The background of the top half of the page is a photograph of a lush tropical landscape. In the foreground, there are dense palm trees and other green foliage. In the background, there are rolling hills covered in a thick forest, under a blue sky with some light clouds.

Guidance Document on the Simplified High Conservation Value (HCV) Approach for Smallholders in the RSPO

HCV Procedures for New Plantings
(Phases 3 and 4)

Document Title : Guidance Document on the Simplified High Conservation Value (HCV) Approach for Smallholders in the RSPO – HCV Procedures for New Plantings (Phases 3 and 4)

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Contact : smallholder@rspo.org



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Section 1: Is this the right document for you?

This document is a manual explaining the steps in Phases 3 and 4 of the RSPO New Plantings HCV procedures for planned new expansion of oil palm plantings. Before using this manual, please complete Phases 1 and 2.

Box 1: Scope of applicability

- This document is not applicable for group members with existing plantings and no plans to expand; in that case, you must apply the existing plantings precautionary practices procedure/guidance.
- If you have already completed an **existing plantings certification for your members, and there are plans to expand, proceed to Phase 3 of this document.**

Note: At present, the HCV 1-3 probability maps are only available for nine (9) countries - Colombia, Cote d'Ivoire, Ghana, Honduras, Indonesia, Malaysia, Sierra Leone, Thailand and Mexico. RSPO is developing the maps for more countries, but until they are available, you cannot use this methodology outside of the nine (9) countries listed above. For other countries, you need to conduct an HCV assessment in line with the HCV Assessor Licensing Scheme (ALS) requirements. Funding may be available from the RSPO's Smallholder Support Fund (RSSF) to support an ALS assessment.

Section 2: Steps in Phase 3 of the new plantings HCV procedures

Phase 3 is about collecting further information on plots allocated for new plantings, for which new plantings procedures apply. This is the final phase in the new plantings HCV procedures and includes the following steps:

- Step 1: Complete the new plantings field survey
- Step 2: Upload data to the dashboard
- Step 3: Review data and reporting
- Step 4: Follow-up consultation and/or independent review (only applicable in medium-level situations)

Step 1 is conducted as part of a field visit using the app and can be combined with the Phase 2 field visit or done separately at a later date. This can be done offline and no mobile signal or internet connection is needed. The data collected here are used to determine the HCV level, which determines if the requirements under Step 4 apply.

Steps 2-4 are desk-based and require an internet connection to upload the data collected in the field to the 'web dashboard'. The 'web dashboard' is then used for reviewing and preparing output maps and reports for group members eligible for the new plantings procedures. Additional follow-up may be required in Step 4, if the HCV level is medium or high. Once Step 4 has been completed, the group manager can proceed to the New Planting Procedure (NPP) preparation and submission (required for groups of smallholders seeking certification against the RSPO Principles and Criteria).

Upon completion of the steps in Phase 3, the group manager must proceed to Phase 4: HCV Management for all plots covered in Phase 3.

Box 2: What if you don't have access to a smartphone or tablet?

If you do not have access to a smartphone or tablet, you can still follow the steps outlined in this document. The paper survey template in Annex 2 can be used to complete Step 1, while Step 3 can be completed by preparing reports manually (following instructions in Annex 2 and using the Excel reporting template available for download on the RSPO website).

2.1 The different levels for new plantings procedures

The risk of damaging HCVs in new planting situations is not uniformly high.

Depending on the probability of HCVs being present in a specific plot, different levels of procedures will apply. Which level applies depend on various factors, including:

- HCV 1-3 probability
- Potential presence of HCVs 4-6
- Size/scale of development (refer to the Introduction document for further explanation)

These factors determine which level of HCV procedure is required for new plantings. The levels are assessed through the app, which guides the user through various questions.

The three (3) HCV levels and required follow-up are summarised in Figure 1.

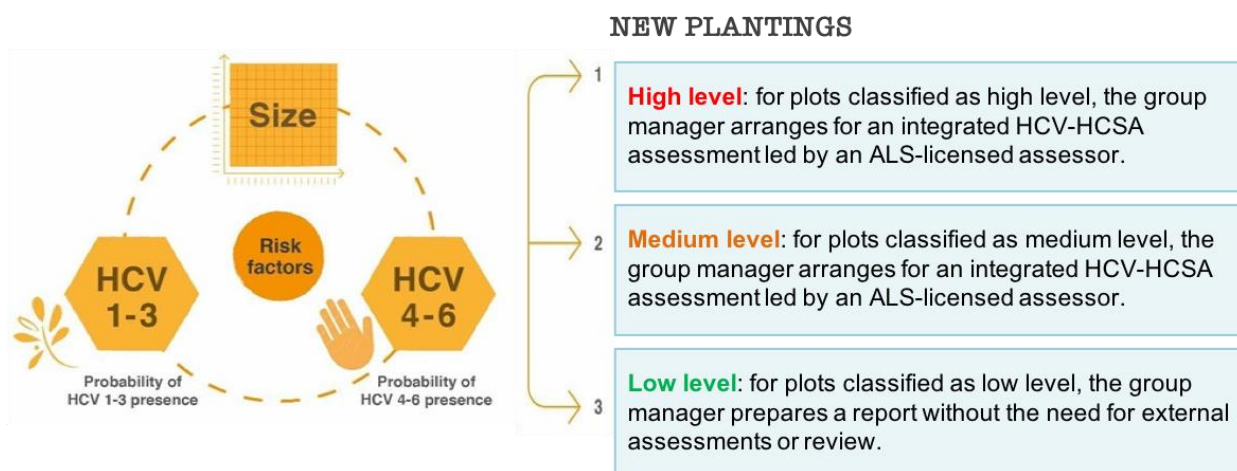
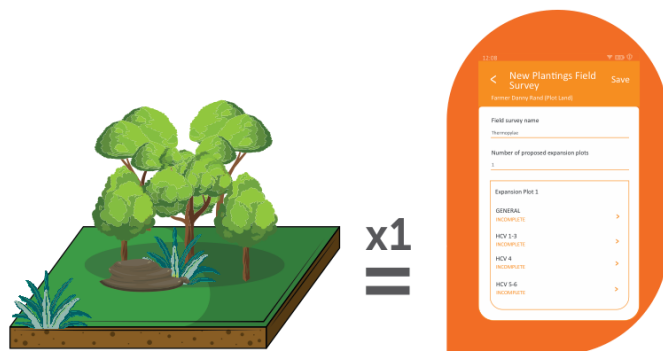


