

Draft Malaysia National Interpretation Revision Summary (P&C)

NI TFs are required to fill this up prior to submission

Country:	
Malaysia	

Section	Criteria revised	No of Criterias revised	Indicators revised	No of Indicator revised	Proposal approved by RSPO	Date and person approving
Principle 1	Nil	0	1.2.1, 1.3.1	2		
Principle 2	Nil	0	2.1.3 (C), 2.3.1(C), 2.3.2 (C)	3		
Principle 3	Nil	0	3.1.1 (C), 3.1.2, 3.4.2, 3.5.10	4		
Principle 4	Nil	0	4.1.1 (C), 4.1.2, 4.1.3, 4.5.1, 4.5.3, 4.6.1 (C), 4.6.2 (C)	7		
Principle 5	Nil	0	5.1.1 (C), 5.1.4 (C), 5.2.1, 5.2.2, 5.2.3	5		
Principle 6	Nil	0	6.2.2 (C), 6.2.5, 6.2.6 (C), 6.2.7 (C), 6.2.8 (C), 6.8.1 (C), 6.8.3 (C), 6.9.3 (C), 6.9.9 (C), 6.9.12 (C)	10		
Principle 7	Nil	0	7.1.2 (C), 7.3.2 (C), 7.3.3 (C), 7.3.4 (C), 7.4.5 (C), 7.5.3 (C), 7.6.4 (C), 7.7.2	8		

Section	Definitions Revised	No of Definitions Revised	Proposal approved by RSPO	Date and person approving
Annex 1 Terms and Definitions	Core Work, Land Clearing, Negative Action, Worker(s)	4		

Proposed Revision on P&C 2024 Preamble

No	Section	Changes
1	2.1.1	To add a foot note under Annex 2 "In cases where the 2024 RSPO P&C differs from such regulations or laws, the higher or stricter of the two shall always prevail." Refer to Table below
6	2.1.1	Include Annex 7 in 2.1.1 (Structure) as Informative Refer to Table below
2	2.3	To add the following statement after the first sentence: "Any non-conformities may result in suspension or loss of certification (Refer to the latest RSPO Certification Systems). Compliance must be demonstrated with the normative part of the P&C, i.e. the Principles, Criteria and Indicators. Non-conformities are raised at Indicator-level by auditors. The informative part is there to help with implementation of Indicators, but is not normative nor can non-conformities be raised against this section." Refer to excerpted Section 2.3 below
3	2.4.2	To add RSPO "Secretariat" shall support Refer to excerpted Section 2.4.2 below
4	2.4.2	To add a line before the 3rd para, "In the event if a supplementary or derivative document necessary....." Refer to excerpted Section 2.4.2 below
5	2.4.2	To add additional sentence after 3rd para, "In the absence of a supplementary or derivative document, RSPO, based on consensus, shall provide an indicative status or timeline for completion of the document(s), including interim measures." Refer to excerpted Section 2.4.2 below

Table Section under 2.1.1

Section	Table	Applicability
I	Introduction	
II	Preamble	
III	Change Log	

IV	Principles, Criteria, and Indicators	
V	Annexes	
Annex 1	<i>Terms and definitions</i>	Normative
Annex 2 (2A & 2B)	<i>Key international laws and conventions applicable to the production of palm oil</i> <i>In cases where the 2024 RSPO P&C differs from such regulations or laws, the higher or stricter of the two shall always prevail</i>	Informative
Annex 3	<i>Interpretation of Indicator 7.7.1 (C)</i>	Normative
Annex 4	<i>List of RSPO-recognised Human Rights Due Diligence methodologies for compliance to Indicator 1.3.1</i>	Normative
Annex 5	<i>Compliance Requirements and Informative Guidance</i>	Informative
Annex 6	<i>Supplementary and derivative documents of the 2024 RSPO P&C</i>	Normative / Informative
Annex 7	<i>Guidance Notes For Determining Validity Of Claims Over Land And Natural Resources By People Living In Areas Being Developed For Oil Palm Plantation</i>	Informative
VI	Appendices	
Appendix 1	RSPO Theory of Change	Informative
Appendix 2	List of National Interpretations of the 2018 RSPO P&C	Informative

2.3 Compliance and Certification

Compliance to the standard is strictly required and must be demonstrated against any normative indicators, requirements, and/or other normative elements identified. *Any non-conformities may result in suspension or loss of certification (Refer to the latest RSPO Certification Systems). Compliance must be demonstrated with the normative part of the P&C, i.e. the Principles, Criteria and Indicators. Non-conformities are raised at Indicator-level by auditors. The informative part is there to help with implementation of Indicators, but is not normative nor can non-conformities be raised against this section.* Non-compliances are raised by qualified auditors from accredited Certification Bodies under the independent, third-party RSPO Assurance System, overseen by Accreditation Bodies appointed by RSPO. The governing document for compliance and certification against the 2024 RSPO P&C is the 'RSPO Certification System for P&C and ISH Standards'.

Compliance to indicators differs based on criticality. A Critical Indicator is essential to compliance, and non-conformity or lack of evidence of conformity (as assessed by a qualified auditor) is graded as a Major Non-Compliance (NC). A Non-Critical Indicator, denoted by an absence of (C), is graded as a Minor NC if non-fulfilment or a lack of evidence of conformity is assessed by a qualified auditor.

