



Assurance Standing Committee 8th Meeting (via Zoom) Minutes of Meeting

Venue: Zoom Meeting (<u>https://zoom.us/j/99164854762</u>) Date and time: 27 July 2021 at 3.00 pm – 5.00 pm KL time

Members Attendance:

Growers	Growers	
Name	Organisation	Group Representation
Agus Purnomo (Co-chair)	Golden Agri Resources (GAR)	Indonesian Growers (IGC)
Lee Kuan Yee	Kuala Lumpur Kepong (KLK) Berhad	Malaysian Growers (MPOA)
Vacant	n/a	Growers
Vacant	n/a	Smallholders Group
NGOs		
Name	Organisation	Group Representation
Michael Guindon (Co-chair)	WWF Singapore	E-NGO
Paula den Hartog	Rainforest Alliance	E-NGO
Paul Wolvekamp	Both ENDS	S-NGO
Marcus Colchester (absent with apology)	Forest Peoples Programme	S-NGO
Supply Chain Sector / Downst	ream / Others	
Name	Organisation	Group Representation
Emily Kunen (absent with apology)	Nestlé	CGM
Hugo Byrnes	Royal Ahold Delhaize N.V	Retailers
Olivier Tichit	Musim Mas Holdings	P&T
Michal Zrust	Lestari Capital	Financial





RSPO Secretariat Attendance:

Name	Position
Adam Harrison (AH)	Interim Coordinator
Tiur Rumondang (TR)	Director of Assurance
Wan Muqtadir Wan Abdul Fatah (WM)	Head, Assurance Integrity Unit
Freda binti Abd Manan	Sr. Executive, Assurance Integrity Unit
Shazaley Abdullah (SA)	Head, Certification

Facilitation Team Attendance:

Name	Organisation	Role
Bilge Daldeniz (BD)	Proforest	Proforest Associate Director / Lead Facilitator
Shinta Puspitasari (SP)	Proforest	Proforest Senior Project Manager / Facilitation team member
Claire Reboah (CR)	Proforest	Proforest Project Manager / Facilitation team member

Item	Description	Action Points
1.0	Introduction	
	BD briefly introduced herself as the new lead facilitator, taking over from Neil Judd, and welcomed others who joined the meeting. BD briefly shared the agenda for today's meeting.	
1.1	RSPO Antitrust Law, Recap ASC ToR (Objectives, Consensus-Based Decision Making, Declaration of Conflict of Interest)	
	BD reminded the members of the RSPO Antitrust Guidelines and the objectives of the ASC. BD stated that the ASC follows the RSPO consensus-based decision-making process, in accordance with the ASC Terms of Reference.	
1.2	Recap on Roles and Responsibilities	
	BD summed up the roles and responsibilities of the ASC members, facilitators, and RSPO Secretariat.	





1.3	Additionally, BD mentioned that Proforest will help build capacity and support the transfer of their tasks to the Secretariat towards the end of this second year of facilitating the ASC. BD introduced CR as the new facilitation team member, in addition to SP who continues from last year. BD highlighted the ASC Col obligations. No Col was declared at this meeting. Vacant Position in the ASC BD highlighted two vacancies for ASC member to represent grower and smallholder. TR shared two potential names, which are Mariama Diallo from SIAT Nigeria and Marie-Rosine Nsegbe from Goldtree Sierra Leone. She asked ASC members if there are other names to nominate. TR mentioned the nominations should be finalised before the next ASC meeting. RSPO Independent Interim Coordinator AH introduced himself as the new Interim Coordinator for RSPO for the next 6 months. He is based in the UK and his main responsibility will be	The Secretariat to finalise the nominations for the vacant ASC member seats before the next ASC meeting in October 2021.
	 Next of months. He is based in the OK and his main responsibility will be working together with the RSPO team on building external relationships with other institutions such as ASI, ISEAL and others. AH will also take forward some internal projects, including the planning and delivery of the RT and GA in November 2021 and planning the P&C review as well. 	
2.0	Action Tracker Update	
2.0	WM updated on the action tracker. Recruitments in the Assurance Division are still ongoing. In total there are 16 vacancies in the Assurance Division. Call of Interest for Labour Auditing Guidance has been made. The Secretariat is now awaiting proposals from interested parties. The Secretariat is hoping to start the work by conducting pilots on the guidance by mid-August 2021. The guidance is using the version from December 2019. All findings and input will be incorporated in the P&C 2018.	
	On Decent Living Wage (DLW) Progress, on 8 th July the SSC requested for the scope and timeline for DLW TF to be revised. In particular to add smallholder inclusion into the scope. The TF will request NIWG to set geographical demarcations to determine DLW. On Hotspot Hub launch, it was done during Asia-Pacific Climate Week 2021. It is available on the RSPO website.	





