

**Assurance Standing Committee  
16th Meeting (via Zoom)  
Minutes of Meeting**

Zoom Link : Zoom Meeting (<https://zoom.us/j/98832840127>)  
Date and time : 29 August 2023 at 3.00 pm – 5.30 pm (GMT+8)

**Members Attendance:**

<b>Growers</b>		
<b>Name</b>	<b>Organisation</b>	<b>Group Representation</b>
Anita Neville (Co-chair) (AN)	Golden Agri-Resources (GAR)	Indonesian Growers (IGC)
William Siow (WS) <i>(absent with apology)</i>	IOI Group	Malaysian Growers (MPOA)
Mariama Diallo (MD)	SIAT Nigeria	Growers RoW
Lawrence Quarshie (LQ)	Golden Star Oil Palm Farmers Association (GSOPFA)	Smallholders Group
<b>NGOs</b>		
<b>Name</b>	<b>Organisation</b>	<b>Group Representation</b>
Kamal Prakash Seth (Co-Chair) (KS)	WWF International	E-NGO
Paula den Hartog (PdH) <i>(absent with apology)</i>	Rainforest Alliance	E-NGO
Paul Wolvekamp (PW)	Both ENDS	S-NGO
Marcus Colchester (MC)	Forest Peoples Programme	S-NGO
<b>Supply Chain Sector / Downstream / Others</b>		
<b>Name</b>	<b>Organisation</b>	<b>Group Representation</b>
Olivier Tichit (OT) <i>(absent with apology)</i>	Musim Mas Holdings	P&T
Michal Zrust (MZ)	Lestari Capital	Financial
Lee Kuan-Chun (LKC) <i>(absent with apology)</i>	P&G	CGM

**RSPO Secretariat Attendance:**

<b>Name</b>	<b>Position</b>

Aryo Gustomo (AG)	Director, Assurance
Mohd Zaidee Mohd Tahir (ZT)	Acting Head, Integrity
Freda Manan (FM)	Sr. Executive, Integrity
Lee Jin Min (LJM)	Executive, Biodiversity (Scientific & Data Support)
Amirul Ariff (AAA)	Manager, P&C Certification
Syafiqul Syaznil	Data Analyst, Certification

**Other attendance:**

Name	Organisation	Role
Jan Pierre (JP)	ASI	RSPO Programme Manager
Ruth Silva (RS)	HCVN	ALS Quality Manager

Item	Description	Action Points
1.0	<b>Introduction</b> ZT opened the meeting and invited AN to give welcome remarks. ZT briefly shared the agenda for the meeting.	
1.1	<b>RSPO Antitrust Law, ASC ToR (Objectives, Consensus-Based Decision Making)</b> ZT reminded the members of the RSPO Antitrust Guidelines and the objectives of the ASC. ZT stated that the ASC follows the RSPO consensus-based decision-making process, in accordance with the ASC Terms of Reference.	
1.2	<b>Declaration of Conflict of Interest (Col)</b> ZT highlighted the ASC Col obligations. No Col was declared at this meeting.	
1.3	<b>Acceptance of MoM from 7 June 2023 Meeting</b> ZT asked the ASC for comments or feedback on the minutes from the previous ASC meeting on 7 June 2023. All members agreed to accept the minutes.	
2.0	<b>For Decision</b>	
2.1	<b>Revised Draft ToR for Initial Study on De-Linking Business Relations Between RSPO-Accredited Certification Bodies and Auditees (following consultation with ASC Subgroup)</b> AG gave a recap of the development of the above ToR that started in 2017 with Liza Murphy's report which provided recommendations on decoupling CBs with certificate holders. This was followed by Resolution GA15-6c in 2018 and the study by Andy Whitmore from IUCN NL in 2020. Following the action points outlined in the Assurance Gap Analysis in 2021, discussions have been ongoing in the ASC about conducting further study on de-linking. In the Q1 2023 ASC meeting, the first draft ToR was presented. Input was then gathered from the ASC	