2.4.2 Effective Date

The 2024 RSPO P&C shall become effective and binding 12 months after the adoption date i.e., 13 November 2025. Prior to this effective date, the 2018 RSPO P&C (Version 3-1) shall continue to apply for all existing or potential Units of Certification. This 12-month transition period is formally adopted to assist RSPO members in the change management activities necessary to implement the 2024 RSPO P&C.

RSPO **Secretariat** shall support RSPO members on any initiated National Interpretations (NIs) processes within this 12-month transition period. If a NI update or development for a specific country is not completed within the 12 months, the general 2024 RSPO P&C shall apply until the NI update or development is completed and endorsed by the RSPO Board of Governors.

In the event a supplementary or derivative document necessary for implementation of the 2024 RSPO P&C is not able to be updated or developed within the 12 months, RSPO shall provide an indicative status or timeline for completion.

In the absence of a supplementary or derivative document, RSPO, based on consensus, shall provide an indicative status or timeline for completion of the document(s), including interim measures.

Principle 1 - RSPO Growers act transparently, ethically, and responsibly

Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
1.1	The Unit of Certification shall demonstrate transparency and responsible conduct with relevant stakeholders on issues related to the RSPO Principles and Criteria standard. Information provided shall be in appropriate language(s) and format(s), through a transparent process, to allow for effective participation in decision-making.		
1.1.1 (C)	The Unit of Certification shall make publicly available management documents specified in the RSPO Principles and Criteria standard. This excludes confidential information.	Agreed for adoption.	
1.1.2 (C)	The Unit of Certification shall ensure that process(es) /procedure(s) for consultation and communication with relevant stakeholders are documented, implemented, and made available. Explanations of such process(es) /procedure(s) shall be done by a nominated management official(s) in an appropriate language and format.	Agreed for adoption.	
1.1.3 (C)	The Unit of Certification shall maintain a list of relevant stakeholders. Records shall be maintained of any requests for information by relevant stakeholders, including the UoC's responses to such requests.	Agreed for adoption.	
1.2	The Unit of Certification shall commit to ethical behaviour in all business operations, transactions, and conduct.		

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Criteria / Indicator	Revised Criteria / Indicator (in English)	Reason for changes
1.2.1 The Unit of Certification shall develop a policy committing to the UoC to a code of ethical conduct in all business operations and transactions. The policy shall be communicated to all levels of the workforce and operations. The policy shall include, at a minimum: A) Respect for fair conduct of business; and B) Prohibition of all forms of corruption, bribery, and fraudulent use of funds and resources*. <i>*National Interpretations should determine relevant national regulations related to anti-corruption.</i>	The Unit of Certification shall develop a policy committing to the UoC to a code of ethical conduct in all business operations and transactions. The policy shall be communicated to all levels of the workforce and operations. The policy shall include, at a minimum: A) Respect for fair conduct of business; and B) Prohibition of all forms of corruption, bribery, and fraudulent use of funds and resources*. Relevant national regulations related to anti-corruption: • Malaysia Anti-Corruption Commission (MACC) Act 2009 • Anti-Corruption Act 1997 • Penal Code • Anti-Money Laundering and Anti-Terrorism Financing Act 2001 • Financial Services Act 2013 • Whistleblower Protection Act 2010	- Refer to Annex 3B 1.2 of MYNI2019
1.2.2 Process(es) or procedure(s) for managing ethical misconduct shall be developed and implemented.	Agreed for adoption.	
1.3 The Unit of Certification shall identify, address, and monitor human rights impacts in its operations, through implementation of Human Rights Due Diligence (HRDD).		

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<p>1.3.1 The Unit of Certification shall identify existing and potential human rights impacts within its operations and its direct suppliers, through implementation of Human Rights Due Diligence (HRDD). Existing and potential human rights impacts identified through the HRDD shall be addressed through an action plan developed by the UoC. The action plan shall be reviewed at least once every 2 years.</p> <p><u>Procedural Note</u> <u>The RSPO Human Rights Working Group (HRWG) shall develop a guidance to assist members and UoCs in their compliance to Indicator 1.3.1 regarding their respective Human Rights Due Diligence obligations.</u> <u>The RSPO Human Rights Working Group (HRWG) shall develop a list of RSPO-recognised HRDD methodologies e.g., the UN Guiding Principles on Business and Human Rights, OECD (Refer to Annex 4).</u></p>	<p>The Unit of Certification shall identify existing and potential human rights impacts within its operations and its direct suppliers, through implementation of Human Rights Due Diligence (HRDD). Existing and potential human rights impacts identified through the HRDD shall be addressed through an action plan developed by the UoC. The action plan shall be reviewed at least once every 2 years.</p> <p>Procedural Note: Implementation of HRDD shall be in stages: Stage 1: Own operation Stage 2: RSPO certified direct FFB suppliers Stage 3: Non RSPO certified direct FFB suppliers</p> <p>After endorsement of the Guidance, a two-year grace period is granted to the Unit of Certification to prepare for the implementation of due diligence for Stage 1 and 2. For Stage 3, the UoC shall demonstrate progress towards due diligence by Year 3, and full implementation by Year 5.</p> <p>This Indicator shall be audited according to the timeline noted above, after the endorsement of the HRDD Guidance.</p>	<p>- concern on practicality of compliance for millers purchasing outside crops.</p>

