

MINUTES OF MEETING
16th SSC Meeting

Time : 1500 - 1730 (MYT)

Date : Thursday, 25/03/2021

Venue : Zoom Room 1/Conference Call

Attendees:

| Name | Initial | Organisation | Representative Category |
|-------------------------|---------|---|--|
| 1. Anne Rosenbarger | AR | World Resources Institute | ENGO - Substantive |
| 2. Audrey Lee | AL | OLAM Group | Grower (RoW) - Substantive |
| 3. Brian Lariche | BL | Humana Child Aid Society | SNGO - Substantive |
| 4. Ian Orrell | IO | NBPOL | Grower (Smallholder) - Substantive |
| 5. Lee Kuan Yee | LKY | MPOA/KLK | Substantive |
| 6. Masui Nobuhiko | MN | KAO Group | Grower (MY) - Substantive, Chair |
| 7. Olivier Tichit | OT | Musim Mas | CGM - Alternative |
| 8. Paula den Hartog | PdH | Rainforest Alliance | P&T - Substantive, Chair |
| 9. Sian Choo Lim | SCL | Bumitama Agri | SNGO - Substantive |
| 10. Jenny Walther Thoss | JWT | WWF-International/ Sustainable Biomass Program | Grower (INA) - Substantive ENGO - Substantive |
| Guest | | | |
| 1. Madeleine Brassier | MB | Oxfam Novib Network | |
| 1. Amir Afham | AA | RSPO Secretariat | |
| 2. Bakhtiar Talhah | BT | RSPO Secretariat | |
| 3. Emir Bustami | EB | RSPO Secretariat | |
| 4. Nefissa Sahnoun | NS | RSPO Secretariat | |
| 5. Krishna Jeybalan | KJ | RSPO Secretariat | |
| 6. Kamini Visvananthan | KV | RSPO Secretariat | |
| 7. Prasad Vijaya | PV | RSPO Secretariat | |

Agenda:

| Time | Topic |
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| 1500 - 1505 | 1.0 Opening <ul style="list-style-type: none"> 1.1 Acceptance of Agenda 1.2 RSPO Antitrust Law 1.3 RSPO Consensus-based decision making |
| 1505 - 1520 | 2.0 Confirmation of the 15th MoM on 27th Jan and 10th Feb 2021 <ul style="list-style-type: none"> 2.1 Matters arising from previous meetings 2.2 Action tracker <ul style="list-style-type: none"> - 2.2.1 NDJSG on Legacy cases - 2.2.2 NDJSG Performance |
| 1520 - 1540 | 3.0 RSPO Independent Smallholders Standard (RISS) <ul style="list-style-type: none"> - Interpretation of the Audit Requirement (Approval) |
| 1540 - 1610 | 4.0 RSPO Independent Smallholders Standard (RISS) <ul style="list-style-type: none"> - Proposal on Indonesia National Interpretation (Approval) |
| 1610 - 1620 | 5.0 Malaysian National Interpretation <ul style="list-style-type: none"> - Guidance on recruitment fees (Approval) |
| 1620 - 1630 | BREAK |
| 1630 - 1700 | 6.0 Jurisdictional Approach <ul style="list-style-type: none"> - Update of status - Proposed way forward |
| 1700 - 1715 | 7.0 National Interpretations <ul style="list-style-type: none"> 7.1 Thailand NI (Update) 7.2 Liberia NI (Approval) |
| 1715 - 1745 | 8.0 Human Rights Working Group (HRWG) <ul style="list-style-type: none"> 8.1 RSPO Gender Guidance (Approval) 8.2 RSPO Human Rights Strategy (Update) |
| 1745 - 1800 | 9.0 Any Other Business <ul style="list-style-type: none"> 9.1 Indonesia National Interpretation HCV Task Force (Update) 9.2 Decent Living Wage (Update) 9.3 Governance structure of SSC and reporting matrix (Update) |
| 1800 | End |

DISCUSSION:

| No. | Description | Action Points (PIC) |
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| 1.0 Opening | | |
| 1.1 | The Chairs welcomed everyone to the meeting and presented the agenda of the meeting. | |
| 1.2 | The Antitrust and consensus-based decision making was read out to the Committee. | |
| 1.3 | The Secretariat confirmed that quorum had been reached for the meeting. | |
| 2.0 Confirmation of the 15th MoM on 27 January 2021 and 10 February 2021 | | |
| 2.1 | <p>The Co-Chair presented the previous minutes of meeting and a Member requested a minor amendment for the 15th SSC MoM:</p> <ul style="list-style-type: none"> - Item 4.0 Certification Document: “accreditation” is not necessary and removed accordingly. | The Secretariat to amend the MoM and circulate it to the Members. |
| 2.2 | <p>Action Tracker Progress from the last meeting was presented and there were a few comments from the Committee.</p> <p>2.2.1 NDJSG on Legacy cases An issue was raised regarding the Legacy case procedure eligibility requirements developed by the NDJSG. One requirement proposed by HCSA was that the cutoff date for clearance without a HCSA assessment would follow either 15 Nov 2018 or when a company adopted a commitment to no deforestation, whichever earlier. The SSC pointed out that while RSPO respects voluntary commitments by its members, the requirements enforced by RSPO procedures must be based on the P&C 2018.</p> <p>2.2.2 NDJSG Performance The time and performance of the NDJSG is questioned as they have only done one out of three meetings required. A concern is the relationship between RSPO and HCSA in the context of progress and communication when it comes to the NDJSG. A one pager explaining the problems needs to be drafted for review with the board needing to be informed.</p> | |