	<p>subgroup and the draft ToR was subsequently revised.</p> <p>AG explained the changes that were made based on the ASC subgroup’s input:</p> <ul style="list-style-type: none"> <li>• To cover all regions i.e. SEA, EMEA, North America, LATAM.</li> <li>• Present analysis on the adoption of de-linking by other certification schemes.</li> <li>• Propose resources for pilot tests.</li> <li>• Col to cover potential “funnel companies” of an RSPO-accredited CB.</li> <li>• Revision of timeline to publish call for proposal in Oct 2023.</li> </ul> <p>AG also shared other feedback from the subgroup:</p> <ul style="list-style-type: none"> <li>• Type of standard covered in this ToR - only P&amp;C or SCC as well?</li> <li>• Bidding/tender mechanism in CH and justification for selecting CBs, different certification fee or day rate offered.</li> <li>• Contributions from downstream members or investors as part of Shared Responsibility.</li> <li>• CB should ensure to follow ISO 17021 guidance for “threats and risks to the impartiality and objectivity of the certification process”.</li> <li>• Include reviewing the Payment Term (TOP) - CB should not have any agreement with their client mentioning the final payment can only be done if the CH has received the Certificate or newest license from CB. The independence of CB decision-making should not be related to financial interest.</li> </ul> <p><b>Discussion points</b></p> <p>A member inquired about the meaning of “funnel company” to which AG gave an example of a consulting arm under the same parent company of a CB which should not be considered to conduct this study. Another member asked why the call for proposal cannot be published in Sept 2023, AG said this is due to internal processes which will take some time but the Secretariat will try to speed up the work. A member requested to make preparations ahead in case the consultant recommends a pilot test. Another member suggested edits to the ToR because the introduction is too long and contains a leading statement on low pay that undermines auditors’ work quality. AG responded that the statement came from a previous study that the ToR referred to. Another member reminded the Secretariat to ensure brevity and proper citation to references. A member asked if the study will also look at who will manage the certification cost. AG clarified that one of the expected outcomes is a recommendation of a financial scheme that can manage payment from auditees to the CBs. ZT asked for a decision. The ASC agreed to approve the ToR provided the minor changes are made.</p>	<p>The Secretariat to revise the Draft ToR for Initial Study on De-Linking Business Relations Between RSPO-Accredited Certification Bodies and Auditees and publish it on the website in Sept 2023. [Update: The Secretariat published the call for proposal on 12 Sept 2023 (<a href="#">link</a>)</p>
<p><b>3.0</b></p> <p><b>3.1</b></p>	<p><b>For Discussion</b></p> <p><b>Framework for the Implementation of Code of Conduct for RSPO Auditors</b></p> <p>ZT welcomed ASI to the meeting. JP presented the overall framework for the implementation of the Code.</p> <ul style="list-style-type: none"> <li>• Background: New Code of Conduct developed and approved by RSPO secretariat and ASC.</li> <li>• Directive: ASI to oversee and enforce auditor conformance.</li> <li>• CBs’ role: Ensure their auditors sign and adhere to the Code of Conduct.</li> <li>• ASI’s role: Monitor CBs’ enforcement and apply penalties for non-conformance.</li> </ul> <p><b>Process:</b></p> <ul style="list-style-type: none"> <li>• Auditors must sign the Code, records must be kept updated by CBs.</li> </ul>	