Principle 2 - RSPO Growers operate legally and with accountability			
Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
2.1	The Unit of Certification shall operate legally, in compliance with applicable legal requirements and ratified international laws and regulations.		
2.1.1 (C)	<p>The Unit of Certification shall comply with all applicable and relevant legal requirements*.</p> <p><i>*National Interpretations shall determine all applicable national and local laws/regulations, including any ratified international laws and regulations.</i></p>	<p>Agreed to adopt.</p> <p>Reference : Applicable national and local laws/regulations available in Annex 2B</p>	
2.1.2	A documented system to ensure legal compliance shall be developed and implemented, with process(es) in place to track changes to any applicable and relevant laws/regulations. The system shall include evidence of legal due diligence/evaluation of legal compliance of contractors.	Agreed to adopt	
2.1.3 (C)	<p>Evidence* of the Unit of Certification's legality of land operations shall be available. Legal or authorised boundaries shall be clearly demarcated and visibly maintained, and planting is within these legal or authorised boundaries.</p> <p><i>*National Interpretations shall define the evidence required based on the country's context.</i></p>	<p>Evidence* of the Unit of Certification's legality of land operations shall be available. Legal or authorised boundaries shall be clearly demarcated and visibly maintained, and planting is within these legal or authorised boundaries.</p> <p>Acceptable evidences include but not limited to boundary markers, trenches, roads, land titles and surveyed maps.</p>	
2.2	The Unit of Certification shall engage with contractors that are legally compliant.		
2.2.1	<p>The Unit of Certification shall maintain a list of the UoC's contractors*.</p> <p><i>*Contractors involved in activities within the scope of the RSPO Principles and Criteria, including contractors providing operational services, supplying labour, or supplying FFB.</i></p>	Agreed to adopt	
2.2.2	All contracts involving the Unit of Certification's contractors shall require the contractor to meet and demonstrate compliance to applicable and relevant national and local laws/regulations.	Agreed to adopt	

Principle 2 - RSPO Growers operate legally and with accountability			
Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
2.2.3	All contracts involving the Unit of Certification's contractors shall disallow the use of child labour, forced/trafficked labour, and collection of recruitment fees (and related costs) from workers by the contractor.	Agreed to adopt	
2.3	The Unit of Certification shall source Fresh Fruit Bunches (FFB) from legal and traceable suppliers.		
2.3.1 (C)	<p>For all directly sourced FFB, the mill(s) within the Unit of Certification shall obtain documentation on the FFB origins and legality.</p> <p>Documentation* shall include: A) Geolocation of the FFB origin; B) Evidence of legal status of the land (including tenure and user rights) of the supply base or smallholder; and C) Where applicable, evidence of a legal business licence for the buying and selling of FFB.</p> <p><i>*National Interpretations shall determine commonly accepted local practices and customs for FFB legality that are generally accepted to be on a par with legal standing or accepted by authorities (e.g., native courts).</i></p>	<p>For all directly sourced FFB, the mill(s) within the Unit of Certification shall obtain documentation on the FFB origins and legality.</p> <p>Documentation* shall include: A) Geolocation of the FFB origin; B) Evidence of legal status of the land (including tenure and user rights) of the supply base or smallholder; and C) Where applicable, evidence of a legal business licence for the buying and selling of FFB.</p> <p>*Commonly accepted local practices and customs for FFB legality that are generally accepted to be on a par with legal standing or accepted by authorities (e.g., native courts) include: i. For ownership status: grant/ land title ii. For claim to the land: Letter from Land & Survey Department; Surat Tuai Rumah/ Ketua Kampung; Letter from Jabatan Kemajuan Orang Asli (JAKOA) (for Peninsular); Temporary Occupation Lease (TOL); Provisional Lease; Alienated Land iii. For valid use of land: Letter of agreement from owner; Surat Wasiat</p>	No changes on indicator. NI defined list of acceptable local practices/ customers for FFB legality.

