labour not less than 15-18 years (depending on occupation).
	6.4	ILO Convention 182 (1999) Worst Forms of Child Labor			Arts 1-7	Abolition of child slavery, debt bondage, trafficking and procurement for prostitution; suitable methods to monitor and enforce compliance.
	6.4	Minimum Age (Agriculture) Convention 1921 (No. 10)			Art 1-2	Applicable to children under the age of 14 outside the hours of attendance in school.
	6.4	Convention on the Rights of The Child (CRC) 1989			Art 32	Right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.4 6.5		UN Declaration on the Rights of Indigenous Peoples (2007)		Art 17(2), 21, 22(2)	No exploitation or exposure to hazard or discrimination against indigenous women and children.
Freedom of Association and Collective Bargaining	6.3	ILO Convention 87 (1948) Freedom of Association and Protection of Right to Organise			Art 2-11	Freedom to join organisations, federations and confederations of their own choosing; with freely chosen constitutions and rules; measures to protect the right to organise.
	6.3	ILO Convention 98 (1949) Right to Organise and Collective Bargaining			Art 1-4	Protection against anti-union acts and measures to dominate unions; establish means for voluntary negotiation of terms and conditions of employment through collective agreements.
	6.3	ILO Convention 141 (1975) Rural Workers' Organizations			Art 2-3	Right of tenants, share croppers and smallholders to organise; freedom from association; free from interference and coercion.

KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.3	International Covenant on Economic, Social and Cultural Rights (ICESCR) (1966)			Art 8 (1)	The right of everyone to form trade unions and join the trade union of their choice, subject only to the rules of the organisation concerned, for the promotion and protection of their economic and social interests. No restrictions may be placed on the exercise of this right, other than those prescribed by law and which are necessary in a democratic society in the interests of national security, or public order, or for the protection of the rights and freedoms of others.
	6.3	Collective Bargaining Convention, 1981 (No 154)			Art 1, 2, 3(2), 4, 5, 7, 8	Support to the right of Collective Bargaining Formulation.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.3	Collective Bargaining Convention Formulation, 1971 (No 135)			Art 1-3	Workers' representatives in the undertaking shall enjoy effective protection against any act prejudicial to them, including dismissal, based on their status or activities as a workers' representative or on union membership or participation in union activities, in so far as they act in conformity with existing laws or collective agreements or other jointly agreed arrangements.
Non-discrimination and Equal Remuneration	6.1	ILO Convention 100 (1951) Equal Remuneration			Art 1-3	Equal remuneration for men and women for work of equal value.
	6.1	ILO Convention 111 (1958) Discrimination (Employment and Occupation)			Art 1-2	Equality of opportunity and treatment in respect to employment and occupation; no discrimination on the basis of race, colour, sex, religion, political opinion, national extraction or social origin.

KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.1		UN Declaration on the Rights of Indigenous Peoples (2007)		Art 2, 8(e), 9, 15(2), 16(1), 21(2), 22, 24(1), 29(1), 46(3)	No discrimination based on origin or identity; free to express identity based on custom; special attention to and full protection of rights of indigenous women.
	6.1	ILO Convention 156 (1981) Workers with Family Responsibility			Art 1-5, 7-10	No discrimination of any form against a worker, whether male or female with responsibilities in relation to their dependent children, where such responsibilities restrict their possibilities of preparing for, entering, participating in or advancing in economic activity.
	2.2	ILO Convention on Private Employment Agencies 1997(No. 181)			Art 1,2,4-12	Concerns the protection of workers which are employed with the intention of making the services of these workers available to third parties.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.1	ILO Convention on Vocational Rehabilitation and Employment (Disabled Persons) 1983 (No. 159)			Art 1-4	
	6.1	International Covenant on Economic, Social and Cultural Rights (1966)			Art 7	<p>Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work.</p> <p>Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence.</p>
Elimination of Harassment and Abuse in Workplace	6.5	Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)			General Recommendation 35	Engagement of the private sector, including businesses and transnational corporations, in efforts to eradicate all forms of gender-based violence against women; developing protocols and procedures addressing all forms of gender-based violence that may occur in the workplace or affect women workers, including effective and accessible internal complaints procedures.

KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Employment for Migrants	2.2 6.6					Provision of information; no obstacles to travel; provision of healthcare; non-discrimination in employment; accommodation, social security and remuneration; no forced repatriation of legal migrant workers; repatriation of savings.
	6.6	ILO Convention 143 (1975) Migrant Workers (Supplementary Provisions)			Art 1-12	Respect basic human rights; protection of illegal migrants from abusive employment; no trafficking in illegal migrants; fair treatment of migrant labor.
	2.2 6.6	Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)			Art 11; 21; 25; 26	Prevention of slavery; forced labor and compulsory labor; concerning confiscation of identity documents; working conditions and freedom and the right to form and join trade union.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Protection of Plantation Workers	6.1	ILO Convention 97 (1949) Migration for Employment			Art 5-91	Protection of members of families of recruited workers' rights during recruitment and transport; fair employment contracts; abolition of penal sanctions; fair wages and conditions of work; no coercion or obligation to use company stores; adequate accommodation and conditions; maternity protection; compensation for injuries and accidents; freedom of association; right to organise and collective bargaining; proper labour inspection; decent housing and medical care.
	6.2	ILO Convention No 11 Rights of Association (Agriculture) 1921			Art 1	All those who work in the agricultural sector to be accorded the same rights of association and combination as to industrial workers.
	6	ILO Convention on Plantation (1958) (No. 110)			Art 1,2,5,7,8, 11,12-15	This convention relates to rights of workers and their families (including migrant workers) who have been recruited to work on plantations.
Working Time for Workers	6.2	ILO Convention No 101 Holidays with Pay (Agriculture) 1952			Art 1,3,5,7-9	Workers employed in agricultural undertakings and related occupations shall be granted an annual holiday with pay after a period of continuous service with the same employer.
	6.2	ILO Convention No.47/1935 relating to 40 Hour Week			Art 1	Requires that a member adopts a 40-hour week in a manner that the standard of living is not reduced as a consequence.

KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Protection of Women's Rights to Work	6.1	Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)(1979)			Art 11	Rights to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training. Right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work.
	6.1	Maternity Protection ILO Convention 2000 No.183			Art 9	Prohibition from requiring a test for pregnancy or a certificate of such a attest when a woman is applying for the employment except where required by national laws or regulations in respect of work.
	6.5 6.7	Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)			Art 11 (f)	The rights to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.5	Maternity Protection Convention 2000 (No.183)			Art 10	A woman shall be provided with the right to one or more daily breaks or a daily reduction of hours of work to breastfeed her child. This break or the reduction of daily hours of work shall be counted as working time and remunerated accordingly.
Protection of Tenants and Sharecroppers	4.2			ILO Recommendation 132 (1968) Tenants and Sharecroppers	Art 4-8	Fair rents; adequate payment for crops; provisions for well-being; organisation; fair contracts; procedures for the settlement of disputes.
Protection of Smallholders	5	ILO Convention 117 (1962) Social Policy (Basic Aims and Standards)			Art 4	Alienation with due regard to customary rights; assistance to form cooperatives; tenancy arrangements to secure highest possible living standards.

KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Occupational Health and Safety	3.6 6.7	ILO Conventions 184 (2001) Safety and Health in Agriculture			Art 7-21	Carry out risk assessments and adopt preventive and protective measures to ensure health and safety with respect to workplaces, machinery equipment, chemical tools and processors; ensure dissemination of information, appropriate training, supervision and compliance; special protection for youth and women workers; coverage against occupational health and disease.
	3.6 6.7	ILO Convention on Occupational Cancer 1974 (No 139)				Members shall make every effort to have carcinogenic substances and agents to which workers may be exposed in the course of their work replaced by non-carcinogenic substances or agents or by less harmful substances or agents; in the choice of substitute substances or agents account shall be taken of their carcinogenic, toxic and other properties

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	3.6 6.7	ILO Convention on Invalidity Insurance (Agriculture) 1933 (No. 38)			Art 1-6, 13, 17, 20, 23	Maintenance of a scheme for invalidity Insurance for workers.
	6.1 6.2	Convention on Maternity Protection 2000 (No. 183)			Art 2-4	Maternity Protection and benefits.
Control or Eliminate the use of Dangerous Chemicals and Pesticides	7.2	Stockholm Convention on Persistent Organic Pollutants (2001)			Arts 1-5	Prohibit and/or eliminate production and use of chemicals listed in Annex A (e.g. Aldrin, Chlordane PCB); restrict production and use of chemicals in AnnexB (eg DDT); reduce or eliminate releasesof chemicals listed in Annex C (e.g. Hexaclorobenze).

KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	7.2	Rotterdam Convention on Prior and Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (1998)			Art 1, 5, and 6	Curb the trade of banned and hazardous chemicals and pesticides; develop national procedures for control of their use and trade; list banned and hazardous chemicals and pesticides.
			UN Declaration on the Rights of Indigenous Peoples (2007)		Art 21(1), 23, 24, 29(3)	Improvement of livelihood and sanitation, health and housing, participate in health delivery; maintain traditional health systems; effective monitoring of health.
		ILO Convention No 148 on Working Environment (Air, Pollution, Noise and Vibration) 1977			Art 1-3	Provides for measures which should be taken for the prevention and control of, and protection against, occupational hazards in the working environment due to air pollution, noise and vibration.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
		ILO Convention No 170 on Chemical Convention 1990			Art 2(c), and Part IV	Provides for measures to prevent or reduce the incidences of chemically induced illness and injuries at work; and identifies the roles and responsibilities of employers in the context of identification, transfer of chemicals, exposures, operational control, disposal and information dissemination and training.
Right to Food	6.2	International Covenant on Economic, Social and Cultural Rights (1966)			Art 11	Right to adequate standard of living, including right to food.
Environmental Protection	3.4	UN Convention on Biological Diversity (1992)			Art. 14	Environmental impact assessment of its proposed projects that are likely to have significant adverse effects on biological diversity with a view to avoiding or minimising such effects and, where appropriate. allow for public participation in such procedures.
Conservation of Biodiversity		UN Convention on Biological Diversity (1992)			Art 1 – 18	Conservation of biological diversity and the sustainable use of its components.
GHG Emissions	7.10				Art 1-4	Aimed at stabilising atmospheric concentrations of greenhouse gases to avoid “dangerous anthropogenic interference, including in agricultural sector.

ANNEX 3B: SOME INDONESIANS RULES AND REGULATIONS REFERENCES OF THE INA NI

No	Code	Approving Authority	No / Year	Concerning	Criteria
1	Act	House of Representative/President	19 of 2016	Amendment of Act No. 11 of 2008 Concerning Electronic Information and Transaction	1.1.5
2	Act	House of Representative/President	7 of 2006	Ratification of UN Convention Against Corruption	1.2
3	Act	House of Representative/President	8 of 2010	Prevention and Eradication of Money- Laundering	1.2
4	Act	House of Representative/President	20 of 2001	Amendment Act No. 31 of 1999 Concerning Criminal Act of Corruption	1.2
5	Act	House of Representative/President	13 of 2003	Employment	2.2/3.5.2/6.1/ 6.2/ 6.3/6.4/ 6.4.3/6.6
6	Act	House of Representative/President	39 of 1999	Human Rights	4.1/6.1
7	Act	House of Representative/President	39 of 2014	Plantation	4.1/4.4/4.5
8	Act	House of Representative/President	5 of 1960	Agrarian Principal Act	4.4.2
9	Act	House of Representative/President	7 of 1984	Ratification of Eradication of All Forms of Discrimination Against Women Convention.	6.1
10	Act	House of Representative/President	21 of 2000	Labor Union	6.3
11	Act	House of Representative/President	20 of 1999	Ratification of ILO Convention No. 138 of 1973 concerning Minimum Allowable Age to Work.	6.4
12	Act	House of Representative/President	35 of 2014	Amendment to Act. No. 23 of 2002 concerning Child Protection	6.4