	<ul style="list-style-type: none"> <li>ASI runs RSPO auditor registry and use it as the central tool to administer the Code's implementation</li> <li>CBs to set auditor registration status to "Invalid" for all auditors that have not signed the Code as required, or are non-compliant with the Code.</li> </ul> <p><b>Monitoring:</b></p> <ul style="list-style-type: none"> <li>CBs' role: implement the Code with their auditors, ensure auditor impartiality and competence &amp; identify, address and keep record of any breaches of the Code</li> <li>ASI's role: evaluate CB conformance with enforcing the Code as per RSPO requirements as well as run and continuously review the auditor registry</li> </ul> <p>JP continued with the proposed next steps:</p> <ul style="list-style-type: none"> <li>RSPO - review Code and normative framework for any duplications, and/or consider adding Code requirements into new P&amp;C Certification System document, publish Code together with revised RSPO Certification System document and determine effective dates</li> <li>CBs - enforce the Code with their auditors, as required by the RSPO, identify, address and keep record of any breaches of the Code, and keep auditor files up to date in the ASI auditor registry</li> <li>ASI - communicate to CBs about the revised process of auditor registration and oversee the Code's implementation through CBs: CB failure to enforce the Code shall lead to NCs, respectively to sanctions against CBs</li> </ul> <p>JP shared ASI's proposed changes to the draft Code with the following objectives and stated that the proposed changes could be implemented as part of the revision of the RSPO Certification System document:</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p>The <del>Certification accreditation body</del>Body (CB) shall <del>is be</del> responsible for <u>obtaining signed Codes of Conduct for all their auditors and to upload these into the RSPO auditor registry. Only auditors that have signed the Code of Conduct are allowed to conduct RSPO audits. The CB is further responsible for</u> detecting, monitoring and verifying auditors who breach the code of conduct. <u>ASI, as RSPO's assigned Accreditation Body, is responsible for evaluating CB conformance with enforcing the Code of Conduct and for reviewing the auditor registry. The records will be checked by the RSPO Certification Unit prior to the approval of licences in the RSPO IT Platform.</u></p> </div> <ul style="list-style-type: none"> <li>to align it to roles of CBs and ASI, since ASI does not have a contract with the auditors, but the CBs do.</li> </ul> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <ul style="list-style-type: none"> <li>Coordinate with the certification body that you represent to prevent having to participate in audits where you are required to work for more than <u>44-7</u> calendar days (including travel days) without having at least <u>48-24</u> hours of rest in between audits.</li> </ul> </div> <ul style="list-style-type: none"> <li>Comply with and observe all ILO <del>conditions-conventions</del> signed by the country in which the audit is being conducted.</li> <li>to align it with ILO requirements</li> </ul> <p><b>Discussion points</b></p> <p>A member raised a concern on the section for Conduct towards Clients, points 3 &amp; 4, which suggest that auditors to be more independent in arranging accommodations where possible, but auditors always end up staying in the company's accommodation especially in remote areas and thereafter treated as consultants and not independent auditors. The member requested to emphasise the need to establish independence, at least when visiting the communities. FM</p>	
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	<p>said the draft can still be edited even though it has actually been approved by the ASC in a previous meeting. Another member asked if the implementation of the Code will be delayed since the RSPO Certification Systems document (CSD) will only be reviewed after P&amp;C 2023 is endorsed. JP clarified that ASI highly recommends the Code to be integrated into the new version of the CSD to prevent contradiction. AG reminded that in the Sept 2022 meeting, the ASC agreed for the Code to be part of the new CSD. AG said this will ensure better implementation i.e. stronger push for CBs to comply with official documented requirements, compared with it being a standalone document. A member said it is more preferable to have the Code as a standalone document that can be referenced in the CSD and physically signed by auditors.</p> <p>In the chat box, a member requested to ensure the Code indicates that no security staff should be present when interviews are being conducted by auditors. Another member cautioned that the Code should not be an auditing guidance, but to focus on the integrity of the audit process. The member suggested that the Code's implementation can be a step towards other ongoing elements such as the de-linking study and the upcoming review of the CSD. AG said the Assurance Division will check with the Standard Development Division about the process of making the Code a standalone mandatory document since the current CSD does not mention the Code. JP clarified that the auditable documents are the P&amp;C, the CSD, the ISO17021 (for P&amp;C) and ISO17065 (for Supply Chain Standard). JP agreed that implementing the Code as a standalone document will be a challenge because it is not linked to any mandatory documents. JP gave an example of the New Planting Procedure (NPP) which is not auditable by ASI on CABs because it is approved prior to certification, the same goes with the Membership process and that is why ASI supports linking the Code to the CSD so it can be part of the accreditation system. A member said the ASC would like to see ASI holding the CBs accountable for the Code regardless of the CSD and other documents currently in place, and if it requires the Standard Standing Committee's (SSC) approval, the ASC should proceed with that, with the Secretariat facilitating the process. AN asked for the ASC's agreement on the following: to accept the amendments proposed by the ASI to clarify the ASI and the CBs' roles, the Secretariat to amend the Code based on comments from this meeting, and to find a bridging solution with the SSC to immediately implement the Code ahead of the Certification Systems review. This was supported by all.</p>	<p>The Secretariat to revise the Code of Conduct for RSPO Auditors based on ASI's and the ASC's suggestions in this meeting and to check with the SSC on the possibility for immediate implementation of the Code.</p>
<p><b>4.0</b></p> <p><b>4.1</b></p>	<p><b>For Updates</b></p> <p><b>2023 HCV-HCSA Manual</b></p> <p>RS shared that the changes were required for a) constant improvement - increase efficiency in the assurance process while maintaining quality and credibility &amp; provide clearer/more focused guidance for assessments and b) Learning - remove hindrances for assessments and assurance &amp; acknowledge diverse scenarios for implementation.</p> <p>RS explained the main changes to the manual:</p> <ul style="list-style-type: none"> <li>● Scope: assessment and reporting (content about before/after assessment removed)</li> <li>● One audience: the assessment team (content for other audiences such as the company was removed)</li> <li>● Structure: clear separation between assessment guidance and reporting requirements.</li> </ul>	

