



Objective

To help RSPO members and those they are in dispute with to work together to reach a mutually satisfactory solution in a neutral forum.



Local communities

DSF works directly with affected local communities and RSPO member, while engaging with key stakeholders as considered appropriate.



Address complaint

The goal of DSF is to address the issues raised in the complaint lodged with RSPO in a way that is acceptable to the parties.

RSPO Dispute Settlement Facility (DSF)

Offers parties to disputes the opportunity to address their concerns in a collaborative manner to seek resolution amicably through DSF Mediation

DSF's three pillars



Participation is **voluntary**

DSF process requires full agreement of disputing parties. Either party may withdraw at any time. Both parties will decide the outcome of the process and make an informed decision before signing any agreement.



The process is **confidential**

DSF will not disclose information shared in confidence in the mediation or in any other forum, including DSF mandatory public reports, without the consent of the parties.



Independent and impartial

DSF does not impose any judgement or decision on either party. The decision-making authority rests entirely with the parties. DSF takes an equitable approach to everyone participating in the mediation.

DSF Framework within RSPO Complaints Mechanism

The Complaints system comprises three distinct yet complementary arms

Complaints Panel investigates whether an RSPO member is in breach of the RSPO Principles & Criteria or any other RSPO Key Document, and determines if any action is to be taken to remedy the breach to bring the member back into compliance.

DSF Process will facilitate a collaborative mediation process seeking long-term and mutually agreeable solutions among the complainants, the RSPO member and any other relevant stakeholders identified by the parties.

Bilateral Engagement entails parties working to resolve their issues through the RSPO member company grievance mechanism without any third party involvement whatsoever.

A successful outcome will be documented in a DSF Settlement Agreement, or series of Agreements, and signed by the parties.





DSF Principles



Self determination of the parties

- No judgement on the parties
- Any settlement is signed on own free will
- Right to clarity of information
- Reps must have the requisite authority to decide on behalf of their principals



Respect for human rights and diversity

- Free prior and informed consent is a central requirement of the RSPO P&C. Diversion & inclusion ensure representation of diverse sectors among all parties to the mediation



- Uphold protection of those at risk of retaliation and reprisal. DSF works within its means to minimise violence by protecting those affected,



- Assessment of risk and possible termination of the mediation as a preventive measures guided by the Human Rights Principles

- DSF will engage parties from the outset of a mediation to establish level of confidentiality. DSF will respect confidentiality for as long as the parties may so choose

Transparency and disclosure



- DSF will not disclose information shared by one party with the other without permission

- Drafts of all DSF reports is made public to parties for factual check

- DSF won't share confidential information so as to allow parties to participate freely without compromising their position in any other process



- Exceptions if DSF is aware of risk of harm to any of the participants
- No press statement about an active complaint during mediation unless agreed by the parties



- All parties including DSF members must agree on the level of confidentiality during mediation process



Independence and Impartiality

- Ensure self determination of the parties
- Not judgemental of any complaint
- Adhere strictly to its confidentiality policy
- Ensure own staff & consultants maintain confidentiality unless otherwise agreed by parties or if such info are on public domain
- Withdraw DSF member or staff or consultant who may have a conflict of interest
- Share draft copies of all public reports prior to publication with the parties



TERMS of reference

DSF Vision

The overarching vision of DSF is to seek timely and effective resolution of disputes in line with 10 objectives, mostly had been covered previously



DSF Mandate

The DSF will among others, address & manage complaints, help resolve disputes, convene joint meeting, document agreements and register complaints on a public website accessible via RSPO website

admin



DSF is independent of all other RSPO units. But the RSPO Board of Governors has ultimate responsibility for oversight of Secretariat that oversees the DSF administration

DSF is supported by a group of advisors whose practice and experience within local community, civil society, the palm oil industry and dispute resolution



advisors

DSF Structure

staff



The DSF comprises its designated staff and consultants. Consultants include DSSF mediators and the DSF mediation team

From time to time, DSF may, convene ad hoc Focus Groups to consider specific topics. They may be RSPO members, officers or external individuals



focus
group

DSF Funding

RSPO will make available, to the best of its efforts, adequate financial resources to support DSF. If mediation proceeds, DSF will establish & agree with the parties how the costs will be apportioned.