No	Code	Approving Authority	No / Year	Concerning	Criteria
13	Act	House of Representative/President	36 of 2009	Health	6.5.3
14	Act	House of Representative/President	1 of 1970	Occupational Health and Safety.	6.7
15	Act	House of Representative/President	19 of 2009	Ratification of Stockholm Convention on Persistent Organic Pollutants.	7.2
16	Act	House of Representative/President	32 of 2009	Environmental Protection and Management	4.1/7.3/7.11
17	Act	House of Representative/President	18 of 2008	Waste Management	7.3
18	Act	House of Representative/President	5 of 1990	Conservation of Biological Natural Resources and their Ecosystems.	7.12.7
19	Act	House of Representative/President	16 of 1992	Animal, Fish and Plant Quarantine.	7.12.7
20	Act	House of Representative/President	5 of 1994	Ratification of UN Convention concerning Biodiversity	7.12.7
21	Act	House of Representative/President	30 of 2000	Trade Secrets	1.1/1.1.5
22	Act	House of Representative/President	14 of 2008	Public Information Disclosure	1.1.5
23	Act	House of Representative/President	31 of 2014	Amendments to Law No.13 of 2006 concerning Protection of Witnesses and Victims	4.1
24	Act	House of Representative/President	8 of 1981	Criminal Procedure Law	4.1
25	Act	House of Representative/President	40 of 2008	Elimination of Racial and Ethnic Discrimination	4.1/6.1
26	Act	House of Representative/President	25 of 2007	Capital Investment	4.3
27	GR	President	27 of 2012	Environmental Permit	3.4
28	GR	President	50 of 2012	Implementation of Occupational Health and Safety Management System.	3.6.2
29	GR	President	40 of 1996	Cultivation Right, Building Right and Use Right	4.4.2

Annex 3b

SOME INDONESIANS RULES AND REGULATION REFERENCES OF THE INA NI

No	Code	Approving Authority	No / Year	Concerning	Criteria
30	GR	President	78 of 2015	Payment of Wages	6.1.6/6.2.6
31	GR	President	20 of 2018	Foreign Worker Utilization	6.6
32	GR	President	4 of 2001	Controlling Environmental Damage and / or Pollution related with Forest Fire or Land Fire.	7.1.3
33	GR	President	101 of 2014	Hazardous and Toxic Waste Management.	7.2
34	GR	President	74 of 2001	Hazardous and Toxic Substance Management.	7.2.7
35	GR	President	82 of 2001	Water Quality Management and Water Pollution Control.	7.3
36	GR	President	81 of 2012	Household Waste and Similar to Household Waste Management.	7.3
37	GR	President	57 of 2016	Amendment to Government Regulation No. 71 of 2014 Concerning Protection and Management of Peatland Ecosystem	7.7/7.7.3/7.7.4
38	GR	President	71 of 2014	Protection and Management of Peatland Ecosystem	7.7
39	GR	President	38 of 2011	River	7.8/7.12.7
40	GR	President	39 of 2012	Watershed Management.	7.8
41	GR	President	26 of 2008	National Spatial Layout.	7.8
42	GR	President	13 of 1994	Animals Hunting	7.12.7

No	Code	Approving Authority	No / Year	Concerning	Criteria
43	GR	President	108 of 2015	Amendments to Government Regulation No. 28 of 2011 concerning Management of Nature Reserved Areas and Nature Conservation Areas	7.12.7
44	GR	President	59 of 2002	National Action Plan to Eradicate All Forms of Worst Employment for Children.	6.4
45	PD	President	32 of 1990	Conservation Area Management	7.8/7.12.7
46	PD	President	12 of 2012	River Area Determination	7.8/7.12.7
47	PD	President	43 of 1978	Ratification of Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)	7.12.7
48	PI	President	1 of 2013	Prevention and Eradication of Corruption Act	1.2
49		Minister of Agrarian Affairs and Spatial Planning / Head of National Land Agency	14 of 2018	Location Permit	4.4/4.5
50	MR	Minister of Environment	14 of 2010	Environmental Documents for Business and / or Activities that Have Business and / or Activity Permit but Have Not Environmental Document.	3.4
51	MR	Minister of Environment	12 of 2007	Environmental Management and Monitoring Document for Business and / or Activity that Have No Environmental Management Document	3.4
52	MR	Menteri Lingkungan Hidup dan Kehutanan	38 of 2019	Types of Business Plans and/or Activities that Must Have an AMDAL	3.4

Annex 3b

SOME INDONESIANS RULES AND REGULATION REFERENCES OF THE INA NI

No	Code	Approving Authority	No / Year	Concerning	Criteria
53	MR	Minister of Environment	17 of 2012	Community Participation Guideline in Environmental Impact Analysis Process and Environmental Permit	3.4
54	MR	Minister of Environment and Forestry	25 of 2018	Guidelines for Determining Types of Business Plans and / or Activities that Must Have Environmental Management Efforts and Environmental Monitoring Efforts and Declaration of Environmental Management and Monitoring Capability	3.4
55	MR	Minister of Environment	16 of 2012	Guidelines for Environmental Document Formulation	3.4
56	MR	Minister of Environment	8 of 2013	Procedures for Environmental Document Evaluation and Examination and Environmental Permit Issuing	3.4
57	MR	Minister of Environment	7 of 2010	Certification of Competence for Document Compiler of Environmental Impact Analysis and Requirements of Competence Training Institution for Document Compiler of Environmental Impact Analysis.	3.4
58	MR	Minister of Environment and Forestry	22 of 2018	Norms, Standard, Procedures and Criteria for Electronically Integrated Permit Service of the Ministry of Environment and Forestry	3.4