	On the Risk Unit, there are 3 on-going investigations: FGV – this will be shared with CP. There will be another meeting to discuss in more detail in early August; Sime Darby - MCO in Malaysia caused delays; Socapalm – there is a plan for joint assessment with ASI and to have all the findings investigated comprehensively.	
	A member referred that the Sime Darby case is with the US Customs and Border Protection (CBP). This is not a case for RSPO.	
	On CAP Review Planning, the Complaints Panel will review the ToR of the CAP Review. The CAP TF formation is expected in Q4 2021 (RSPO financial year).	
	A member referred to the Grievance Unit and the need for a fully independent complaint desk. This can be part of the CAP review process. Member highlighted the to refer to the previous discussion with the Board on this.	
	TR reminded that based on the ASC ToR, Grievance is under the ASC.	
	A member responded the need to link grievance and complaints, especially when it comes to NPP.	
	A member seconded on the independency of the Complaint Panel but highlighted that anything related to the Secretariat should go through the RSPO governance principles to ensure the implementation of the systems and principles.	
	TR explained that Grievance is under the scope of the ASC. The CAP review will need a platform to govern the process TR questioned that if the ASC does not govern the CAP review, who will, since the CP is also not part of the governance. A member highlighted that we need to ensure independency of the Complaints Desk. Member suggested to wait for the Board decision on this.	
	A member emphasized that what is needed is impartiality and not independence so that everyone gets due process which can't be influenced.	The Secretariat to
	TR received a request from the CP to be included in the TF for CAP Review. She asked if the ASC agrees to this, before the ToR draft for CAP Review is circulated. On which a member agreed but reminded that the TF conducts consensus-based decision making. So all members are equal.	The Secretariat to circulate draft ToR for CAP Review to the ASC members.
3.0	Updates from Shared Responsibility Working Group (SRWG)	
	LG shared updates on SRWG process since 2012 with the resolution and	





followed by the development of SRTF ToRs in 2018.	
In March 2019, SRTF was established and in Nov 2019 the BoG endorsed the main output of SRTF. The document is named SR Requirements and Implementation. The SRWG was established in May 2020 to continue the work of the SRTF. In April 2021, the RSPO SR Unit took over the facilitation of the SRWG.	
LG continued with updates on SRWG work in progress, including the alignment in interpretation of SR endorsed document to develop a clear guidance. The exercise included external stakeholder groups feedback, for example with FICG. It is important to have these stakeholders on board to comply with the SH and to also involve others to join in.	
The second workstream focuses on the SR Implementation Manual, which covers the verification methodology, incentives and sanctions. The manual also includes clarifications to the resourcing requirements. During year 1 (2020) and year 2 (2021) of SR implementation, there are no sanctions. However, the Secretariat will conduct member performance assessment.	
Another update was given on the verifiers. This a checklist to ensure that members understand the implementation and the verification of SR requirements.	
SRWG also provides members assistance. This is to assist members and respond to questions about applicability and implementation. Some valid comments and feedback from the members were brought back, discussed and taken into account in the key documents.	
The final update was on monitoring the SR submission through ACOP/My RSPO. ACOP 2020 included SR requirements and has become the reporting tool for all members.	
SRWG also conducts communication activities, including translation of the SR Requirements and Implementation 2019 endorsed document in different languages. Several socialisation webinars on SR basic knowledge were conducted and delivered in different languages. All key documents are available on the RSPO website (https://rspo.org/resources/shared-responsibility).	
 LG also shared the proposed next steps, which included: (1) to continue the discussions and alignment in the SRWG before public consultation of the SR Implementation Manual (IM); (2) to bring all the documents in line with RSPOs processes and procedures; (3) to align the interpretation of the SR requirements (Apper 1) with 	
 (3) to align the interpretation of the SR requirements (Annex 1) with the support from the Standard Division; (4) to develop a guidelines for members with full alignment with all 	