Figure 1 Schematic showing factors affecting the probability of damaging HCVs in cases of new plantings, and the different risk levels for new planting situations.

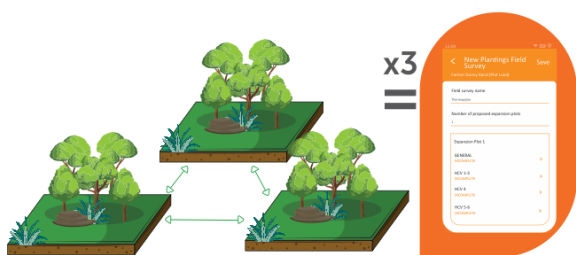
2.2 Step 1: Complete the new plantings field survey

This step must be completed either by you (the group manager) or by a designated representative/‘lead farmer’, for all members in the group that are planning to expand with new plantings. From here onwards, “you” is used to refer to either the group manager or a designated representative. This step can either be a continuation of the site visit started in Phase 2, or can be completed separately at a later time.

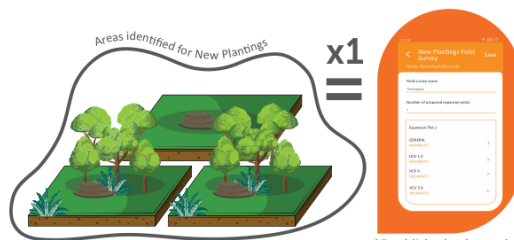
You must complete one new plantings survey in the app for each proposed expansion plot, where a plot is defined as one continuous block of land. For example, if a farmer has three (3) separate plots of land that he/she wants to expand to, the survey needs to be conducted three (3) times. If the proposed expansion plots are relatively close together, you can complete the survey once, provided that the full boundaries of the area identified for new plantings are mapped. For example, if there are multiple plots within a property that are not currently covered with oil palms, but with established palms in between them, you may decide to map this as one (1) plot. However, the areas with established palms should be excluded.



For each proposed expansion plot, one new plantings survey must be completed in the app.




If the proposed expansion plots are separate, the survey needs to be conducted separately. Example: 3 plots are allocated for proposed expansion; thus, the survey needs to be conducted 3 times.



If the proposed expansion plots are located close together, the survey can be conducted once, provided that the full boundaries of the area identified for new plantings are mapped.

To complete the survey for each proposed expansion plot, open and log in to the app. Then tap ‘Start Survey’, select the farmer in question, select ‘New Plantings Survey’ and tap Next.

Now proceed to answer the questions in the app. Where there is a question mark , extra guidance is available in the app; it will be shown when you tap on the icon. The new plantings survey allows you to:

1. Map the boundaries and calculate the size of the proposed expansion plots of group members planning new plantings.
2. Assess the presence of any potential HCVs in the proposed expansion plots:
 - a. For HCVs 1-3 - based on the location of the plots on the pre-developed HCV 1-3 probability maps.
 - b. For HCVs 4-6 - by answering simple questions based on the conversations with the group member and observations made during the site visit.

Box 3: To complete the new plantings field survey, you will need:

- **Time:** 30 - 60 minutes per proposed expansion plot (it will probably take longer the first time you do it)
- **Equipment:** Your smartphone or tablet with the app installed and setup, and a compass

2.2.1 General questions and mapping proposed expansion plots

Once you have begun a new plantings survey in the app, open the 'General' section and answer all the questions. You must also mark the plot boundaries by tapping on 'Tap to Mark Location of Expansion'. You can mark the plot in the app either by placing pins, using the pin tool, or by tracking as you walk around the plot. A pin can be deleted or edited by clicking and holding the pin. Once you have marked the plot boundaries, the app will automatically calculate the size of the plot.

2.2.2 HCVs 1-3: Probability of HCVs 1-3 presence

Now open the app section called "HCV 1-3". Once you have mapped the plot boundary, the app will automatically complete the HCV 1-3 probability for the plot, by overlaying the location of the plot with the HCV 1-3 probability maps. The HCV 1-3 probability maps have already been created and pre-defined (see Box 4).

