

MINUTES OF MEETING

44th SSC Meeting

Time: 1500 - 1700 (MYT)

Date: Thursday, 25th July 2024

Venue: Zoom Meeting <https://zoom.us/j/92199951023> .Meeting ID: 921 9995 1023 Passcode: 44@SSC

ATTENDEES

Name	Initial	Organisation	
1. Olivier Tichit (Co-Chair)	OT	Musim Mas	P & T – Substantive
2. Lim Sian Choo (Co-Chair)	LSC	Bumitama Group	Grower (INA) - Substantive
3. William Siow	WS	MPOA/IOI	Grower (MY) – Substantive
4. Lee Kian Wei	LKW	United Plantations	Grower (MY) – Alternate
5. Ian Orrell	IO	NBPOL	Grower (Smallholder) - Substantive
6. Silvia Irawan	SI	Kaleka	SNGO – Substantive
7. Brian Lariche	BL	Humana	SNGO – Substantive
8. Sander Van den Ende	SvE	SIPEF	Grower (RoW) – Substantive
9. Jenny Walther-Thoss	JWT	WWF Singapore	ENGO – Substantive
10. Guillaume Lacaze	GL	L’Oreal	Consumer Goods Manufacturer – Substantive
1. Leena Ghosh	LG	RSPO Secretariat	
2. Yen Hun Sung	HS	RSPO Secretariat	
3. Jasmine Ho Abdullah	JH	RSPO Secretariat	
4. Liyana Zulkipli	LZ	RSPO Secretariat	
5. Joseph D’Cruz	JD	RSPO Secretariat	
<i>Absence with apology:</i>			
1. Anne Rosenbarger	AR	WRI	ENGO – Substantive
2. Librian Angraeni	LA	Musim Mas	P & T – Alternate

AGENDA

Time	Item	Agenda	PIC
1500 - 1505	1.0	Opening	Co-Chairs
	1.1	Acceptance of agenda	
	1.2	RSPO Antitrust Law	
	1.3	RSPO Consensus-Based Decision Making	
	1.4	RSPO Declaration of Conflict of Interest	
	1.5	Welcoming new SSC Member: Mr. Guillaume Lacaze, L’Oréal	
1505 - 1515	2.0	Meeting Dashboard	Co-Chairs
	2.1	Confirmation of the 43 rd MoM on 28 th May 2024	
	2.2	Action Tracker	
	2.3	Progress Update WG/TF/SG under SSC	
1515 - 1545	3.0	For Endorsement	
	3.1	Standards Revision Process and Timeline Finalization	HS
1545 - 1550	4.0	Any Other Business	
1550		END	

DISCUSSION:

No.	Description	Action Points (PIC)
1.0	Opening	
1.1 1.2 1.3 1.4	<p>1.1 The Chairs welcomed everyone to the meeting and presented the agenda of the meeting.</p> <p>1.2 The RSPO Antitrust Law, Consensus-Based Decision Making, and Declaration of Conflict of Interest were read out to the Committee. No comments were received.</p> <p>1.3 The Chairs welcomed a new SSC Member, Mr. Guillaume Lacaze from L'Oréal, representing Consumer Goods Manufacturers.</p> <p>1.4 The Chairs mentioned that the CEO of RSPO Secretariat, Joseph D'Cruz will be attending the meeting today as an observer in interest of the Standards Revision agenda that will be presented in the meeting.</p>	
2.0	Meeting Dashboard	
2.1 2.2 2.3	<p>2.1 <u>Confirmation of the 43rd MoM on 28th May 2024</u> The minutes of the meeting were adopted.</p> <p>2.2 <u>Action Trackers</u> Action tracker of the previous meeting was presented.</p> <p>For Item 2.3, the Committee suggested a positive statement for the membership status in the Progress Update of the WG/TF/SG, stating that there is no issue for membership in the respective WG/TF/SG. The Secretariat takes note of this and will amend the Progress Update accordingly.</p> <p>2.3 <u>Progress Update WG/TF/SG under SSC</u> The progress update for the WG/TF/SG Committee was presented.</p> <p>The Secretariat seeks clarification from the SSC on whether the Shared Responsibility Working Group (SRWG) is still required to provide progress updates now that they are reporting to the Assurance Standing Committee (ASC).</p> <p>The SSC agreed that since SRWG no longer reports to SSC, they can be excluded from the monthly Progress Update.</p>	<p>Amend the Progress Update Action by: Secretariat</p> <p>Exclude SRWG from the Progress Update Action by: Secretariat</p>
3.0	For Endorsement	
3.1	<p>3.1 <u>Standards Revision Process and Timeline Finalization</u> The Secretariat presented the decision paper on the process and timeline for Standards Revision finalisation.</p>	