	parties; (5) to create an SR space in the RSPO website; (6) SR Unit will have a Senior Manager joining in September 2021.	
4.0	Gap Analysis Report	
	WM gave updates on the gap analysis report and to seek endorsement from ASC members on the report.	
	Initiated in October 2020 and led by the previous COO, the gap analysis report consolidated all reports made in relation to RSPO Assurance System and processes to date. During Nov & Dec 2020, the priorities in the ASC workplan and the fundamental points were discussed. Co-chairs agreed gaps identified should define a clear plan with a timeline.	
	Participants of AF were shown the progress of the work to date. Following continuous discussion and input received during Jan & Feb 2021, it was agreed that the Secretariat will identify and prioritise short and medium-term activities and commit to work further on the gap analysis and report back to the ASC. A subgroup discussion was also requested by the ASC members.	
	In May & June 2021, a workshop on the gap analysis report was conducted. After restructuring the narrative report and presenting the root causes derived from the document, ASC and AF added more root causes and proposed an updated workplan for the Secretariat.	
	At this meeting, the Secretariat seeks ASC endorsement of the report to be published and work on the plans in the report.	
	WM also highlighted some of the key points that three thematic areas in the root causes have been identified: (1) deforestation and land conflict, (2) Human rights and labour issues, and (3) cross-cutting assurance. The Workplan has been developed in the report that also merged with RSPO operational strategy 2021-2025, which has been approved by the BoG.	
	Once the report is endorsed, the proposed subgroups will be formed, and ToR will be developed. The Secretariat will decide on prioritization and keep the current pandemic situation into consideration.	
	A member highlighted that under the standard development section, the report doesn't mention the stakeholders' involvement. Member also pointed out that CB workshops didn't involve growers and that at least, the meeting minutes should be taken down and shared publicly. On training, the same member also highlighted that training is only for auditors but not growers. The member hoped that these issues can be included in the gap analysis report.	The Secretariat will incorporate comments in the gap analysis report on the alignment with CB and growers workshops and on training for growers.
	A member asked on the timeline and the phasing of activities in the ASC	