Box 4: HCV 1-3 probability maps

In many countries, natural habitats have been mapped accurately using satellite data or other 'remote sensing tools'. Based on these existing data, the RSPO has created HCV 1-3 probability maps that map areas of high, medium or low probability of HCVs 1-3 presence (referred to as HCV 1-3 'probability classes').

These probabilities are determined based on the presence of protected areas, larger areas of natural forest or other ecosystems, and areas that connect these larger areas of natural forest or other ecosystems (which animals may use to disperse between the areas). For more information on the maps, you can refer to <https://rspo.org/members/georspo>.

2.2.3 HCVs 1-3: Additional questions for medium or high HCV 1-3 areas

Note: This section is only applicable for plots overlapping medium or high-level HCV 1-3 probability areas.

If a proposed expansion plot occurs in a medium or high HCV 1-3 probability area, the app will automatically ask extra questions and require you to collect extra data using the app. This needs to be done by walking around the plot.

These extra checks are required because medium and high-level HCV 1-3 probability areas are more likely to contain HCV 1-3 habitats, such as **remaining forest or other natural ecosystems**.

These habitats are **potential HCV 1-3 areas and are defined as precautionary 'No-Go' areas** for expansion under the simplified HCV approach. **The extra checks are needed to make sure that potential HCV 1-3 areas are not replaced by new plantings.**

Peat is also considered a 'No-Go' area and needs to be mapped.

In these medium/high HCV 1-3 probability areas, several questions will be asked on whether forest, peat or other natural ecosystems occur within the proposed expansion plot. If the answer is yes, you will need to use the app to:

1. Mark out the boundaries of the forest, natural vegetation or peat.
2. Take 'ground-truthing' photographs of vegetation or peat in medium or high HCV 1-3 probability areas.

Marking the boundaries of the forest or natural vegetation

Firstly, the app will ask if the forest or natural vegetation covers the whole plot. If yes, you do not need to mark out the boundary of the forest or natural vegetation separately, as the app will automatically show the forest/natural vegetation as covering the whole plot.

If the forest or natural vegetation only covers part of the plot, you need to mark the boundaries of the forest/natural vegetation. This is done by tapping on 'Forest Area 1' and then 'Tap Here to Mark Location of Forest'. You can then mark the boundaries in the same way you marked the plot boundaries, either by placing pins or tracking as you walk around the forest/natural vegetation (Figure 2). You will also need to add 'ground-truthing' photographs for each 'Forest Area', while mapping the boundary (see instructions below). This needs to be repeated for each separate block of forest, peat or other natural vegetation that occurs within the proposed expansion plot. Add each new area by tapping on 'Add Forest Area'.

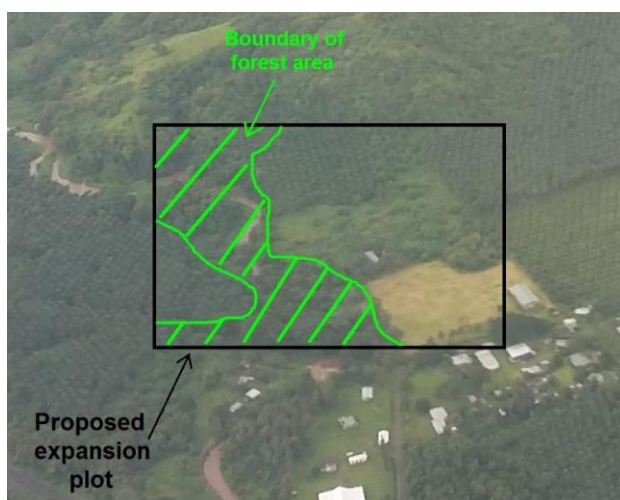


Figure 2: Aerial photograph showing an example of the boundaries of a forest area within a proposed expansion plot.

Agroforestry areas with a mixture of natural vegetation and rubber, fruit trees, cocoa or other trees, should not be categorised as forest. If you are uncertain what should be included as forest, you should take the precautionary approach and include areas that appear to be lower/less dense forest as forest (Figure 3).



Figure 3: Example of a forest patch surrounded by young regrowth. Note that the forest on the left end of the patch should also be included as forest, even though it has a lower canopy than the forest on the right; it is clearly part of the larger patch.

Marking the boundaries of any peat soils

Peat soils are soils containing a proportion of organic matter and are often waterlogged for part of the year. They are important as HCV 4 because they store, filter and regulate the flow of water, helping to provide clean water and a steady flow of water to rivers throughout the year. Drainage and oil palm development on peat reduces or removes the ability of peat soils to provide these functions.

Due to their particular importance, you are required to map the boundaries of peat soils in the proposed expansion plots (if they occur within the plot). Doing this accurately is complicated and requires soil scientists or peat soil experts, so you are not expected to produce a perfect map of peat soils or to map peat depth.

Mapping the boundary is done in the same way as mapping boundaries and forests, either by placing pins or tracking as you walk around the peat area. Examples of peat soils are shown in Figure 4.



Figure 4: Example of peat soils: waterlogged peat soil on the left and soil sample taken from shallow peat on the right.

'Ground-truthing' photographs of the forest, peat or natural vegetation

You do not need to do this if the forest, peat or natural vegetation covers the whole plot.

'Ground-truthing' is carried out by collecting field data to check the accuracy of maps created remotely using satellite imagery or other remote sensing data, in this case the HCV 1-3 probability maps.