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Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
2.3.2 (C)	<p>For all indirectly sourced FFB, the mill(s) within the Unit of Certification shall engage with such suppliers to ensure the FFB's traceability and legality. The UoC shall provide the annual percentage of its indirectly sourced FFB volume with available documentation during audits to demonstrate progress towards traceability and legality.</p> <p>Documentation* shall include: A) Geolocation of the FFB origin; B) Evidence of legal status of the land (including tenure and user rights) of the supply base and/or smallholder; and C) Where applicable, evidence of a legal business licence for the buying and selling of FFB.</p> <p><i>*National Interpretations shall determine commonly accepted local practices and customs for FFB legality that are generally accepted to be on a par with legal standing or accepted by authorities (e.g., native courts).</i></p>	<p>For all indirectly sourced FFB, the mill(s) within the Unit of Certification shall engage with such suppliers to ensure the FFB's traceability and legality. The UoC shall provide the annual percentage of its indirectly sourced FFB volume with available documentation during audits to demonstrate progress towards traceability and legality.</p> <p>Documentation* shall include: A) Geolocation of the FFB origin; B) Evidence of legal status of the land (including tenure and user rights) of the supply base and/or smallholder; and C) Where applicable, evidence of a legal business licence for the buying and selling of FFB.</p> <p><i>*Commonly accepted local practices and customs for FFB legality that are generally accepted to be on a par with legal standing or accepted by authorities (e.g., native courts) include: i. For ownership status: grant/ land title ii. For claim to the land: Letter from Land & Survey Department; Surat Tuai Rumah/ Ketua Kampung; Letter from Jabatan Kemajuan Orang Asli (JAKOA) (for Peninsular); Temporary Occupation Lease (TOL); Provisional Lease; Alienated Land iii. For valid use of land: Letter of agreement from owner; Surat Wasiat</i></p>	<p>No changes on indicator. NI defined list of acceptable local practices/ customers for FFB legality.</p>
2.4	The Unit of Certification shall commit to uphold human rights, and to respect rights of workers and stakeholders affected by the UoC's business operations and conduct.		
2.4.1 (C)	<p>The Unit of Certification shall develop a policy or policies to respect the human rights of Workers, Contractors, Suppliers, Affected Communities, and Human Rights Defenders. The policy or policies shall prohibit Negative Actions against affected stakeholders including Human Rights Defenders, complainants, whistleblowers, and/or community spokespersons who lodge complaints against the UoC.</p> <p>The policy or policies shall be publicly available.</p>	Agreed to adopt	

Principle 2 - RSPO Growers operate legally and with accountability			
Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
2.4.2	The policy or policies shall be implemented by the Unit of Certification and its contracted security services. The policy or policies shall be socialised to affected stakeholders in a language understood by them.	Agreed to adopt	
2.5	The Unit of Certification shall, in consultation with relevant stakeholders, develop and implement an accessible system to manage and resolve grievances regarding its business operations and conduct.		
2.5.1 (C)	<p>The Unit of Certification shall establish and implement an accessible and impartial grievance system.</p> <p>The system shall:</p> <p>A) Ensure confidentiality or anonymity, if requested;</p> <p>B) Be appropriate for potential complainants, especially workers and affected communities;</p> <p>C) Take into account any specific needs of women and children;</p> <p>D) Maintain independence and impartiality in handling grievance(s);</p> <p>E) Not prevent the use of other judicial or non-judicial processes independent of the UoC on the same issue by either party; and</p> <p>F) Provide safeguards to avoid potential reprisals or intimidation of complainant(s) as the result of lodging grievance (s).</p>	Agreed to adopt	
2.5.2	<p>The Unit of Certification shall ensure availability, access, and socialisation of the grievance system to relevant stakeholders, especially workers and affected communities, in appropriate language(s) and format(s).</p> <p>Assistance shall be provided to relevant stakeholders including illiterate stakeholders or vulnerable groups who may face challenges during socialisation or gaining access to the grievance system.</p>	Agreed to adopt	

Principle 2 - RSPO Growers operate legally and with accountability

Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
2.5.3 (C)	<p>The status of grievance(s) shall be recorded, maintained, and kept up-to-date. All grievance(s) raised shall be responded to, and should be resolved or be in the process of resolution.</p> <p>Records/documentation of grievance(s) shall include:</p> <p>A) Steps taken to resolve grievance(s);</p> <p>B) Procedures outlining the timeline in addressing the raised grievance(s);</p> <p>C) Outcomes of grievance resolution processes;</p> <p>D) Unresolved grievance(s), including status, issues affecting resolution, and steps taken by UoC for potential resolution; and</p> <p>E) Verification that a complainant (and their representatives, if any) are updated and informed on the progress and status of a case, in a language they understand.</p>	Agreed to adopt	

Principle 3 - RSPO Growers optimise productivity, demonstrate traceability, and create positive impacts			
Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
3.1	The Unit of Certification shall develop and implement business plans to ensure long-term viability of the UoC.		
3.1.1 (C)	The Unit of Certification shall develop and implement a long-term business management plan. Where applicable, the plan shall include a jointly-developed business case for scheme smallholders.	The Unit of Certification shall develop and implement a long-term business management plan (minimum of three years). Where applicable, the plan shall include a jointly-developed business case for scheme smallholders.	Adopt previous MYNI2019
3.1.2	An annual long-term replanting plan shall be developed, and reviewed annually.	A long-term replanting plan shall be developed, and reviewed annually.	Removed annual (redundant)
3.1.3	The business management plan shall be reviewed annually by the UoC's management to address risks, allow adaptive business planning, and for continuous improvements.	Agreed to adopt	
3.2	The Unit of Certification shall ensure that operating procedures to optimise productivity are consistently documented, implemented, and monitored.		
3.2.1 (C)	The Unit of Certification shall develop and implement Standard Operating Procedures (SOPs) for its production operations aimed at optimising productivity.	Agreed to adopt	
3.2.2	The Unit of Certification's SOPs shall be monitored for consistent implementation. Records of monitoring, and any actions taken, shall be maintained and made available.	Agreed to adopt	
3.3	The Unit of Certification shall conduct a comprehensive assessment of social and environmental impacts prior to development of any new plantings or operations, with a social and environmental management & monitoring plan developed. <i>*National Interpretations should determine any country-specific legal requirements, together with any other issues not required by law but are nevertheless considered important.</i>	The Unit of Certification shall conduct a comprehensive assessment of social and environmental impacts prior to development of any new plantings or operations, with a social and environmental management & monitoring plan developed. Reference: Guidance for Terms of Reference for SEIA is available in Annex 5	Adopt from Guidance for Cri 3.4 of MYNI2019
3.3.1 (C)	In any new plantings or operations including mills, the Unit of Certification shall conduct an independent social and environmental impact assessment (SEIA). The SEIA shall be undertaken through participatory methodology involving the affected stakeholders.	Agreed to adopt	