| 3.0 RSPO Independent Smallholders Standard (RISS) on Interpretation of Internal Audit Requirement | |
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| <p>The RSPO SH Unit presented the challenges faced by Independent Smallholder Groups in complying with the Internal Audit Requirement of the RSPO ISH Standard and the proposed interpretation. The process of developing and endorsement of the proposed interpretation was brought forward to the Committee.</p> <p>SSC raised concerns regarding the following:</p> <ul style="list-style-type: none"> a. contradictions of 100% internal audit over a span of two years and the minimum 33% of group members being audited. b. Confusion and lack of clarity between the minimum 33% members audited (after the two-year allowance for compliance to the requirement) requirement for 100% new members, medium and high-risk members to be audited annually <p>The Secretariat responded for (a) that cost and other resource limitations are a huge factor and as such limited the 100% coverage for internal audits during the first 2 years only.</p> <p>For (b), Secretariat clarified for internal audits after the two-year allowance, 100% of new, medium and high-risk members must be audited as part of the 33%. The minimum threshold would apply in the scenario that the percentage of new, medium and high-risk members are lower than the minimum 33%. This wording in the document will be reworded to ensure the above said intent was clear.</p> <p>SSC Decision: The proposed interpretation was not endorsed pending revision of the wording as per (b). SHSC Subgroup to revise wording and resubmit the document. The SSC agreed for endorsement through email due to urgency of the matter.</p> | <p>SHSC Subgroup to reword the requirements regarding new, medium and high-risk members and relation to the minimum 33% coverage for internal audits after the two-year allowance for compliance to the requirement.</p> |
| 4.0 RSPO Independent Smallholders Standard (RISS) on Indonesia National/Local Interpretation | |
| <p>The Secretariat shared the timeline, introduction of local interpretations that focused on key documents, the review, and considerations for the Indonesia RISS. A decision was requested for the SSC to:</p> <ul style="list-style-type: none"> 1) Designate Indonesia RISS Interpretation as National Interpretation; 2) Approve proposed activities and timeline to meet RSPO standard setting requirements <p>The proposal for Indonesia's RISS NI and the proposed timeline and</p> | |

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| | <p>activities to meet RSPO standard setting requirements were approved. This approval is only applicable to Indonesia.</p> <p>SSC also agreed with the proposal to keep both options of LI and NI. National Interpretations would follow the full NI process and would be subject to the full standard setting SOP requirements similar to P&C NI. Local Interpretations provide a simpler and faster procedure, at the expense of limitation of the allowed scope of changes within the standard. This can be utilized for countries who opt for the fast track process or with limited resources.</p> <p>Any other request for NI will be based on a case-by-case basis.</p> | |
| <p>5.0 Malaysia National Interpretation</p> | | |
| | <p>The MYNI sent a decision paper for the SSC approval for an additional table regarding the recruitment fees of the MYNI.</p> <p>The SSC suggested the proposed text to the MYNI. The MYNI TF discussed and made the following changes:</p> <p><i>“The above list is correct at the time of adoption and as indicative serves as a guidance for auditing. This list will evolve with any changes to or additional statutory payments that the respective governments (Malaysia & source country) may introduce from time to time or when regulations are modified.”</i></p> <p>The text will be added under the recruitment fees table in the MYNI document.</p> <p>The proposed text is approved unanimously.</p> | <p>Secretariat to insert this text into the MYNI Document.</p> |
| <p>6.0 Jurisdictional Approach</p> | | |
| | <p>The Secretariat provided the current progress of JAWG to-date. The JAWG has provided 3 documents in the meeting pack for SSC considerations:</p> <ul style="list-style-type: none"> a. Cover letter from JAWG regarding the request for SSC b. JA document - for endorsement c. Proposed activities and timeline <p>Key points raised in the meeting were:</p> <ol style="list-style-type: none"> 1. Three existing JA sites should be allowed to continue, considering the efforts spent by the relevant stakeholders. They should be supported so not to lose the momentum. | |