For the new plantings procedures, this 'ground-truthing' is done by taking photographs of the vegetation in the medium or high HCV 1-3 probability areas within the expansion plot (you do not need to take photographs in low HCV 1-3 probability areas).

Photographs are taken at photo points, every 100 m using a grid pattern, as shown in Figure 5A – this will ensure that the photos cover as much of the natural vegetation as possible. You can use the scale bar in the app to position each point. The number of photo points will depend on the size of the plot, with approximately 1 photo point per hectare.

At each photo point, you need to tap on 'Add Photo Point' and add five (5) photographs as follows: one (1) photograph facing each compass direction, and one (1) photograph looking directly above your head to show any vegetation/canopy above you (Figure 5B). The app will automatically record the coordinates of where the photographs are taken.

The photographs will later be used by the independent reviewer to verify the accuracy and boundary of the forest or natural vegetation that you have mapped.

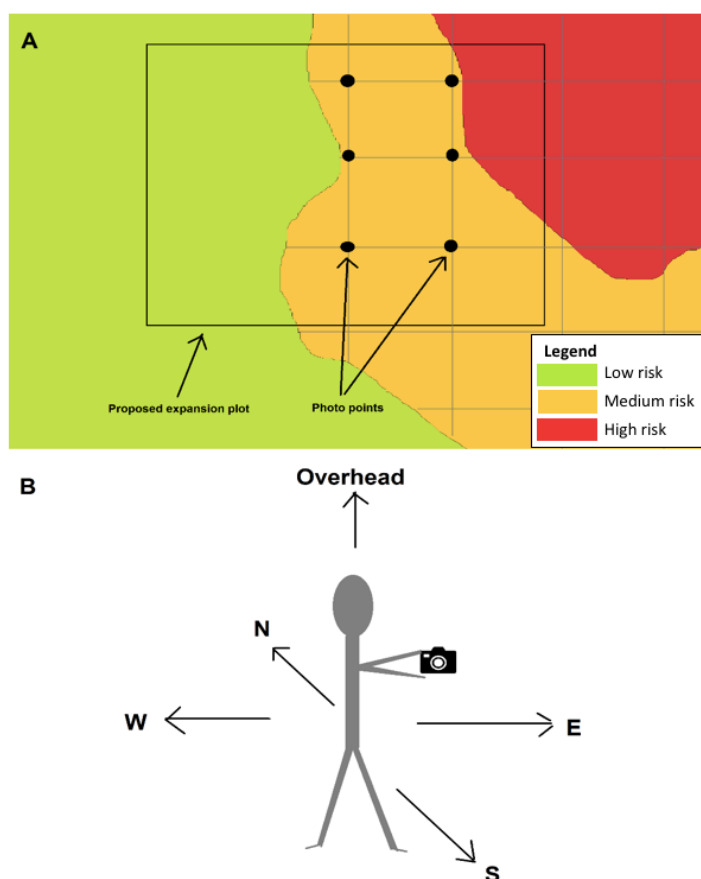


Figure 5A: Illustration of where to take 'ground-truthing' photographs (photo points) on a grid.

Figure 5B: Illustration of the directions to take the five (5) 'ground-truthing' photos at each photo point.



Caution: It is vital that you map the boundaries of any forest/natural vegetation accurately and take the required photos because these maps and photographs will be used and checked by the HCV Network (HCVN). Furthermore, during the NPP verification audit (where relevant), the Certification Body (CB) may verify that these HCV ‘No-Go’ areas have been respected. If any group member expands oil palms into these ‘No-Go’ areas, they may prevent the whole group from getting certified, or they may risk being expelled from the group.

Group members may be disappointed if this new plantings HCV procedure identifies some, or all, of their proposed expansion plot as a ‘No-Go’ area. In such cases, if the member has other land without forest or natural vegetation, the group manager can suggest that they consider planting palms there (after following this new plantings HCV procedure for that area). If they do not have other non-forested land, you can consider supporting them to increase yields of their established palm plantings.

2.2.4 HCV 4

Now tap on the section “HCV 4”. HCV 4 represents areas or ecosystems that provide protection or services to people. For example, rivers, peat or wetland for fishing, flood prevention or provision of water, or vegetation on steep slopes that protects the soil from erosion or landslides.

The ‘No-Go’ areas are covered in the new plantings HCV procedures, and are also aligned with other RSPO requirements on riparian buffers and steep slopes. ‘No-Go’ areas include:

- Buffer zones around rivers and waterbodies
- Wetlands and peatlands
- Slopes with a gradient of 25 degrees or greater

The app survey includes several ‘Yes-No’ questions that help to determine the presence of ‘No-Go’ areas. You should answer these questions by asking the group member whose plot you are surveying, and verify the answers based on the observations you make when walking around the proposed expansion plot. It is not necessary to mark points or polygons of rivers or slopes.

2.2.5 HCV 5-6

Now click on the section ‘HCV 5-6’. HCVs 5 and 6 cover the dependence of local communities on natural resources for subsistence or cultural purposes. For example, the use of land for hunting or plant collection, rivers or wetlands for fishing or provision of water, or the presence of sacred sites/trees/groves or cemeteries.

The app survey includes several ‘Yes-No’ questions pertaining to the potential presence of HCV 5 or 6 areas. You should answer these questions by asking the group member, and verify the answers based on the observations you make when walking around the proposed expansion plot. For example, observations of cultural sites or evidence of hunting or fishing.