Principle 3 - RSPO Growers optimise productivity, demonstrate traceability, and create positive impacts		
Criteria / Indicator	Revised Criteria / Indicator (in English)	Reason for changes
3.3.2 (C) The Unit of Certification shall ensure SEIA(s) are available, and social and environmental management & monitoring plans have been developed with the participation of affected stakeholders.	Agreed to adopt	
3.3.3 (C) The Unit of Certification's social and environment management & monitoring plan shall be implemented, reviewed, and updated at least once every two (2) years with the participation of affected communities and relevant stakeholders.	Agreed to adopt	
3.4 The Unit of Certification shall manage land responsibly and adopt Good Agriculture Practices (GAPs), towards optimising FFB yields and productivity. <i>*National Interpretations shall determine national legal requirements and Good Agricultural Practices related to nutrition and nutrient management of oil palms.</i>	The Unit of Certification shall manage land responsibly and adopt Good Agriculture Practices (GAPs), towards optimising FFB yields and productivity. Reference: Guidance for GAP related to nutrition and nutrient management of oil palm is available in Annex 5	Adopted from Annex 3B Cri 3.3 MYNI 2019
3.4.1 The Unit of Certification shall conduct annual estimates of its Fresh Fruit Bunch (FFB) yield potential.	Agreed to adopt	
3.4.2 Changes in soil fertility and plant nutrient levels shall be monitored, documented, and managed.	Changes in soil fertility and plant nutrient levels shall be monitored, documented, and managed, through periodic tissue and soil sampling.	"periodic tissue and soil sampling" adopted from previous MYNI2019 Indicator 7.4.2., for clarity.
3.4.3 Good Agriculture Practices (GAPs), as contained in the Unit of Certification's Standard Operating Procedures (SOPs), shall be followed to manage soil fertility, optimise yields, and minimise environmental impacts.	Agreed to adopt	
3.5 Supply Chain Requirements for Mills (not applicable to medium growers and scheme smallholders) <i>Procedural Note The latest version of the RSPO Supply Chain Certification (SCC) Standard shall be referred to during the auditing of indicators in Criterion 3.5.</i>		

Principle 3 - RSPO Growers optimise productivity, demonstrate traceability, and create positive impacts			
Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
3.5.1 (C)	The Unit of Certification shall record and make available the actual annual production tonnage of RSPO certified crude palm oil (CPO) and palm kernel (PK) at the UoC's mill(s) for the previous year or the previous 12-month period.	Agreed to adopt	
3.5.2 (C)	The Unit of Certification shall record and make available the estimated annual production tonnage of RSPO certified crude palm oil (CPO) and palm kernel (PK) of the UoC's mill(s), based on the documented and recorded mill-specific Oil Extraction Rate (OER) and Kernel Extraction Rate (KER).	Agreed to adopt	
3.5.3 (C)	Documented Procedures - The Unit of Certification shall have complete and up-to-date documented procedures for the implementation of all elements of the RSPO supply chain model (Mass Balance or Identity Preserved) applicable to the UoC's mill(s).	Agreed to adopt	
3.5.4 (C)	Internal Audit - The Unit of Certification shall have a documented procedure to conduct an annual internal audit to determine whether the UoC's mill(s) conforms to the requirements in the RSPO Supply Chain Requirements for Mills (<i>Criterion 3.5</i>) and the 'RSPO Rules on Market Communications and Claims'.	Agreed to adopt	
3.5.5 (C)	Purchasing and Goods In - The Unit of Certification shall monitor the level of FFB sourcing at its mill(s). Monitoring for the UoC's level of FFB sourcing shall include: A) Verification and documentation of the tonnage and sources of certified and non-certified FFBs received; B) Informing the UoC's Certification Body immediately in cases of projected overproduction of certified volume; and C) Process(s)/procedure(s) for the handling and/or documentation of non-conforming FFB.	Agreed to adopt	

Principle 3 - RSPO Growers optimise productivity, demonstrate traceability, and create positive impacts		
Criteria / Indicator	Revised Criteria / Indicator (in English)	Reason for changes
3.5.6 (C) Sales and Goods Out - The Unit of Certification shall ensure that key information necessary for the UoC's RSPO certified palm oil and oil palm products is complete and available in document form.	Agreed to adopt	
3.5.7 (C) Outsourcing Activities - The Unit of Certification shall not outsource milling activities at its mill(s). In cases where the UoC's mill(s) outsource any activities to independent third parties (e.g., subcontractors for storage or transport), the UoC shall ensure that the independent third party complies with the relevant requirements of the RSPO Supply Chain Requirements for Mills (<i>Criterion 3.5</i>).	Agreed to adopt	
3.5.8 (C) Prior to its next audit, the Unit of Certification shall record and make available in advance to its appointed Certification Body the details of all contractors that physically handle the UoC's RSPO certified palm oil and oil palm products.	Agreed to adopt	
3.5.9 (C) Record Keeping - The Unit of Certification shall maintain accurate, complete, up-to-date, and accessible records/reports covering all relevant aspects of the RSPO Supply Chain Certification (SCC) Standard requirements.	Agreed to adopt	