- Sworn declaration at reporting stage: ensure best practice while removing content about “conduct” (cannot be retrospectively “fixed”).
- Single HCV reference: fleshing up HCV identification contents (so assessor does not need to go to Common Guidance)
- Topics removed: integration history and plans, pending HCSA guidance, HCVN-HCSA coordination, etc.
- Contents added: glossary, applicability to SH, scenarios with no affected communities, conflicting guidance

RS gave some examples of the improvements made to the 2023 Manual:

Report's required sections (2017 Manual)	Reports failing the section (%)	2023 Manual improvements
Due diligence section (about the assessor's client pre-assessment activities)	84.5	Removed as reporting requirement. The assessor instead declares by sworn statement that best practices were applied during the assessment.
Image analysis and landcover classification	82.5	Step by step guidance/detailed content requirements
Boundaries of area of interest	54.6	Acknowledge complex scenarios, state all relevant requirements in one place
Scoping study	52.6	Removed as reporting requirement: as an assessment best practice, it is covered by the assessor's sworn statement

Finally, RS shared the RSPO HCSA Review and Integration Procedure (NDF)

- Document review phase (section 3.2) – Review and analysis of newly introduced documents/ requirements/ advice notes which include new requirements or added steps post RSPO adoption of the toolkit and HCV-HCSA assessment manual and templates.[...]
- Public and Stakeholder Consultation Phase (section 3.3) – Public consultation of revised RSPO documents and/or procedures for feedback. Feedback from the public consultation process shall be reviewed by the group for development of the final draft of the respective RSPO documents and/or procedures.
- Endorsement and Approval Phase (Section 3.4) – All final drafts shall be required to obtain endorsement by the Standard Standing Committee (SSC). Approval from the RSPO Board of Governors (BoG) shall follow the requirements as set in the RSPO Standard Setting SOP or upon the recommendation of the SSC.
- Publication and Circulation Phase (Section 3.5) – Publication and circulation of approved documents to RSPO members. This phase shall also include translations to relevant languages (Bahasa Indonesia, French, Spanish, Thai) to ensure increased clarity and comprehension of RSPO members globally.

**Discussion points**

A member asked if 84.5% reports failed the due diligence section then why was the section replaced with a sworn statement that best practices were applied? RS replied this has been discussed in the No-Deforestation Task Force i.e. the extent of gaps between the toolkit requirements and the existing standard that growers have to comply with, assessors are contracted by clients and expecting them to