- The Secretariat is currently in the process of the stakeholder consultation to produce a final draft for the Principle and Criteria (P&C) and Independent Smallholder (ISH) Standard for final approval, as requested by the SSC on 8 September 2023 with the aim to submit to the General Assembly (GA) by November 2024.
- The stakeholder consultation process will be completed on 20 August 2024, and a draft will be prepared for final review and submission to the Standards Review Steering Group (SG) and SSC.
- The Secretariat is seeking the SSC’s endorsement to the proposed timeline for the finalization of the draft:
 - 20 Aug: Close of Stakeholder Consultations
 - 26-30 Aug: Analysis of feedback and preparation of proposed final draft
 - 2-6 Sept: Multi-stakeholder consultation process on remaining indicators where broad consensus has not been achieved. Simultaneous public posting of the draft for final feedback. This is equivalent to the public consultation.
 - 9-13 Sept: Finalization of draft
 - 16-20 Sept: Final draft review and approval by Steering Group, for submission to SSC
 - 24 Sept: Final draft to SSC for endorsement along with GA resolution text.
 - 1 Oct: BoG Meeting to discuss GA resolutions. Final draft submitted along with GA Resolution text.
 - 16 Oct: E-voting begins for GA 2024
- The Secretariat highlighted that the timeline is quite tight and there is only one or two weeks to manoeuvre should there be any delay.

The Committee commented that:

- The timeline is not realistic and there are elements that require proper consultation with members of the Standards Review Task Force (TF) as they have previously put in a lot of effort to come up with the draft.
- The Committee also commented that the timeline for the multi stakeholder consultation process is too short. It would not work if the multi stakeholder consultation only goes through issues where there is no broad consensus as there are also certain issues that were agreed upon by TF members in Draft 3 but are no longer in the current draft. A lot of attention needs to be placed in ensuring that there is no error in the P&C. The quality of the P&C should not be sacrificed just to meet the deadline as there were significant changes made and these concerns need to be addressed.
- The Committee raised a question on what is the alternative if the revised standards cannot make it in time for the GA. Will there be an

	<p>exceptional GA? What is the backup plan? The Secretariat explained that an exceptional GA can take place whenever the Board of Governors decide but it would require a 30-days public notification to ensure that the members are informed, and the resolution is circulated. There should be a date in place as it should not be an indefinite postponement.</p> <ul style="list-style-type: none"> ● The Committee raised a question on who will be carrying out the analysis of the feedback received. Can the SSC recommend having the TF involved in this process as a lot of the indicators have been changed since then? Some members proposed to reinstate the TF as it is already made up of the multi-stakeholder sector and they can discuss based on the raw feedback that was received instead of having a third party to filter the feedback. The Secretariat clarified that the Steering Group (SG) will be in charge as the TF has been disbanded. The Terms of Reference (ToR) for the Standards Revision states clearly that the SG will be in charge of the content of the P&C revision. The Secretariat also wanted to highlight that the decision to disband the TF was stated in the letter dated on 8 September 2023. If the SSC would like to reinstate the TF, this would require more discussion. We need to respect the decision that was made as SSC itself was the one who disbanded the TF. ● The Committee commented on whether it is possible to move the E-voting for the GA2024 to November instead of October to have a little bit more time for the other processes in between. The Secretariat clarified that the GA notice stated that the GA will take place on 13 November 2024 and the call for resolution is from 14 August to 4 September. The revised Standards is a Board’s resolution, so it does not necessarily have to abide by that timeline. There has been no mention of the E-voting date yet but the Secretariat will check with the GA team if there is any room to manoeuvre to allow for a couple more weeks. ● The Committee would like to know how the stakeholder consultation is going on so far. The Secretariat responded that multiple consultations and stakeholder engagement have been conducted with members as well as Certification Body (CB) and ASI. Also, there are written feedback received from Working Groups such as BHCVWG and a few more targeted stakeholder consultations will be taking place. Generally, the feedback received so far has consensus on specific areas that are aligned with Draft 3 which the TF had produced. There are some areas where there is a diversion of opinions, but it is not a vast majority of it. There are still three upcoming physical consultations in Latin America, Africa and Malaysia as well as a few targeted stakeholder consultations to take place. All the comments received during the consultation will be placed in a master list with analytical framework being prepared. As per the ISEAL code, the feedback received during the consultation must be 	
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published publicly. The Secretariat is planning to do this and to show how the feedback was addressed. In cases where the feedback has consensus, the changes will be made. For feedback where there is diverse opinion, it will have to be deliberated through the various processes, including the multi stakeholder consultation process, on how the feedback was analysed and what was done to address it or incorporate it. The Secretariat is planning to do progressive analysis of the feedback received so far through the stakeholder consultation and the feedback received from WG/SC/TF.