Principle 3 - RSPO Growers optimise productivity, demonstrate traceability, and create positive impacts		
Criteria / Indicator	Revised Criteria / Indicator (in English)	Reason for changes
3.5.10 (C) Processing - For the Identity Preserved supply chain module, the Unit of Certification shall assure and verify through documented procedures and record keeping that RSPO certified palm oil and oil palm products is kept separated from non-certified palm oil and oil palm products at the UoC's mill(s).	<p>Processing - For the Identity Preserved supply chain module, the Unit of Certification shall assure and verify through documented procedures and record keeping that RSPO certified palm oil and oil palm products is kept separated from non-certified palm oil and oil palm products at the UoC's mill(s).</p> <p>A Palm Oil Mill certified under the Identity Preserved (IP) supply chain model may continue to retain its IP certification status when it processes certified smallholder FFB that is transacted under the RSPO Credit (Book & Claim) system, provided that the following conditions are met:</p> <p>1. Segregation Assurance: The smallholders' certified FFB volumes sold under the RSPO Credit system are not included in the IP certified physical output volumes of the mill.</p> <p>2. Traceability & Documentation: The mill maintains complete, transparent, and auditable records that clearly distinguish:</p> <ul style="list-style-type: none"> oCertified FFB processed under the IP system (physically traced back to certified sources), and oCertified FFB processed under the Credit system (for which no physical claim is made). 	<p>Concern regarding the receipt of FFB from RSPO-certified smallholders which credits have been transacted elsewhere.</p>
3.5.11 (C) The Unit of Certification and its mill(s) shall comply to all registration/reporting requirements for the appropriate RSPO supply chain module (Mass Balance or Identity Preserved) through the RSPO Information System.	Agreed to adopt	
3.5.12 (C) The Unit of Certification and its mill(s) shall only make sustainability claims regarding the production of RSPO certified palm oil and oil palm products that are in compliance with the 'RSPO Rules on Market Communications & Claims'.	Agreed to adopt	

Principle 4 - RSPO Growers respect community and human rights, and deliver benefits

Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
4.1	There is a mutually agreed and documented process for dealing with conflict or dispute over land and other resources which is implemented and accepted by all affected parties.		
4.1.1 (C)	In the event there is a conflict or dispute over land and other resources, the Unit of Certification shall have a mutually agreed process, open to all affected parties, that resolves conflict or dispute over land and other resources in an effective, timely, and appropriate manner. The process shall ensure anonymity of complainants, HRDs, community spokespersons, and whistleblowers, where requested, without risk of reprisal or intimidation, and shall follow the latest RSPO policy on respect for Human Rights Defenders.	In the event there is a conflict or dispute over land and other resources, the Unit of Certification shall have a mutually agreed conflict resolution process, open to all affected parties, that resolves conflict or dispute over land and other resources in an effective, timely, and appropriate manner. The process shall ensure anonymity of complainants, HRDs, community spokespersons, and whistleblowers, where requested, without risk of reprisal or intimidation, and shall follow the latest RSPO policy on respect for Human Rights Defenders.	Replace "process" with "Conflict Resolution Process" to be more specific
4.1.2	The process includes the option of access to independent legal and technical advice, the ability for complainants to choose individuals or groups to support them and/or act as observers, as well as the option of a third-party mediator.	The conflict resolution process includes the option of access to independent legal and technical advice, the ability for complainants to choose individuals or groups to support them and/or act as observers, as well as the option of a third-party mediator.	Replace "process" with "Conflict Resolution Process" to be more specific
4.1.3	The process is understood by the affected parties, including by illiterate parties.	The conflict resolution process is understood by the affected parties, including by illiterate parties.	Replace "process" with "Conflict Resolution Process" to be more specific
4.1.4	The Unit of Certification shall keep parties to a conflict or dispute informed of its progress, including against agreed timeframes, and the outcome is available and communicated to relevant stakeholders.	Agreed to adopt	
4.2	The Unit of Certification contributes to local sustainable development as agreed through consultation with local communities.		
4.2.1	Contributions to community development that are based on the results of consultation with local communities shall be demonstrated.	Agreed to adopt	
4.3	Use of the land for oil palm does not diminish the legal, customary, or user rights of other users without their Free, Prior and Informed Consent.		
4.3.1 (C)	Documents showing legal ownership or lease, or authorised use of customary land authorised by customary landowners through a Free, Prior and Informed (FPIC) process. Documents related to the history of land tenure and the actual legal or customary use of the land are available.	Agreed to adopt	

Principle 4 - RSPO Growers respect community and human rights, and deliver benefits