Note: As the group manager, you must ensure that any proposed new plantings do not impact the ability of any local people (from within the group members’ community or the neighbouring communities) to obtain their basic subsistence or cultural needs. This can be done by answering some basic questions included in the HCV survey.

You have now completed Step 1, including all the necessary field data collection. Make sure that you tap 'Save' after completing the app survey for each group member.

If you have access to the internet or a decent mobile signal in the field, you can upload the completed surveys to the dashboard by clicking on the 'Submit Survey' button. If you do not have access to the internet or a decent mobile signal, please proceed to Step 2.

2.3 Step 2: Submitting surveys to the dashboard

You can now upload the data from all the completed field surveys to the dashboard. Your device will automatically submit the surveys when there is a strong enough connection.



Caution: Uploading the data from the survey using mobile data might incur charges or use up your data allowance.

To make sure that the completed surveys have been submitted, you can navigate to the home page of the app, tap on 'Recent Field Surveys', then tap on each farmer to see if there are any 'Drafts'. If no, then they should have been submitted.

2.4 Step 3: Reviewing data and reporting

This step must be completed by the group manager.

You can now review the aggregated field data and process it to prepare output maps and reports. This is done using the 'dashboard':

1. We recommend switching from your mobile/tablet device to a laptop or computer because it is easier to view the dashboard information on a larger screen (not essential).
2. Open a web browser and go to this link: <https://hcv-sh-apps.rspo.org/dashboard/login>.
3. Log in to the dashboard with the same username and password used previously.

Once logged in, all the survey data collected in the field (existing and new plantings data) can be viewed on the 'Home Page'.

For Phase 3 of new plantings, you only need to view the 'Manage New Plantings Surveys' page.

Now you can proceed to review the data and start preparing the necessary output reports. **Only do this once you have completed all the new plantings field surveys for all currently identified proposed expansion plots.**

2.4.1 Review of plots where the new plantings procedures apply

Click on the 'Manage New Plantings Surveys' link. This will take you to a list showing all the plots for which the new plantings procedures apply, grouped into low, medium or high level. This list contains details of all the proposed expansion plots that you have mapped in Step 1, and summarises basic information, including the plot name, farmer name and the HCV level.

The next steps depend on the HCV level of the new plantings plots, as explained in the next sections.

The dashboard automatically categorises the plots as low, medium or high level based on the field survey information. You do not need to divide the plots into these three (3) categories yourself.

2.4.2 Prepare report for low level plots

Low level plots are those with a low probability of HCVs 1-3 or HCVs 5-6 presence, although they may still have HCV 4 ‘No-Go’ areas. At this point, there is no further data collection for low-level plots, and a final report can be exported using the dashboard.

Export the low-level report by clicking on the ‘Low Level’ tab, selecting the date range of surveys to export, and then clicking on “Export Low-Level Report”. The report will include the following information:

- A list of all the plots classified as low level and summary information about these plots.
- A list of low-level plots with HCV 4 ‘No-Go’ areas, and a summary of ‘No-Go’ areas for each plot (an overview of these is given below).

Members with HCV 4 ‘No-Go’ areas are required to implement these to comply with the RSPO requirements (see Table 1). These ‘No-Go’ areas may be checked in the field by the CB during the NPP process (where relevant). The requirements for ‘No-Go’ areas need to be clearly communicated to the members, to ensure they are compliant during clearance of the land before planting and once planting is established.

| HCV 4 ‘No-Go’ Areas | |
|---|---|
| Categories for steepness of slopes and ‘No-Go’ areas | |
| Steep slope: gradient 25 degrees or greater | No planting of oil palm. Natural vegetation must be maintained. |
| Moderate slope: gradient between 9 and 25 degrees | Soil conservation measures must be applied (including terracing, platforms and use of cover crops). |
| Categories for size of waterbodies and ‘No-Go’ areas* | |
| River, lake or waterbody, width 1-5 m | No planting of palms within 5 m |
| River, lake or waterbody, width 5-10 m | No planting of palms within 10 m |
| River, lake or waterbody, width 10-20 m | No planting of palms within 20 m |
| River, lake or waterbody, width 20-40 m | No planting of palms within 40 m |
| River, lake or waterbody, width 40-50 m | No planting of palms within 50 m |
| River, lake or waterbody, width >50 m | No planting of palms within 100 m |
| Man-made waterbodies (e.g. ponds and canals) | Oil palm may be planted in buffer zones, but cover crop must be planted within 10 m of the waterbody, and there must be no spraying of chemicals or fertiliser application. |
| Wetland ‘No-Go’ areas | |
| No planting of oil palm or drainage within 20 m of wetland. Natural vegetation must be maintained, including in the 20 m buffer around wetland. | |

* If ‘No-Go’ areas currently support natural vegetation, group members are expected to maintain this natural vegetation cover.

Table 1: The list of HCV 4 ‘No-Go’ areas and the corresponding requirements for compliance.