No	Code	Approving Authority	No / Year	Concerning	Criteria
59	MR	Minister of Environment and Forestry	23 of 2018	Criteria for Business and / or Activity and its Procedure to Change Environmental Permit	3.4
60	MR	Menteri Lingkungan Hidup dan Kehutanan	102 of 2018	Licensing Procedure for Wastewater Discharge through the Licensing Services for Electronically Integrated Business	7.3
61	MR	Menteri Lingkungan Hidup dan Kehutanan	16 of 2017	Protection and Management of Peat Ecosystems	7.7.3/7.7.4
62	MR	Menteri Lingkungan Hidup dan Kehutanan	P.15 of 2017	Procedures for Measuring Groundwater at the Compliance Point of Peat Ecosystem	7.7.3/7.7.4
63	MR	Minister of Environment and Forestry	24 of 2018	Exclusion of the Obligation to Compile an Analysis of Environmental Impacts for Businesses and / or Activities Located in Regencies / Cities that Have Detailed Spatial Planning.	3.4
64	MR	Minister of Home Affairs	52 of 2014	Guideline for Customary Law Community Protection and Recognition.	4.4.6/4.6.1
65	MR	Ministry of Manpower and Transmigration	2 of 1980	Worker's Medical Examination	6.1
66	MR	Ministry of Manpower and Transmigration	13 of 2012	Component and Implementation Stages of Decent Living Necessity and Minister of Manpower Regulation No. 21 of 2016 concerning Decent Living Necessity.	6.2/6.2.6
67	MR	Minister of Manpower	15 of 2018	Minimum Wage	6.2.6

Annex 3b

SOME INDONESIANS RULES AND REGULATION REFERENCES OF THE INA NI

No	Code	Approving Authority	No / Year	Concerning	Criteria
68	MR	Minister of Manpower	28 of 2014	Procedures for the Making and Endorsement of Company Regulations and the Formulation and Registration of Collective Labor Agreements	6.2.2
69	MR	Minister of Manpower	21 of 2016	Decent Living Necessity	6.2.6
70	MR	Minister of Manpower and Transmigration	19 of 2012	Conditions of Submission of Partial Work Implementation to Other Companies.	6.2.7
71	MR	Minister of Manpower and Transmigration	235 of 2003	Types of Work That Endangers the Health, Safety or Moral of Children.	6.4
72	MR	Minister of Manpower	4 of 1987	Coaching Committee of OHS and Procedures of Appointing Work Safety Expert.	6.7
73	MR	Minister of Manpower	4 of 1993	Work Accident Insurance.	6.7
74	MR	Minister of Environment and Forestry	94 of 2016	Invasive Species	7.1.2
75	MR	Minister of Environment	5 of 2014	Wastewater Quality Standard	7.3
76	MR	Minister of Environment and Forestry	68 of 2016	Domestic Wastewater Standard Quality	7.3
77	MR	Minister of Agriculture	1 of 2007	Lists of Prohibited and Restricted Active Pesticides.	7.2

No	Code	Approving Authority	No / Year	Concerning	Criteria
78	MR	Minister of Agriculture	1 of 2018	FFB Price Setting	5.1
79	MR	Minister of Agriculture	39 of 2015	Pesticide Registration	7.2
80	MR	Minister of Agriculture	11 of 2015	Guideline for Sustainable Palm Oil Plantation in Indonesia	7.5
81	MR	Minister of Agriculture	47 of 2006	General guideline of Agriculture Cultivation on Mountainous Soil.	7.5
82	MR	Minister of Agriculture	14 of 2009	Guideline of Utilization of Peatland for Palm Oil Cultivation	7.7
83	MR	Minister of Agriculture	131 of 2013	Good Palm Oil Cultivation Guideline	3.3/7.6/7.5
84	MR	Minister of Agriculture	47 of 2014	Brigade and Guidelines for the Implementation of Prevention and Control of Land and Plantation Fire	7.11
85	MR	Minister of Environment and Forestry	16 of 2019	Second Amendment to the Minister of Environment Regulation No.5 of 2014 concerning Wastewater Quality Standards	7.8
86	MD	Minister of Environment	12 of 2006	Conditions and Procedures for Permit of Disposal of Wastewater to the Sea.	7.8