Criteria / Indicator	Revised Criteria / Indicator (in English)	Reason for changes
<p>4.3.2 Copies of documents evidencing agreement-making processes and negotiated agreements detailing the FPIC process are available and include:</p> <p>A) Evidence that a plan has been developed through consultation and discussion in good faith with all affected groups in the communities, with particular assurance that vulnerable, minorities' and gender groups are consulted, and that information has been provided to all affected groups, including information on the steps that are taken to involve them in decision making;</p> <p>B) Evidence that the Unit of Certification has respected communities' decisions to give or withhold their consent to the operation at the time that these decisions were taken; and</p> <p>C) Evidence that the legal, economic, environmental, and social implications of permitting operations on their land have been understood and accepted by affected communities, including the implications for the legal status of their land at the expiry of the Unit of Certification's title, concession, or lease on the land.</p>	<p>Agreed to adopt</p> <p>To add a Guidance on Criteria 4.3 - refer to Annex 5</p>	<p>Adopt MYNI 2019 Annex Cri 4.4) - Change FPIC 2015 to 2022 and Annex 6 of MYNI 2019</p>
<p>4.3.3 (C) Maps of an appropriate scale showing the extent of recognised legal, customary, or user rights are developed through participatory mapping involving affected parties (including neighbouring communities where applicable, and relevant authorities).</p>	<p>Agreed to adopt</p>	
<p>4.3.4 All relevant information is available in appropriate forms and languages, including assessments of impacts, proposed benefit sharing, and legal arrangements.</p>	<p>Agreed to adopt</p>	
<p>4.3.5 (C) Evidence is available to show that communities are represented through institutions or representatives of their own choosing, including by legal counsel if they so choose.</p>	<p>Agreed to adopt</p>	
<p>4.3.6 There is evidence that implementation of agreements negotiated through FPIC is annually reviewed in consultation with affected parties.</p>	<p>Agreed to adopt</p>	
<p>4.4 No new plantings are established on local peoples' land where it can be demonstrated that there are legal, customary, or user rights, without their FPIC. This is dealt with through a documented system that enables these and other stakeholders to express their views through their own representative institutions.</p>		

Principle 4 - RSPO Growers respect community and human rights, and deliver benefits

Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
4.4.1 (C)	Documents showing identification and assessment of demonstrable legal, customary, and user rights are available.	Agreed to adopt	
4.4.2 (C)	FPIC is obtained for all oil palm development through a comprehensive process, including in particular, full respect for their legal and customary rights to the territories, lands, and resources via local communities' own representative institutions, with all the relevant information and documents made available, with option of resourced access to independent advice through a documented, long-term and two-way process of consultation and negotiation.	Agreed to adopt	
4.4.3	Evidence is available that affected local peoples understand they have the right to say 'no' to operations planned on their lands before and during initial discussions, during the stage of information gathering and associated consultations, during negotiations, and up until an agreement with the Unit of Certification is signed and ratified by these local peoples. Negotiated agreements are non-coercive and entered into voluntarily and carried out prior to new operations.	Agreed to adopt	
4.4.4	To ensure local food and water security, as part of the FPIC process, participatory SEIA, and participatory land-use planning with local peoples, the full range of food and water provisioning options are considered. There is transparency of the land allocation process.	Agreed to adopt	
4.4.5	Evidence is available that the affected communities and rights holders have had the option to access information and advice that is independent of the project proponent, concerning the legal, economic, environmental, and social implications of the proposed operations on their lands.	Agreed to adopt	
4.4.6	Evidence is available that the communities (or their representatives) gave consent to the initial planning phases of the operations prior to the issuance of a new concession or land title to the operator.	Agreed to adopt	
4.4.7	New lands will not be acquired for plantations and mills after 15 November 2018 as a result of recent (2005 or later) expropriations in the national interest without consent (eminent domain), except in cases of smallholders benefitting from agrarian reform or anti-drug programmes.	Agreed to adopt	

Principle 4 - RSPO Growers respect community and human rights, and deliver benefits			
Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
4.4.8 (C)	New lands are not acquired in areas inhabited by communities in voluntary isolation.	Agreed to adopt	
4.5	Any negotiations concerning compensation for loss of legal, customary, or user rights are dealt with through a documented system that enables indigenous peoples, local communities, and other stakeholders to express their views through their own representative institutions.		
4.5.1 (C)	The Unit of Certification shall develop a mutually agreed procedure for identifying legal, customary, or user rights, and ensure that a procedure for identifying people entitled to compensation is in place.	Where applicable, the Unit of Certification shall develop a mutually agreed procedure for identifying legal, customary, or user rights, and ensure that a procedure for identifying people entitled to compensation is in place.	To emphasize that the Indicator applies only where there is a requirement for compensation.
4.5.2 (C)	The Unit of Certification shall develop a mutually agreed procedure for calculating and distributing fair and gender-equal compensation (monetary or otherwise) is established and implemented, monitored, and evaluated in a participatory way, and corrective actions taken as a result of this evaluation.	Agreed to adopt	
4.5.3	The Unit of Certification shall provide evidence that equal opportunities are provided to both men and women to hold land titles for small holdings.	The Unit of Certification shall provide evidence that equal opportunities are provided to both men and women to hold land titles for scheme small holdings.	Align with previous MYNI 2019
4.5.4	The Unit of Certification shall document the process and outcomes of any negotiated agreements, compensation, and payments, with evidence of the participation of affected parties, and made publicly available to them.	Agreed to adopt	
4.6	Where it can be demonstrated that local peoples have legal, customary, or user rights, they are compensated for any agreed land acquisitions and relinquishment of rights, subject to their FPIC and negotiated agreements.		
4.6.1 (C)	The Unit of Certification shall ensure that a mutually agreed procedure for identifying people entitled to compensation is in place.	Where applicable, the Unit of Certification shall ensure that a mutually agreed procedure for identifying people entitled to compensation is in place.	To emphasize that the Indicator applies only where there is a requirement for compensation.