2.4.3 Prepare report or follow-up for medium-level plots

An area can be identified as medium level based on different combinations of HCVs 1-3 probability, HCVs 5-6 presence, and the total size of expansion across group members. This is summarised in the table below. However, the dashboard will automatically categorise plots and prompt you about necessary follow-up actions; all you need to do is to follow the steps listed in the table.

| | Combination 1 | Combination 2 | Combination 3 |
|---|--|--|--|
| Total size of expansion (across all members) | Up to 500 ha expansion | | Up to 100 ha expansion |
| HCV probability | <ul style="list-style-type: none"> • HCVs 1-3: Medium • HCVs 5-6: Low or potential | <ul style="list-style-type: none"> • HCVs 1-3: Low • HCVs 5-6: Potential | <ul style="list-style-type: none"> • HCVs 1-3: High • HCVs 5-6: Low or potential |

To see if any plots are classified as medium level, click on the 'Medium Level' tab on the dashboard. Here you will see a summary of the plots classified as medium level. If no plots are classified as medium level, you can proceed to Step 4.

On the 'Medium Level' page, you will see the following summary sections:

1. Plots with HCVs 1-4 only
2. Plots with potential HCVs 5-6

If some plots are classified as medium level, you need to prepare a report, carry out necessary follow-up actions in line with the steps listed below, and organise a full ALS assessment for these plots. The steps will depend on the identified HCV categories.

- If ALL plots have HCVs 1-4 only, you can export the medium-level report by selecting the date range to export and clicking on the 'Export Medium-Level Report' button. Before submitting the report to HCVN, please read the report. It lists which HCVs are present, any 'No-Go' areas identified, and/or management requirements for each farmer.
- If ANY plots have potential HCVs 5-6 presence, additional consultation is required before you can prepare the medium-level report. In such case, you can export a map of these plots by clicking on 'View HCV 5-6 Surveys Only', selecting the date range of surveys to export, and then clicking 'Export HCV 5-6 Report'. Details on the additional consultation are given under Section 2.5.

If some plots are classified as medium level, the group manager needs to arrange for an integrated HCV-HCSA assessment led by an ALS-licensed assessor for these plots. This is done as follows:

1. Export the medium-level reports that you have generated from the steps above. You can share this report with the ALS licensed assessor later.
2. Follow the instructions on this webpage to hire an ALS licensed assessor: <https://www.hcvnetwork.org/find-assessors>
3. If necessary, you can apply to the RSPO's RSSF for funding to cover the cost of the ALS assessment: <https://rspo.org/as-a-smallholder/support-fund/>

2.4.4 Prepare report for high-level plots

“High level” can be triggered either if the total size of expansion across all members exceeds 500 ha, or if the proposed expansion in high HCV 1-3 probability areas exceeds 100 ha.

| | Combination 1 | Combination 2 |
|--|--|---|
| Total size of expansion (across all members) | More than 500 ha expansion | More than 100 ha expansion |
| HCV probability | <ul style="list-style-type: none">• HCVs 1-3: Low or medium• HCVs 5-6: Low or potential | <ul style="list-style-type: none">• HCVs 1-3: High• HCVs 5-6: Low or potential |

To see if any plots are classified as high level, click on the ‘High Level’ tab on the dashboard. Here you will see a summary of the plots classified as high level. If no plots have been classified as high level, you can proceed to Section 3, Phase 4.

If some plots are classified as high level, the group manager needs to arrange for an integrated HCV-HCSA assessment led by an ALS-licensed assessor for these plots. This is done as follows:

1. On the dashboard, select the date range to export and then click on ‘Export High-Level Report’. You can share this report with the ALS licensed assessor later.
2. Follow the instructions on this webpage to hire an ALS licensed assessor:
<https://www.hcvnetwork.org/find-assessors>
3. If necessary, you can apply to the RSPO’s RSSF for funding to cover the cost of the ALS assessment: <https://rspo.org/as-a-smallholder/support-fund/>

2.5 Step 4: Medium-level follow-up: additional community/village consultation

In Step 3, you should have already exported a list and map of potential HCV 5-6 plots from the dashboard. This includes a list of the plots (and members) divided into the following categories:

1. Plots where the member does not have use or ownership rights.
2. Plots where the use or ownership rights is contested in some way.

The required follow-up differs between these two (2) categories.

Scenario 1: Plots where the member does not have use or ownership rights

These plots are non-compliant with the RSPO P&C and the RISS that require **evidence of legal ownership or lease, history of land tenure and the actual legal use of the land according to local laws** for members’ land. Therefore, these plots cannot be certified until evidence of ownership or use of the land has been obtained. Until this evidence is available, these plots cannot be included in the expansion plan for new oil palm plantings.

Under the new plantings HCV procedure, there are two (2) options for these plots:

1. If you are able to readily obtain acceptable evidence of use/ownership rights, for example, a title deed or written use agreement from the land owner, the plot can be included in the expansion plan. You need to provide evidence of this by taking photographs of the evidence for all relevant plots and uploading them to the dashboard. This is done as follows:
 - a. First, upload the photographs from your phone or camera to your laptop

- b. Log in to the dashboard and go to 'Manage New Plantings Surveys' and click on the 'Medium Level' tab
 - c. Click on 'View HCV 5-6 Surveys Only'
 - d. Click on the relevant plots; once the plots page has loaded, scroll to the bottom of the page. Select 'Upload Evidence Documents'. Then navigate to the folder on your computer with the photographs and select 'Upload'
2. If you are not able to readily obtain evidence of use/ownership rights, the plots need to be removed from the expansion plan. This is done as follows:
 - a. Log in to the dashboard and go to the 'Medium Level' tab
 - b. Click on 'View HCV 5-6 Surveys Only'
 - c. Scroll to the relevant plots without evidence of tenure, and for each plot click on the red 'dustbin/trashcan' icon to delete the plots from the dashboard. Make sure that you select the correct plot; the affected plots will then be deleted and will not be included in the report

Scenario 2: Plots where the use or ownership rights is contested in some way

Plots where the use or ownership is contested in some way may arise due to direct tenure conflict, or when people other than the group member or family members, either:

- hunt or collect natural products from the proposed expansion plot, and have not consented to the proposed new planting; or
- have sites of cultural or spiritual importance in the proposed expansion plot, and have not consented to the proposed new planting.