 workplan and whether the report will be published on the RSPO website. WM responded that the alignment with CB and growers workshops is already part of the plan in the department. Since last year, the CB workshop minutes have been published on the RSPO interpretation forum. TR added that training for growers falls under the Technical Division, which also provides technical assistance to all members. There should be alignment with the Assurance Division, which provides a technical resource person. TR will make sure that this is included in the proposed workplan. TR also added that the workplan is for 2021-2023. BD asked each member whether or not to endorse the report. All attending members endorsed the report. 5.0 RSPO Contingency Audit Procedures in Pandemic Situation & Its Practical Solutions SA shared an update on the RSPO Contingency Audit Procedures that have been discussed with CB and grower members for temporary measure during pandemic, where most countries still impose strict 'lockdown' and there are strict staff travelling SOP policy by organisations (including CB). RSPO introduced one-off remote audit by the CBs with 30% of audit indicators and audit man-days on the growers. This is to ensure that members can submit additional requests on 3-month basis. SA continued that the Sceretariat has 9 management units which have been extended for more than 12 months and therefore already have in total 24 months of valid license (from the original 12 months). The Secretariat hare are no observations on the grower, because license extensions have been done through the Palm Trace system. Based on the on-site audit conducted, there are several social, environmental and safety issues that have been raised by stakeholders. Request from the growers on availability of genuine certified volume on CSPO and CSPK for trading is also put into consideration through the discussion. To			
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SA shared the proposed changes on the audit procedures, especially on scenario 4. There would be permission to extend the license for another 6 months (License validity becomes 30 months: 12 months original + 12 months extension + 6 months further extension). In terms of sampling, SA proposed to apply a high-risk multiplier for the sampling calculation.	
SA continued by sharing the way forward for a short time period. The full remote audit is proposed because it has been implemented by various certification scheme globally, ongoing uncertain situation of pandemic, to ascertain the credibility of certification, for the integrity and credibility of certification system, to adapt to the new normal. The Secretariat is seeking directions/input from ASC to explore possibility of full remote audit for RSPO P&C as a new option to continue certification process.	
A member commented on the proposed 6-month extension and that might not be enough as the situation is still very much unknown. Member also agreed on applying the high-risk multiplier.	
SA responded that the 6 months is the additional time (on top of the 12-month extension) for the license extension without having on-site audit.	
A member asked whether the remote audit being proposed applies only to those operations that are already certified or also to new certified operations. SA responded that this is a temporary measure to establish in a short time period. The Secretariat will introduce another scenario with full audit, which will be a temporary measure as well before then introducing a longer-term plan. SA highlighted that the remote audit is currently only for the existing certified management units to ensure they receive their new licenses in the Palm Trace and full volume to trade.	
SA also shared the bigger framework by the Secretariat, including: to make remote auditing a long-term solution; to propose a comparative study on bigger framework in conducting RSPO P&C remotely; to implement a risk-based approach during remote auditing; and to explore the availability of technological ICT platform to be utilized by RSPO Secretariat, CB, AB and CH in making remote audit more practical.	
A member asked what the additional tools are to ensure proper remote auditing in high-risk areas. For example, collaboration with Wage Indicator can provide additional tool for the auditing process. SA responded that during the proposed extension period, the Secretariat will conduct discussions and consultation with stakeholders to get their input on how to move forward.	
A member asked for clarification on the increase of sampling by 50% once the on-site audit is available to compensate the remote audit.	





