

# **Code of Conduct Policy Statement**

## **RSPO Standards Review 2023**

### **(Observers)**

## **Code of Conduct Policy Statement: RSPO Standards Review 2023**

### **1. Code of Conduct**

#### **1.1 Introduction**

The Roundtable on Sustainable Palm Oil (hereinafter RSPO) is committed to ensuring that stakeholder consultations and their relevant processes are conducted with the utmost professionalism within a supportive, constructive, objective, ethical and responsive framework. To this end, the RSPO Secretariat is to ensure all members participating in the RSPO convened RSPO Standards Review process, including registered observers, are to abide by the rules of participation as prescribed in this Code of Conduct Policy.

All observers of the Standards Review are expected to read, understand and subsequently apply the standards of conduct outlined herein.

The observers of the Standards Review shall at all times ensure that their participation is consistent with and reinforces the positive public image of the RSPO.

All observers shall observe the proper decorum and respect the views and opinions of fellow participants.

In the spirit of working together in an amicable, solution-oriented and constructive fashion in pursuit of the objectives of the Standards Review process, any observers of the Standards Review who has a bona fide personal grievance shall refer such grievance to the RSPO Secretariat and the Standards Review Task Force (TF) by writing them formally, outlining the nature of the grievance.

Failure by any observers of the Standards Review to comply with the Code of Conduct may result in the removal of the said observer from the respective observing meetings of the Standards Review.

#### **1.2 Confidentiality**

As a general rule, all observers of the Standards Review must respect and maintain the confidentiality of the information gained/submitted/obtained/shared/revealed/becomes privy to by virtue of observation in the Standards Review. This includes information in tangible or intangible form, orally or in writing.

More specifically:

- Any information owned or generated by the RSPO Secretariat which is not limited to notes, presentations or discussion papers is to remain confidential. Any observers of the Standards Review who wish to make such information public or provide the information to a third party shall first secure the prior written consent of the RSPO Secretariat and state the reasons for wanting to make such information public or available to third parties.
- If any observers of the Standards Review wish to make public or reveal to a third party any information supplied by a member of the Standards Review TF/TCs, they shall seek the prior

written consent of the member of the Standards Review TF/TCs who supplied such information.

- Where information in any form is made available, submitted or derived by/from Companies to further the work of Standards Review, it shall remain confidential. Any observers of the Standards Review who wish to make such information public or provide such information to a third party shall first secure the prior written consent of the Company that generated/submitted the said information. In such cases where the Standards Review observer has secured such written consent, a copy of the same shall be furnished to the RSPO Secretariat as proof of the consent so secured.
- Information deemed sensitive by the RSPO Secretariat such as violations of the RSPO P&C by Companies (whether proven or not), complaints or grievances lodged against a company, any pending matters in relation to mediation and arbitration, and negotiations or settlements by companies in relation to any violations shall remain strictly confidential.
- Observers that have direct relations with implicated stakeholders or are (potential) parties to the complaints, disputes, settlements and negotiations being discussed shall inform the parties and recuse themselves from discussions about such specific cases.
- Information excluded from confidentiality includes any information which the observers of the Standards Review can demonstrate is already within the public domain or is rightfully obtained from a third party without breach of any obligation/rights to/of the owner or third party.
- Where observers of the Standards Review have an obligation to share information related to the rights of the affected communities with them and with the organisations providing them with support, they may do so provided that they also inform the RSPO Secretariat and discuss it with the RSPO member concerned. This applies to information that RSPO members are required to share with affected stakeholders in line with RSPO's first Principle.

### **1.3 Facilitated Process (Online and On-site Meetings)**

All TF and TCs members understand that the facilitators of the process must keep an impartial and neutral stance in the entire process. The facilitators act in their best knowledge in the service of achieving the collective goals of the review process. They will always seek to prioritise those over particular interests of individual organisations, stakeholders and individuals.

The facilitators are only responsible for designing a process and facilitating interactions, i.e., they strictly abstain from intervening in content and results. It is the sole responsibility of the members to raise relevant topics and issues. If the members have concerns about the process design, how it is being facilitated and guided, they will raise those directly and at their earliest convenience with the lead facilitators. All members abstain from trying to influence the facilitators to steer the process to serve specific particular interests. The facilitators may make such attempts known to the RSPO Secretariat and the other participants.

All members must undertake to support the process to deliver the expected results and outcomes in an efficient and effective manner. They must engage in the proposed activities in a timely manner, make early provisions to provide information, and respect and uphold set timelines and deadlines to ensure a smooth and speedy process delivery. They will also engage in activities, which at times may

seem unconventional and progressive, understanding that this may be in the interest of achieving better results in a more resource-efficient manner.

It is the shared responsibility of all process participants to ensure the integrity and security of all online platforms and tools used. Everybody must make every possible effort to keep information and data safe. Personal credentials, such as (but not limited to) passwords and personal login links, are strictly personal and must not be handed to anybody, also not to other members of the TF, TCs, the RSPO Secretariat or any other body. If there are any issues (e.g., lost passwords, etc.), they must inform and seek assistance from the facilitation team.

All participants must agree that all information and data provided (e.g., written contributions on any of the platforms, chats, etc., verbal statements, video recordings and photos, and all other forms suitable to support the process) may be used by the RSPO Secretariat and the facilitators for the sole purpose of achieving the goals and results of this review process. They must agree that this information and data may be recorded and stored without further consent being required for the entire duration of the process. All intellectual property rights will be ceded for the purpose of this process.

#### **1.4 Outside Task Force Meetings**

All observers must understand that there is a shared responsibility to ensure the good professional image and credibility of the RSPO and the Standards Review TF; and to further ensure that no observer causes any reputational damage to the same.

In the event a need arises to communicate publicly or to stakeholders on outcomes or decisions made by the Standards Review TF, observers must ensure the accuracy of the information and that the interpretation of all outcomes and decisions of the Standards Review TF are consistent with the consensus reached within the Standards Review TF.

In dealings with anyone outside of the Standards Review TF, each observer shall take care to not do or say anything in a manner that would undermine or compromise the decision making and consensus building processes within the Standards Review TF or the ultimate consensus itself.

## 2. Exclusion of Liability

The members of the Standards Review TF and all other persons such as observers, technical advisors and consultants to the Standards Review TF are put on notice that the RSPO Secretariat under no circumstances will be held responsible for any loss or damage arising from a breach by a member of the Standards Review TF or observers, technical advisors and consultants to the Standards Review TF, of any of the provisions contained in this Code of Conduct Policy Statement.

## 3. Code of Conduct Declaration

I ....., acknowledge that I have received and read a copy of this Code of Conduct Policy Statement, have understood all of its terms, and agree to abide by the provisions contained therein.

\_\_\_\_\_

[Name]

\_\_\_\_\_

[Signature]

\_\_\_\_\_

[Date]

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[Sector]