For these plots, you need to conduct additional consultations with the communities or individuals that are contesting the land use or ownership, or that are using the land. The purpose of this is to ensure that these communities or individuals give their Free, Prior and Informed Consent (FPIC) for oil palm development on the members' proposed expansion plots. This means ensuring consent BEFORE any development starts. This is necessary, even if the members have legal evidence of tenure, because traditional or customary use rights are not always adequately protected in law. This process can also promote positive relationships between members and people in the area, and help to ensure a 'licence to operate' into the future. If such disputes are ignored, this may result in more severe conflicts in the future.

There is no single way for conducting consultations in the case of conflicts, but the following steps are recommended:

1. **Identify third parties that have contesting or overlapping land use.** This must be done for all the proposed expansion plots with contested or overlapping use. This can be done by asking the members whose lands are being contested.
2. **Consult third parties to seek consent or resolve dispute.** This can either be done through small meetings with the two (2) parties involved (member and the third party) or in a group consultation meeting (if there are multiple parties involved). For disputes that are particularly contentious, it is advised to conduct small meetings with just the parties involved. However, or if the group manager think this is unsafe, it is recommended to resolve the dispute through official government mechanisms or an independent mediator. The following general steps can be followed:

- a. Explain the general purpose of the meeting: explain that the member wants to plant new oil palms on their land and that they want to seek consent or resolve the dispute.
 - b. Show the parties the location of the contested plot: you can use the map exported from the dashboard for this. If the member has evidence of their tenure for the land, they should also bring this to the meeting.
 - c. Ask the third party to explain their claim to the plot: what are they using it for, how often do they use it.
 - d. Ask the third party if they will provide consent for the proposed new planting in the plot. If no, can a compromise be reached between the parties? For example, agreement that half of the plot is developed and half is retained for use by the third party?
 - e. Resolving these disputes is often a slow process requiring multiple meetings. Therefore, if this is the case and a dispute cannot be quickly resolved, you may decide to remove the plot from the plan for development, to not delay the development of other plots.
 - f. If agreement can be reached, you need to keep a record of the meeting, including attendees, and document the agreement reached. The records should include:
 - i. A meeting attendance sheet with signatures
 - ii. Photographs of participants (only if they give permission)
 - iii. A written agreement of consent signed by all parties
3. **Report agreement or continue the dispute resolution process.** Subsequent steps will differ depending on whether an agreement can be reached:
- a. For plots where an agreement can be reached quickly, evidence of the consultation can be uploaded to the dashboard as follows:
 - i. Take photographs of the evidence collected in 2f above
 - ii. Upload the photographs from your phone or camera to your laptop
 - iii. Log in to the dashboard and go to 'Manage New Plantings Surveys' and click on the 'Medium Level' tab
 - iv. Click on 'View HCV 5-6 Surveys Only'
 - v. Click on the relevant plot and for each plot scroll to the bottom of the summary and select 'Upload Evidence Documents'. Then navigate to the folder on your computer with the photographs and select 'Upload'
 - b. Plots for which no agreement has been reached, cannot be included in the expansion plan. If members still want to develop on these areas, a formal dispute resolution process will be required (in line with the RSPO P&C and ISH Standard). Plots can be removed as follows:
 - i. Log in to the dashboard and go to the 'Medium Level tab'
 - ii. Click on 'View HCV 5-6 Surveys Only'
 - iii. Scroll to the relevant plots without evidence of tenure, and for each plot click on the red 'dustbin/trashcan' icon to delete the plots from the dashboard. Make sure that you select the correct plot; the members with these plots will then be deleted from the report

Section 3: Steps in Phase 4 for NPP preparation and HCV management

Once you have completed any necessary follow-up or reviews, the reports (i.e. low level) are ready to be included in the NPP submission (where relevant), as outlined in the RSPO New Plantings Procedure for smallholders, or according to the requirements of the RSPO ISH Standard.

Members who are allowed to proceed with the development, must comply with the HCV management requirements or ‘No-Go’ areas for their plots, as specified in the reports. Management requirements are as follows:

- **HCVs 1-3:** Forest, peat or natural vegetation identified must not be developed or converted and must be protected as ‘No-Go’ areas.
 - For guidance on managing HCV 1-3 ‘No-Go’ areas, it is recommended to follow the same ‘Precautionary Practices’ procedures outlined in the Existing Plantings Precautionary Practices guidance.
- **HCV 4:** HCV 4 ‘No-Go’ areas are the same for medium-level plots and low-level plots. As in the low-level report, the medium-level report contains a summary of members that have HCV 4 ‘No-Go’ areas. These members are required to comply with the RSPO requirements for ‘No-Go’ areas; ‘No-Go’ areas may be checked in the field by the CB during the NPP process (where relevant). It is important to communicate the requirements to the members to ensure compliance.
- **HCVs 5-6:** Potential disputes or conflicts regarding HCVs 5-6 must be addressed through consultation during Phase 3, before any development happens. After development, it is recommended to follow the Existing Plantings Precautionary Practices guidance on consultation and HCVs 5-6.