SOME INDONESIANS RULES AND REGULATION REFERENCES OF THE INA NI

No	Code	Approving Authority	No / Year	Concerning	Criteria
87	MR	Minister of Public Works	18 of 2009	Guideline for River Diversion and / or Utilization of Used River Segments.	7.8
88	MR	Minister of Public Works and Housing	28 of 2015	Determination of River Borderline and Lake Borderline Lines.	7.8
89	MR	Minister of Agriculture	5 of 2018	Opening and / or Processing of Plantation Land Without Fire	7.11
90	MR	Minister of Environment and Forestry	106 of 2018	Amendment of Minister of Environment and Forestry Regulation No. P.20 MENLHK/SETJEN/KUM.1/6/2018 concerning Protected Animals and Plants Species	7.12.7
91	MR	Minister of Forestry	P.48 of 2008	Conflict Prevention between Humans and Wildlife	7.12.7
92	MR	Minister of Forestry	P.53 of 2014	Amendment of Minister of Forestry No. P.48/MENHUT-II/2008 concerning Conflict Prevention Between Human and Wildlife.	7.12.7
93	MD	Minister of Manpower and Transmigration	100 of 2004	Provisions of Specific Time Agreement Implementation	6.2/6.2.7
94	MD	Minister of Manpower and Transmigration	609 of 2012	Guideline of Settlement for Work Accident and Work – related Illness.	6.7

No	Code	Approving Authority	No / Year	Concerning	Criteria
95	MD	Minister of Environment	28 of 2003	Technical Guideline for the Study of Utilization of Palm Oil Industrial Wastewater on Palm Oil Plantation Soil	7.3/7.8
96	MD	Minister of Environment	29 of 2003	Requirement Guidelines and Permit Procedure of Palm Oil Wastewater Utilization on Palm Oil Plantation Soil.	7.3/7.8
97	IR	Directorate General of Forest Conservation and Protection	P.2 of 2014	Formation and Development of Fire Concerned Communities.	7.11
98	D	Head of Environmental Impact Control Body	299 of 1996	Technical Guide of Social Aspect Studies in Formulating Analysis Concerning Environmental Impact.	3.4

Codes:

Act

GR Government Regulation

PI Presidential Instruction

PD Presidential Decree

PR Presidential Regulation

MR Minister Regulation

MD Minister Decree

D Decree of

IR Institutional Regulation



ANNEX 4: IMPLEMENTATION PROCEDURE FOR INDICATOR 2.3.2

Where the unit of certification has smallholder suppliers, for existing RSPO certified mills, the time requirement to fulfil this Criterion for all their smallholder suppliers is three years from [15 November 2018]. For mills that are not yet certified/ mills going for first year of certification, the time requirement is three years from initial point of certification for their smallholder suppliers.

ANNEX 5: INTERPRETATION OF INDICATOR 7.12.2 AND ANNEX 5

With the inclusion of Criteria 7.12 in the RSPO Principles and Criteria (P&C) 2018, it has come to our attention that further clarification and guidance is required to assist members with implementing the new requirements. As a result, the Interpretation of Indicator 7.12.2 and Annex 5 was developed by the 'No Deforestation Task Force' and the RSPO Secretariat. Furthermore, the interpretation should provide recommendations on ways to implement Criteria 7.12 as a whole.

HOW DOES THIS IMPACT RSPO GROWER MEMBERS?

- By close of business on 13 September 2019, all RSPO members are required to have registered cases of new land clearing (refer to clause 3.4 in the interpretation document) that fall within the scenarios below:
- o Assessor Licensing Scheme (ALS) High Conservation Value (HCV) assessments that were ongoing before 15 November 2018, which are yet to be completed.
 - o Completed ALS-HCV assessments (started before 15 November 2018) not yet submitted to ALS for quality review by 15 November 2018.
 - o Areas with an approved New Planting Procedure (NPP) (pre-ALS) and planning for land clearing after 15 November 2018.