<p>4.2</p>	<p>vouch for compliance is beyond what they can actually do. A member asked for confirmation that the RSPO Secretariat, as a member of HCVN, was involved in the whole review process. RS confirmed that the Secretariat sits in the management committee, and despite changes of personnel, the Secretariat has been receiving written reports throughout the process.</p> <p><b>Progress of Time Bound Plan (TBP)</b>          AAA shared the progress of RSPO members' TBP:</p> <ul style="list-style-type: none"> <li>• Total RSPO Members*: 138 Members (representing total land area: 8,572,332.32 Ha)</li> <li>• Total RSPO Members* achieve 100% Certification: 40 Members (representing total land area: 4,731,252.73 Ha)</li> <li>• Total RSPO Members in progress to achieve 100% Certification: 98 Members (representing total land area: 3,841,079.59 Ha). The members are required to submit and monitor their progress on TBP</li> </ul> <p>Note: The above data are based on ACOP Jan-Dec 2022, includes P&amp;T members with grower function and excludes ISH.          AAA explained that out of 98 members who are in progress to achieve 100% Certification, 39 members have submitted their TBP revision since the announcement was published in Dec 2021.          AAA summarised that:</p> <ul style="list-style-type: none"> <li>• Approximately a projection of 581,339.41 Ha of land is anticipated to be certified up to 2027.</li> <li>• Based on the TBP data, it is expected that 398,234.78 Ha will be undergoing Initial Certification in 2023. As of July 2023, a total of 77,886.38 Ha has been undergoing the Initial Certification.</li> <li>• There are 59 Members who have not yet submitted their TBP, representing a total land area of approximately 284,691.70 Ha.</li> </ul> <p>AAA highlighted the importance to ensure that all members that have yet to submit the TBP do so in order for the Secretariat to forecast the expected areas to be certified, estimate the potential CSPO production and plan for enough capacity/resources (i.e. the Secretariat, CB auditors, AB assessors etc.)</p> <p><b>Discussion points</b>          A member asked what the Secretariat plans to do about those who are yet to submit their TBP, which will be of interest to financial institutions since the members are their clients. The member added it is more important for the ASC to know the reasons behind the lack of TBP submission and why the areas are not being certified. AAA responded that since 2021, the Secretariat has been communicating the need for TBP submission during members' meetings and CB Interpretation Forums. Based on records, most management units that are not certified are due to issues with <i>Hak Guna Usaha</i> (HGU/Land Cultivation Rights) in Indonesia which led to deviation in certification plans. This is also indicated in the CSD i.e. where there is fundamental failure in submission and progress of the TBP, a non-conformity can be raised to the certified units by CBs. The Secretariat does not have a definite date by when all members must submit their TBP, but members must ensure all their management units are certified within 5 years after membership. Due to the pandemic, deviation to TBP is allowed depending on reasons given by members. In the chat, a member shared a data where about 3.24 million ha are planned to be certified after 2027, which raised the question - how long is the TBP? AAA said to date, the Secretariat only approved up to 2027 based on members' justifications and as per the CSD, no timeline has been set for</p>	
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	<p>smallholders? LJM responded that the resolution was raised due to the RaCP being a burdening process for scheme smallholders so there needs to be a better way to manage it. Another member asked about RaCP that applies to independent smallholders. LJM said that the CTF, upon discussions with the Smallholder Unit has finalised a remediation guidance for independent smallholders. There are several options for compensation liability and the Secretariat will form a subgroup by Feb 2024 to include members from the Shared Responsibility and Smallholder Working Groups to review the suitability of those options. The member asked if there is a plan to make the same applicable to scheme smallholders, to which LJM replied the Secretariat has only managed to gauge the extent of liabilities incurred by independent smallholders. Liabilities for scheme smallholders are currently disclosed under the companies. This is why the study is important to provide a mechanism for growers that want to apply the reprieve, which means they need to separately disclose liabilities incurred by the smallholders. Only then will the Secretariat know the extent of liabilities incurred by scheme smallholders. Another member raised 3 issues (i) actual scale of outstanding liabilities compared to what has been processed in the last 5 years, (ii) if RaCP is being processed at the speed that was mandated within the guidance and what has improved since the Secretariat increased its capacity and (iii) the quality and consistency of the reviewers' and the Compensation Panels' decisions i.e. some plans are approved but others with identical issues are not. The BHCVWG had previously responded that the reviewers go through a rigorous process to improve their capacities but the member noted that some reviewers themselves are planning to complain to the Secretariat about the lack of training. These issues are important to be considered in the RaCP review. Due to lack of time, AN suggested these issues to be discussed in detail in the next ASC meeting, which was supported by all. The ASC also agreed to extend this meeting's time.