If some plots are classified as medium and high levels, you need to organise a full ALS assessment for these plots. Only when the assessment reports are completed and the ALS review of these reports are satisfactory, can smallholders proceed with the preparation of the NPP submission (where relevant).

Section 4: Grievance/complaints mechanism

If you do not agree with the results of the risk analysis for one (or multiple) group members, you need to provide evidence to justify your complaint. For example, if the area has been identified as high HCVs 1-3 probability on the map, but you have evidence (such as a photo) to show that it is actually agricultural land, then you can collate this evidence and send it to the RSPO Secretariat for verification.

Annex 1 - Summary of when the different procedures apply

It is not required for group managers to study or understand this table in detail because the excel template provided automatically identifies the required procedure. Therefore, this is only provided for reference.

| Level | Combinations | | |
|---------------------|--|---|---|
| | 1 | 2 | 3 |
| Low (GM) | <ul style="list-style-type: none"> HCVs 1-3: Low HCVs 5-6: Low Less than 500 ha cumulative expansion | NA | NA |
| Medium (ALS) | <ul style="list-style-type: none"> HCVs 1-3: Medium HCVs 5-6: Low or potential Less than 500 ha cumulative expansion | <ul style="list-style-type: none"> HCVs 1-3: Low HCVs 5-6: Potential Less than 500 ha cumulative expansion | <ul style="list-style-type: none"> HCVs 1-3: High HCVs 5-6: Low or potential Less than 100 ha cumulative expansion |
| High (ALS) | <ul style="list-style-type: none"> HCVs 1-3: Low or medium HCVs 5-6: Low or potential More than 500 ha cumulative expansion | <ul style="list-style-type: none"> HCVs 1-3: High HCVs 5-6: Low or potential More than 500 ha cumulative expansion | NA |

Annex 2 - Instructions for users without smartphone or tablet

If you do not have access to a smartphone or tablet, you can complete the simplified New Plantings approach using offline/paper survey and reporting templates, which are available online as an excel template. This is done as follows:

Step 1: Field visit

- Print a paper copy of the 'New Plantings Survey' tab in the excel document. Use this during the field visit to complete the survey.
- Use a GPS to record the GPS coordinates of each farmer's proposed expansion plot(s).
- The question in the survey about the HCV 1-3 probability must be completed after you have collected the GPS coordinates. You will need access to a computer and an internet connection.
- Go to <https://rspo.org/members/georspo>. Click on the 'Show Description' button to reveal the download link for HCV1-3 probability maps of different countries. Download the required probability maps data and load the data to view in Google Earth, or any other GIS software. In the Search [coordinates] box, key in the latitude and longitude GPS coordinates of each plot to identify the HCV 1-3 probability for the plot. The GPS coordinates should be in decimal degrees or degrees, minutes, seconds format.

Step 2: Submitting the survey

If doing the survey offline (without a smartphone/tablet), you cannot submit the survey to the dashboard directly. Instead, you must key in the data collected on paper in Step 1 into the 'New Plantings Survey' tab of the excel spreadsheet. The sheet will automatically illustrate which new plantings procedure applies for each plot.

Step 3: Reviewing data and reporting

To prepare the report information, please use tabs 3-5 of the excel template and collect any other additional information that is required.

Reporting information required for each level is as follows:

Low-level procedure:

1. Completed 'Low-Level Report' tab from the excel sheet
2. Maps of all the eligible plots, showing at least the central point location of the plots overlaid with satellite imagery. These can be created using free software like Google Earth: <https://support.google.com/earth/answer/148142?hl=en>
3. A list or table of all HCV 4 management requirements (see Section 2.4.2 above for details)

Medium-level procedure:

1. Completed 'Medium-Level Report' tab from the excel sheet
2. Maps of all the eligible plots, showing at least the central point location of the plots overlaid with satellite imagery. These can be created using free software like Google Earth: <https://support.google.com/earth/answer/148142?hl=en>
3. 'Ground-truthing' photographs for all plots with forest/natural vegetation or peat (see Section 2.2.3 for details)
4. Evidence of consultation/consent for all plots with potential HCVs 5-6 (see Section 2.2.5 for details)

5. A list or table of all HCV 4 management requirements (see Section 2.4.2 above for details)
6. A list or table of all HCV 1-3 'No-Go' areas
7. Independent HCV assessment by a licensed ALS assessor. The independent assessor will be responsible for meeting ALS reporting requirements

High-level procedure:

1. Completed 'High-Level Report' tab from the excel sheet
2. These plots must then undergo an independent HCV assessment by a licensed ALS assessor. The independent assessor will be responsible for meeting ALS reporting requirements

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.

www.rspo.org



Roundtable on Sustainable Palm Oil

Unit 13A-1, Level 13A, Menara Etiqa,
No 3, Jalan Bangsar Utama 1,
59000 Kuala Lumpur, Malaysia

T +603 2302 1500

F +603 2302 1543

Other Offices:

Jakarta, Indonesia

London, United Kingdom

Beijing, China

Bogota, Colombia

New York, USA

Zoetermeer, Netherlands

 rspo@rspo.org

 www.rspo.org