Member also asked about the current issues with auditing at the moment. SA responded that three were only one-off remote auditing last year, the audit process can be continued on-site, the sampling size needs to be increased by 50% from last year. On the remote auditing scenario 5, SA explained that most CBs are located in Malaysia and Indonesia and there are very limited qualified P&C auditors available. Travelling is not possible at the moment, internationally and domestically. A member updated that several auditors passed away because of Covid. Member also suggested if the license extension proposal can be translated into calendar year. Member also asked for the methodology for remote social auditing and pointed out that it is always a challenge to get proper information for social auditing. The use of technology can help to find ways on how to obtain proper information remotely. SA responded that there are challenges on site, including lack of access to data and internet. TR explained that under scenario 4, the license extension without on-site audit until December 2021. This will need to be decided with the members. The Secretariat is now looking for scenario from January 2022 to explore the option of having full remote audits using the existing methods which CBs are already familiar with. TR continued that the longer plan would be for the Secretariat to create its own ICT platform to support remote audit with Malaysian growers (MPOA). Member also highlighted the needs to understand the process will Dec conduct the audits, etc. Member also have a discussion on the proposed extension and remote audit with Malaysian growers (MPOA). Member also highlighted the need to understand the process. SA responded that the proposed audit plan is not yet finalised and that the Secretariat will be costly for the companies, too. SA responded that the proposed audit plan is not yet finalised and that the Secretariat usill receiving input and feedback, including from the ASC members in this mee		
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TR added that further discussion with members and CBs are needed to	the Secretariat is still receiving input and feedback, including from the ASC members in this meeting. SA mentioned that growers will be involved as well. SA continued that if scenario 5 goes ahead, the introduction and awareness raising will happen before the end of Dec 2021. As such, there will be time for members to understand the process. SA confirmed that the high-risk multiplier is applied to SH. If on site audit can be done before end of Dec 2021, the high-risk multiplier will be	communicate the revised audit scenario 4 and present proposal for scenario 5 in the next ASC meeting in
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	look at the cost effectiveness of the proposed remote audit procedures and how to assist the smallholder group.
	A member also expressed concern on how the proposed remote audit procedures may affect smallholders.
	Another member asked whether there will be enough time for the Secretariat to come up with a proposal on how to conduct the remote audit before end of Dec 2021. If some pilot testing is needed, member suggested to extend the timeline.
	TR responded that the proposal for scenario 5 can be done with the CBs within 6 months. The ICT proposal will take longer but it can be developed in parallel to scenario 5.
	A member then suggested for the Secretariat to sum up the proposal and timeline, so it's easier to understand & discuss.
	A member also suggested that the Secretariat communicate the proposal for scenario 5 by September 2021 to give enough time for members to engage with the CBs and prepare.
	All members agreed for license extension for another 6 months until Dec 2021 and to revisit after that.
6.0	Disclosure and Continuity of Certification
	WM shared that there have been issues with disclosure and continuity of certification at the membership stage, initial certification stage and recertification stage.
	 RSPO had a meeting with the concerned growers, who requested: (1) When issues occur, RSPO should inform Certification Bodies that growers are allowed to proceed with recertification audits as usual. In the cases where discrepancies in liability statements and RSPO records are found, these will be noted but will neither stop the Public Announcements from proceeding nor raised as non-compliance until the procedure to address this is in place; (2) RSPO to engage with the BHCV Working Group and SSC to work out a procedure in addressing the discrepancies by considering different scenarios; (3) RSPO to discuss with relevant stakeholders if there are any challenges encountered instead of imposing some new 'requirements' without such stakeholders engagement;
	(4) RSPO to also take note to develop new procedures in support to the new certification system of 2020.





credibility of the standards and requirements; (2) The proposed protocol comes from BHCVWG, including timeline and way forward, should be approved by SSC. The timeline for this process is 3 months.	
WM continued by presenting 3 scenarios: <u>Scenario 1</u> : for Unit of Certification (UoC) that was previously certified, during Public Announcement post April 2021 and there is no change in liability checking from the disclosure submitted to RSPO Secretariat. The interim decision (until the process is approved) will be status quo and can proceed with recertification. <u>Scenario 2</u> : for Unit of Certification (UoC) that was previously certified, during Public Announcement post April 2021 and it was found that there is potential undeclared liability within the certified unit in comparison to the submitted disclosure to RSPO Secretariat. The interim decision is it can proceed with recertification with condition the liability must be addressed once a clear and consulted procedure to address those liability is available. Opportunity for Improvement (OFI) should be raised by the CBs. However, the decision in scenario 2 has implication to RSPO own system when we include areas that have liability, including clause 5.6.3 in RSPO Certification System and RaCP requirements.	
<u>Scenario 3</u> : For Unit of Certification (UoC) that was previously certified, during Public Announcement post April 2021 and it was found that there is added areas/scope to the certified Unit (during ASA or RC) but information submitted to RSPO Secretariat based on the disclosure is inconsistent with the reality on the ground (found during due diligence process by Secretariat). The interim decision is it can proceed with recertification with condition that the added areas to be excluded from the scope of certification until the RaCP Process for the added area is completed.	
A member reminded that the BHCVWG already formed sub-groups on this matter. To which WM responded that he hasn't received update from BHCV as the meeting had just been conducted a week before.	
A member continued that BHCVWG will further discuss on scenario 3 and what can be done.	
A member asked whether BHCVWG members have been consulted on the interim decisions and whether their feedback had been received. Another member responded that this was discussed in the last meeting. Details on what has been discussed and decided can be shared once the meeting minutes have been circulated.	The Secretariat will present proposed interim decision to the BHCVWG. Feedback received from BHCVWG will
BD asked the co-Chairs whether the interim decision for recertification should be done remotely or to be continued in the next meeting. Co-chair suggested the discussion & decision on the interim decision can be done remotely.	