- The Committee asked about the plan to engage with the previous TF members. The Secretariat responded that there was a virtual session conducted specifically for the TF and TC members to provide their initial feedback on the proposals that were made. Their feedback mostly aligns with the feedback that was received so far but this is just an initial sense.
- The Committee further highlighted that there is a value for TF members to be involved as they have in-depth understanding of the draft as they have been involved from the start of the process and it is made up of representatives from all different sectors. The Committee stated that a lot of the indicators will eventually be agreed upon after several consultations. Discussion needs to take place for consensus to be achieved. There needs to be a proper process in the consensus-based decision and the Committee is concerned that the current approach might not be sufficient.
- It was highlighted that the TF halted work in the first place because they could not reach consensus. That is why the SG is in place to finalise the text if there was a deadlock. The TF has delivered their job and handed it over to the SG for areas where they cannot reach consensus. The SG presented to SSC their recommendation and SSC has directed the Secretariat on how to go forward. Currently the process has gone into a different route where the SG and SSC together with the Secretariat is going through the whole process of cleaning up the document based on the feedback that is given and making recommendations on how the feedback should be dealt with. This will then be presented to the SG and SSC.
- The Committee raised a question on whether the TF can be reinstated just to go through the feedback and make a decision? Can the ToR be amended? Drafting a new ToR will require endorsement by the BoG. The TF was disbanded as per the letter by SSC. The Secretariat has been including the TF members through the targeted consultation, but the TF members cannot be brought back as a group as that would be outside of the ToR.