</p> <p><b>4.4 Pilot Test for P&amp;C and RISS 2023</b> AAA explained that the objectives of the pilot test are to:</p> <ul style="list-style-type: none"> <li>• Evaluate the auditability and implementability of the revised RSPO P&amp;C and/or RISS standard.</li> <li>• Identify gaps within indicators for clear interpretations.</li> <li>• Provide recommendations to address the interpretation gap(s) identified at point.</li> <li>• Document audit resources requirements, i.e. man-days, expertise.</li> <li>• Evaluate and recommend to the RSPO Secretariat on the required areas (e.g. capacity development) to minimize the gaps for the implementation of the new RSPO P&amp;C and RISS by the CB and Members (e.g. qualification, knowledge, competencies).</li> </ul> <p>Deliverables from the pilot test will include the final reports summarising the progress, findings, and outcomes of the pilot test and shall cover the audit plan, stakeholders consulted, assessment methodology and examples of possible findings. AAA also shared the selected sites from the targeted regions i.e. Malaysia (P&amp;C), Africa (P&amp;C and RISS), Colombia (P&amp;C and RISS) and Indonesia (P&amp;C and RISS). No comments were received on this topic.</p> <p><b>4.5 Lifting of Agropalma's Suspension by IBD</b> AG gave a brief update on the above topic.</p> <ul style="list-style-type: none"> <li>• The suspension imposed by IBD on Agropalma has been lifted following ASI's additional office assessment on IBD.</li> <li>• ASI will maintain strict oversight of IBD's performance as per the RSPO</li> </ul>	<p>scale of outstanding liabilities compared to what has been processed in the last 5 years, (ii) if RaCP is being processed at the speed that was mandated within the guidance and what has improved since the Secretariat increased its capacity and (iii) the quality and consistency of the reviewers' and the Compensation Panels' decisions, in the next meeting.</p>
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<p>4.6</p>	<p>Accreditation requirements e.g. RSPO Certification System and ASI Accreditation procedure.</p> <ul style="list-style-type: none"> <li>• This case will be taken as lessons learnt to strengthen RSPO’s Assurance and Certification systems, especially in view of the revision of the Certification Systems Document in 2024, under the requirements for Accreditation Body and Certification Bodies.</li> <li>• This will also be part of the new long-term strategy that RSPO is embarking on.</li> </ul> <p><b>Discussion points</b></p> <p>A member asked if there are any corrective action requirements for Agropalma in the lifting of their suspension. AG said IBD’s decision to lift the suspension was based on the office assessment where ASI found that IBD made the decision through an incorrect process. The member reminded that in the last meeting, a concern was raised on ASI’s tardiness in handling the case despite knowing about it since 2015. The real situation on the ground with users who claimed their rights were violated is still unknown. The member found the process unsatisfactory and not reassuring that the social aspect is being upheld and this calls for the Secretariat to have its own investigative capacity rather than just relying on auditors and ASI. AG responded that some of the NCs raised by IBD to Agropalma were valid so ASI asked IBD to review whether the decision-making process follows the accreditation requirements e.g. if more evidence is required, especially on the social and environmental aspects. AG agreed that RSPO needs to work with ASI to ensure CBs have the capacity and capability to raise NCs based on facts and evidence on the ground. Because the suspension has been lifted, Agropalma will need to do a surveillance audit by Nov 2023 so the Secretariat is waiting for the report. AN suggested this topic to be brought back into the next meeting to ensure that the surveillance audit is undertaken and if it changes the situation in terms of NCs.</p> <p><b>Response to IUCN NL Letter</b></p> <p>AG shared that a response letter signed by the RSPO’s CEO and supported by the ASC Co-Chairs was sent on 15 Aug 2023 and has been acknowledged by IUCN NL. Key responses delivered were:</p> <ul style="list-style-type: none"> <li>• RSPO is actively exploring strategies for more efficient auditing and assessments. For e.g. via the introduction of the RSPO Labour Auditing Guidance. An independent review on the implementation will commence at the end of the trial period, in Q2 2024.</li> <li>• RSPO has planned for an Initial Study on De-Linking Business Relations between RSPO-Accredited Certification Bodies (CBs) and Auditees that aims to explore methods for disconnecting financial ties between CBs and auditees, identify potential challenges, provide recommendations for an independent financial framework to manage certification costs and provide insights on how the recommendations can be tested via pilot tests that will follow the study.</li> <li>• RSPO has set a long-term strategy to scale up its certification by leveraging other certification schemes and partnership, developing Assurance systems that are more preemptive and proactive to identify risks and provide solutions, and create standards that are more auditable and implementable to meet the market’s expectations.</li> </ul> <p><b>Discussion points</b></p>	<p>The Secretariat to give an update on Agropalma’s surveillance audit following the lifting of suspension in the next meeting.</p>