Note : Additional scenarios for this process are outlined on the back of this factsheet. Any new land clearing that does not fall within the above/on the back of this factsheet, nor in the Interpretation document, shall follow the requirements of Indicator 7.12.2 (b) of the P&C 2018 and the NPP (including its subsequent revisions).

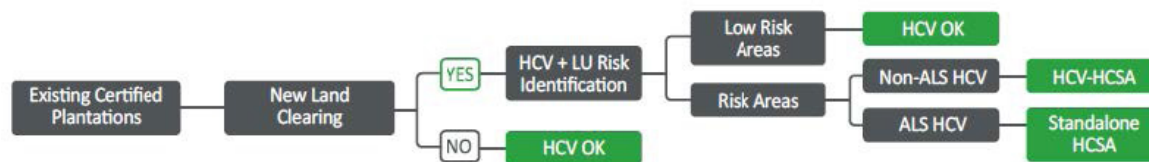
HOW DO I REGISTER CASES OF NEW LAND CLEARING?

Simply visit www.bit.ly/CaseRegister and enter the relevant information. Kindly note that failure to register and submit the required documentation within the stipulated time period (by close of business 13 September, 2019) will result in a new HCV-High Carbon Stock Approach (HCSA) assessment needing to be conducted.

INTERPRETATION OF INDICATOR 7.12.2 AND ANNEX 5

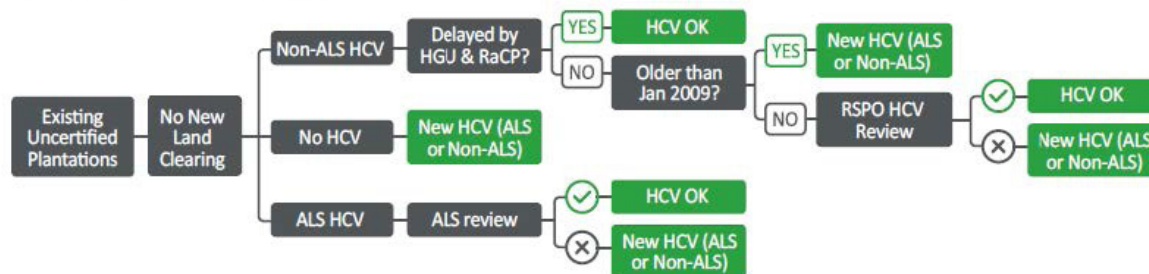
The requirements of the processes below are based on scenarios outlined in the Interpretation document, however these may vary.

EXISTING CERTIFIED PLANTATIONS



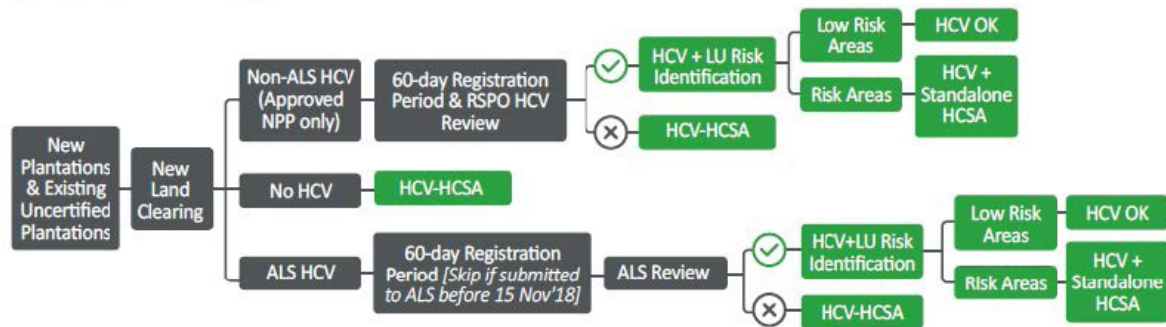
EXISTING UNCERTIFIED PLANTATIONS

(No New Land Clearing)



NEW PLANTATIONS & EXISTING UNCERTIFIED PLANTATIONS

(New Land Clearing)



✓ PASS ✗ FAIL

Visit www.rspo.org to learn more about the **Interpretation of Indicator 7.12.2 and Annex 5 of the RSPO P&C 2018**

The RSPO is an international non-profit organisation formed in 2004 with the objective to promote the growth and use of sustainable oil palm products through credible global standards and engagement of stakeholders.

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