	<ul style="list-style-type: none"> ● Can the TF members work together with the Secretariat on the feedback before it is presented to the SG? The Secretariat stated that there is a possibility as it depends on how the multistakeholder process takes shape. It would be beneficial that once the decision has been made on the composition and the timeline, the ToR is officially revised to capture it so that there is clarity on the process going forward. However, this is not the Secretariat’s decision to make. ● The Committee asked if an addendum can be included to the existing ToR? The addendum could include recommendations to make sure that it is going through the proper process. The SSC will be the one to decide and draft the amendment to the ToR and propose it to the BoG. If SSC decides to do this now, what happens in the meantime? Will the work be suspended and will the adoption by GA be pushed back? There needs to be a deadline. ● The Committee also suggested bringing together the stakeholders with opposing views to reach consensus. However, this would require redrafting of the ToR. We should not convene any groups without having a clear ToR as this will further degrade the credibility of the whole process. ● The Committee commented that the timeline is too short for the multi stakeholder consultation process and recommended adding one more week. The Secretariat agrees with this as there is still a two-week buffer that can be utilised. The Secretariat will amend the decision paper to change the multi stakeholder consultation process to 2-13 September. The Committee also emphasised that there are a couple of issues in the current draft and suggested the Secretariat to focus on those issues. ● A member of the Committee raised their concern that there are a lot of changes that have been made since the last TF meeting and cannot agree with the timeline and decision paper. The SSC letter dated 8 September 2023 requested for the Secretariat to assess only substantive issues, but the draft has been revised totally without informing the TF members. There are some intentions of the indicator that was changed and that is against the letter. Some of the Committee members disagree with this as the letter stated that “The Secretariat is requested to produce revised P&C and ISH standards and associated certification system documents which in their view meet the clarity, relevance, implementability and auditability requirements of the RSPO as soon as possible, but not later than the deadline for submission to the General Assembly meeting in 2024.” Everything that has been done until now is following the letter. The SSC is only looking at the process, not the content. ● What will the final structure of the draft look like? The Secretariat clarified that the additional structure which is the compliance 	
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	<p>requirements, informative guidance and compliance checklist was proposed to be included to align with the Certification System document as there were some misalignments with the document. The compliance checklist will also be made mandatory with the revised certification system document. This was the concern raised from auditors and ASI.</p> <ul style="list-style-type: none"> ● The Committee raised a question on how the multistakeholder process looks like? How will it be framed? The Secretariat explained that there are a couple of options. One option is to use the analysis of the feedback and look at areas where consensus was not indicated or there were diverging opinions from the stakeholder consultation and create multi stakeholder focused groups that draws on the expertise of TF members, and landing consensus on specific areas. Another option is a full large-scale process to go through each indicator by indicator. This option is a bit concerning as it would take more time and if the public consultation is happening in parallel. ● Can the public consultation take place after all the process instead of in parallel? The Secretariat explained that the whole public consultation will take at least five weeks in total, with two weeks for preparation and translation and another two weeks for the public consultation period. Technically the requirements for public consultation have already been fulfilled as ISEAL Code states that for a revision of the standards, only one public consultation of at least 30 days needs to take place. If there are additional points which consensus was not indicated by the public consultation, targeted consultation can then be activated. Two rounds of public consultation have already been conducted previously. Currently, a targeted consultation is being conducted to look at specific points where there is diversion of views. ● The Committee raised a question on who are the stakeholders involved in the multi stakeholder consultation. The Secretariat clarified that the stakeholders involved will be the representatives from the seven sectors, namely the Growers, Processors & Traders, Consumer Goods Manufacturers, Retailers, Financial Institutions, Social NGOs and Environmental NGOs. The CBs will also be included as their presence has been very beneficial in terms of informing on the auditability of the standard and they are stakeholders in this process as well since the Certification System document is being reviewed in parallel. ● Does the multi stakeholder consultation cover all the membership groups in RSPO? Will everyone go through issues that have not received consensus based on their individual group? The Secretariat clarified that the multi stakeholder consultation will not be an individual constituency. All the stakeholders will come together to discuss it, be it in a focused group or in general. The constituent of the 	
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	<p>multistakeholder consultation process will be similar to the TF or TC members that was done previously. There will be a call for expression of interest to the members and balanced representation from all the constituencies.</p> <ul style="list-style-type: none"> ● The Committee recommended including the details on how the multistakeholder process will be facilitated in the decision paper, to further elaborate on how it works and make it clear. The Committee also suggested including a backup plan if consensus cannot be reached within the timeframe. ● MPOA members raised an objection that they cannot approve the decision paper until the proper process of multistakeholder is drawn and insist that the multi stakeholders must have a chance to go through all the feedback and not only certain indicators. ● The SSC has not reached consensus. However, according to the SSC Terms of Reference (ToR), Section 8 states as follows: "If consensus is not possible for any specific issue, at least 75% of the Committee members are required to vote in favour for the adoption of a decision, and shall include at least one supporting vote from each membership category." Therefore, based on the approval received from each membership category, a qualified approval has been reached on the decision paper. The decision can move forward. ● The Secretariat will amend the timeline, add language to clarify the process of the multistakeholder consultation and add a backup timeline should there be any delay. <p>Decision SSC has approved the decision paper subject to revisions to include the details of the process for the multi-stakeholder review and a back-up timeline should there be any delay. A qualified approval has been reached on the decision paper and the Secretariat takes note of the objection that was raised.</p> <p>The Secretariat will circulate the revised decision paper and seek approval from all SSC members via email.</p>	<p>Amend the decision paper and seek approval from SSC members via email</p> <p>Action by: Secretariat</p>
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MEETING ENDED AT 1633 MYT