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<p><b>4.7</b></p>	<p><b>From the Action Tracker</b> This item has been shared in the pre-read prior to the meeting and was not discussed in detail due to time constraint.</p>	<p>The Secretariat to arrange for a meeting with the Co-Chairs and IUCN NL during RT 2023.</p>
<p><b>5.0</b>  <b>5.1</b></p>	<p><b>Any Other Business</b></p> <p><b>Pool of Experts (PoE)</b> A member brought back the topic of the Pool of Experts (PoE) to be commissioned to undertake investigations. From the joint ASC-CP meetings, it was noted that problems often start with auditors not detecting issues on the ground, which then become a complaint and burden the system. The member said that a ToR was prepared in April 2022 for the PoE to check on violations of the P&amp;C, investigate complaints, etc. RSPO needs experts in different geographies who can do the jobs and remain impartial, and the formation of PoE needs to be done urgently. ZT responded that the Secretariat did publish an expression of interest with a ToR for a project management team to form the PoE in Sept 2022. Unfortunately, it received no response at all. The member responded that the ToR published had very limited scope e.g. to observe audits and did not include commissioning the PoE to investigate allegations on companies so there is a need to distinguish different elements in the ToR. The member suggested recirculating the previous ToR to the ASC to gather suggestions on how to be more focused in inviting experts to take on this assignment, and then bring back to the topic into the next meeting. Another member shared concern that if the PoE is going to perform the work on a voluntary basis, on top of their full time jobs, capacity issues might crop up again, so perhaps it is good to think of an honorarium/payment system.</p> <p>A member shared that the Socapalm case was discussed in the Human Rights Working Group (HRWG) based on public videos &amp; documents and agreed that the allegations on rape, land grabbing etc are very serious. The investigation has been delayed for a long time due to lack of expertise and this strengthens the need for a PoE. The member added that the current CEO defaulted to ASI to conduct the investigation, despite the NGO's concern about ASI's capacity. Following its investigation, ASI found no issues on the ground and Socapalm was not sanctioned. However, a recent report by Earthworm shows that the earlier concerns were valid, that there is evidence of gender-based violence, rape and land grabbing. The member urged the Secretariat to find solutions on Socapalm i.e. serious violation of rights, which ASI has not spotted. Concerns were raised about irregularities in the way companies are being audited and gave example in Sao Tome where certain estates with disputes were allowed to be certified while others were not, which demands a separate investigation. Another member shared that the FSC compensates experts for carrying out investigations on complaints or grievances and perhaps the first step is to ensure the Secretariat has an appropriate fund for such investigations. ZT confirmed that the Secretariat does not have a special fund for the PoE, but the Complaint Panel (CP) does. The member asked if the ASC has the ability to flag the Socapalm case for a further investigation to which another member replied that the BoG had discussed how to</p>	<p>PW to circulate the previous ToR (April 2022) to gather the ASC's suggestions on how to form the Pool of Experts to cover a broader scope than the ToR that was published in Sept 2022.</p>



	<p>escalate ASI-related quality issues in cases such as Socapalm and Agropalma, perhaps to involve ISEAL Alliance or approach ASI directly to find out its plan of action.</p> <p>A member said the CAP Review is underway and RSPO's capacity in investigating ongoing allegations is given a lot of attention. In the biannual meeting between the CP Co-Chairs and the BoG, it was discussed that resources to fund investigations is the least of a challenge, but finding the experts will take time, scrutiny and skills. AG admitted that the Secretariat currently only relies on ASI and CBs and there is no mechanism in place to investigate allegations. If every allegation needs to be investigated, the Secretariat needs to be officially mandated by a party to do so. A member proposed the Risk Unit (which should have a fund) to only investigate allegations that the ASC agrees to. AG shared the Risk Unit will carry out Enterprise Risk Management (ERM) so it is a good time to review the Unit's responsibilities and tasks. A member opined that this may require adjustment to the ASC's ToR and the cases must be considered extraordinary so as not to replace the existing complaints process. Essentially, the ASC should be the last resort before a complaint is lodged. Another member suggested bringing the topic into the next BoG meeting.</p>	
<p><b>End of meeting</b> AN thanked everyone and closed the meeting. The meeting adjourned at 5.30 pm.</p>		