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| | <p>2. The title of the document as a ‘certification system document’ (CSD) is inappropriate at this current stage as there are gaps that need to be filled prior to being acknowledged as a CSD. The content is however suited for pilot testing. A name change was proposed.</p> <p>SSC Decision: The JA document is accepted for endorsement subject to the following:</p> <ol style="list-style-type: none"> 1. The title of the document will be changed to “JA Pilot Framework”; 2. Addition of a cover note specifying the use of the document limited to pilot testing only; 3. Addition of an annex specifying the gaps of the current document required to be acknowledged as a certification system document; and 4. No further public consultation is required for this document for the purpose of pilot testing. <p>In addition to this, the SSC accepted the activities/timelines prepared by the secretariat to guide the works required moving forward, but acknowledged it would be subject to change based on future circumstances.</p> <p>The three pilot test sites would be allowed to proceed.</p> | <p>Secretariat to notify JAWG</p> |
| <p>7.0 National Interpretations</p> | | |
| <p>7.1</p> | <p>The SSC Co-Chairs allowed the Thailand NITF to move forward with its public consultation but must also find a replacement for their retailer member that withdrew.</p> | <p>A re-discussion is required if the replacement is not available.</p> |
| <p>7.2</p> | <p>Liberia NI’s feedback was presented with the necessary amendments and endorsed by the SSC.</p> | |
| <p>8.0 Human Rights Working Group (HRWG)</p> | | |
| <p>8.1</p> | <p>RSPO Practical Guidance on Gender The Secretariat presented the process of the development of the RSPO Practical Guidance on Gender Inclusion and Compliance to the 2018 RSPO Principles and Criteria (P&C) and the 2019 Independent Smallholder (ISH) Standard to address the implementation gaps in the</p> | <p>Info</p> |

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| <p>8.2</p> | <p>standards. The guidance document was endorsed by the SSC.</p> <p>HRWG Strategy The Co-Chair of the HRWG presented the updates for the working group, mainly the HRWG Strategy. The four (4) main goals of the Strategy are:</p> <ol style="list-style-type: none"> 1) RSPO has a human rights framework in place, and it is implemented by its members 2) Plantation workers exercise their rights to safe and decent work and living conditions 3) Customary and legal land rights of indigenous peoples, local communities and other users are respected, advanced and disputes are remedied 4) Gender equality, women’s safety and economic empowerment are addressed and promoted <p>HRWG will provide a regular update on progress to SSC and SCC is welcome to provide their feedback to the HRWG.</p> <p>SSC endorsed the HRWG Strategy.</p> | <p>Info</p> |
| <p>9.0 AoB</p> | | |
| <p>9.1</p> | <p>INA NI HCV The Secretariat explained that there might be overlaps in the guidance planned by the Indonesia National Interpretation HCV Task Force as they wanted to add HCS elements in their management and monitoring plan for Indonesia. The recommendation from the Secretariat was for all working groups that have overlaps (BHCVWG, NDTF, and IS-NDTF) be required to provide early access to the final draft of the INA HCV TF documents. Secondly, to have members who are available to act as a linking bridge between the supporting bodies and INA HCV TF Members during the Public Consultation period.</p> | |
| <p>9.2</p> | <p>Decent Living Wage A task force has been formed and two meetings have been conducted. During the meeting, the TF has decided that a toolkit must be provided to communicate about the DLW benchmark development process with the NI WG and NI Stakeholders. The toolkit/template is to allow NI members to decide how and what the benchmarks are.</p> <p>Discrepancies among members were noted in regards to understanding the living wage and prevailing wage estimates. The TF believes that the next step here is to figure out the tools or communication methods needed to quell the confusion. The DLW TF is also facing a</p> | |

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| <p>9.3</p> | <p>representation problem whereby there is a lack of NGO members (currently only 1 NGO is a member of this TF). A Committee member wanted to know why there is a need to create a new tool/template when plenty already exist from the Living Wage Coalition. The TF Lead responded by stating a template is needed to communicate this (DLW) to the multiple NI WG and allow them the freedom to choose between creating a new benchmark or using an already existing one.</p> <p>SSC Supporting Bodies Reporting Matrix The SSC’s supporting bodies reporting matrix was presented to the Committee, with requests for comments. It was explained that the purpose of the matrix is to track when and how often the TFs and WGs under SSC report back to the Committee. The Committee agreed that the sub-groups should update or report to the SSC every 3 months to ensure progress, communication and ongoing activity.</p> <p>The Secretariat is also tasked to create a system to ensure decisions/tasks from the BoG and SCs are delegated to the respective WG/TF immediately.</p> | <p>All SSC’s Supporting Bodies to report progress, communication and ongoing to the SSC every 3 months.</p> <p>Secretariat to create a communication system for WG/TF</p> |
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END. 5:35pm.