	BD confirmed that the Secretariat will share what was discussed in BHCVWG to ASC members to decide on the interim decision for recertification.	then be shared with the ASC via email to get ASC's approval on interim decision.
7.0	Universal Crusher List	
	PdH shared updates on the development of the Universal Crusher List. PdH also updated on the Universal Mill List, which next step will increase transparency and accountability in these complex supply chain after the mills. She continued that the industry is requesting a list of crusher and that the information has been compiled through POCG and IRF template. PdH continued that the list has been built on certified crushers and uses RSPO Palm Trace's unique IDs.	
	On UML, PdH explained that RSPO members, companies, and Foodreg contributed to the draft for the compilation of the mill list. The UML was created by RSPO Secretariat, Rainforest Alliance, WRI, Proforest and Daemeter. UML methodology, which uses unique ID and unique GPS coordinate for each mill, was developed by WRI and Rainforest alliance. Further UML development was done by collaboration with other organisations including Trase, Earthworm Foundation, Auriga, CIFOR, Transitions, the University of California Santa Barbara and the University of Hawaii. The UML is now housed in Global Forest Watch and RSPO Palm Trace. At present, UML has 2032 mills globally.	
	PdH continued that the list of certified crushers is now being built. It will use RSPO Palm Trace IDs for certified crushers. The list is available to the public. The list will further increase transparency and traceability in the sector and give RSPO visibility on all crushers globally.	
8.0	Any Other Business	
8.1	Involvement of HCVN in the ASC	
	TR shared on HCVN's involvement in the ASC who will provide updates in the next ASC meeting (potentially in October 2021). The updates will cover strategic collaboration between RSPO and HCVN (2019-2021) and on ALS independent review that was conducted March 2021. They are now developing the action plan for the revision of ALS system.	The Secretariat will propose time for a sharing session with HRWG.
	TR also provided an update on the results from the BoG Meeting on 10 th June that ASC and CP will host a joint session with HRWG to share and discuss the ground experiences on social and labour issues.	
	Update on remote audit scenarios & timeline TR briefly shared the timeline for different scenarios for remote audit. This meeting will seek approval for scenario 4. The Secretariat is already	





starting to develop scenario 5, a consultant will be hired to develop the ICT system. Scenario 5 will be shared with the ASC member in October 2021 for approval. If scenario 5 is approved, it will be applied by January 2022 for 12-24 months. In parallel, ICT platform will be developed and hopefully by Q4 2022 ICT platform will be used as an option to conduct remote audit.	
A member asked whether existing platform can be used. On which TR responded that there will be comparison studies to make sure that all options are properly reviewed.	
A member asked for clarification on whether scenario 5 is going to be implemented in Jan 2022 as it would already too late for members whose license expired in Dec 2021. Scenario 5 should be introduced much earlier.	
TR responded that it entirely depends on the approval. The RSPO is half way through developing scenario 5. The team will share and communicate in the coming months. If approval for scenario 5 can be received by October 2021, it can be implemented before end of 2021.	
A member recommended that scenario 5 should be ready earlier maybe in September to give more time for members to prepare.	
A member also suggested that scenario 5 needs to be developed in consultation with ASC and other stakeholders (including what it concretely entails, where problems occur, and what additional tools we can bring aboard).	
A member suggested the extension for scenario 4 is extended to 9 month (until March 2022), to which all members agreed.	
End of meeting	
BD thanked all the ASC members who attended the meeting, for their feedb The meeting adjourned at 5pm.	back and comments.