Principle 4 - RSPO Growers respect community and human rights, and deliver benefits

Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
4.6.2 (C)	The Unit of Certification shall ensure that a mutually agreed procedure for calculating and distributing fair compensation (monetary or otherwise) is in place and documented and made available to affected parties.	Where applicable , the Unit of Certification shall ensure that a mutually agreed procedure for calculating and distributing fair compensation (monetary or otherwise) is in place and documented and made available to affected parties.	To emphasize that the Indicator applies only where there is a requirement for compensation.
4.6.3	The Unit of Certification shall ensure that communities that have lost access and rights to land for plantation expansion are given opportunities to benefit from plantation development.	Agreed to adopt	
4.7	The right to use the land is demonstrated and is not legitimately contested by local people who can demonstrate that they have legal, customary, or user rights.		
4.7.1	Where there are or have been disputes, the Unit of Certification shall provide proof of legal acquisition of title and evidence that mutually agreed compensation has been made to all people who held legal, customary, or user rights at the time of acquisition, and provided to parties to a dispute, and that any compensation was accepted following a documented process of FPIC.	Agreed to adopt	
4.7.2 (C)	The Unit of Certification shall ensure that land conflict is not present in its area. Where land conflict exists, the UoC ensures that acceptable conflict resolution processes (<i>Refer to Criteria 4.1 and 4.5</i>) are implemented and accepted by the parties involved. In the case of newly acquired plantations, the UoC addresses any unresolved conflict through appropriate conflict resolution mechanisms.	Agreed to adopt	
4.7.3	Where there is evidence of acquisition through dispossession or forced abandonment of customary and user rights prior to the current operations and there remain parties with demonstrable customary and land use rights, the Unit of Certification ensures that these claims are settled using the relevant requirements (<i>Refer to Indicators 4.3.2, 4.3.3 and 4.3.4</i>).	Agreed to adopt	
4.7.4	For any conflict or dispute over the land, the Unit of Certification shall ensure that the extent of the disputed area is mapped out in a participatory way with involvement of affected parties (including neighbouring communities, where applicable).	Agreed to adopt	

Principle 5 - RSPO Growers support and provide opportunities for smallholder inclusion			
Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
5.1	The Unit of Certification shall engage and trade with interested smallholders in a fair and transparent way. Smallholder inclusion in the UoC's RSPO certified supply chain should be strengthened.		
5.1.1 (C)	<p>The Unit of Certification shall develop and implement process(es) /procedure(s) to conduct fairly and transparently with all smallholders, including interested RSPO certified independent smallholders.</p> <p>The process(es)/procedure(s) shall include: A) Current and historical prices paid for FFB supplied to the UoC's mill(s), publicly available or upon request; B) Transparent and clear explanation of the UoC's FFB supply pricing mechanism (if requested); C) Fair pricing, including premium FFB pricing (where applicable); D) Mutual agreement of terms, schedule of activities, budget, beneficiaries, characterisation of the producers, and timeframe of payments for FFB supplied; and E) Annual inspection and verification of the UoC's FFB weighing scale by an appropriate independent third party or a government authority.</p>	<p>The Unit of Certification shall develop and implement process (es)/procedure(s) to conduct fairly and transparently with all smallholders, including interested RSPO certified independent smallholders.</p> <p>The process(es)/procedure(s) shall include: A) Current and historical prices paid for FFB supplied to the UoC's mill(s), publicly available or upon request; B) Transparent and clear explanation of the UoC's FFB supply pricing mechanism (if requested); C) Fair pricing, including premium FFB pricing (where applicable), following the dynamic premium pricing from Buyer D) Mutual agreement of terms, schedule of activities, budget, beneficiaries, characterisation of the producers, and timeframe of payments for FFB supplied; and E) Annual inspection and verification of the UoC's FFB weighing scale by an appropriate independent third party or a government authority.</p>	Added explanation on FFB pricing - following dynamic premium pricing from Buyer.
5.1.2 (C)	Where there is a contractual agreement(s) between the Unit of Certification and smallholder(s) for FFB supply, the UoC shall provide evidence that such contractual agreement(s) are mutually agreed through a fair and transparent process.	Agreed to adopt	

Principle 5 - RSPO Growers support and provide opportunities for smallholder inclusion			
Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
5.1.3 (C)	<p>Where there is a contractual agreement(s) between the Unit of Certification and smallholder(s) for FFB supply, evidence shall be demonstrated that smallholder(s) understand key terms of such contractual agreement(s), and received payments in accordance with terms stated within.</p> <p>The evidence shall specify, at a minimum: A) Date of receipt/documentation; B) Price per unit of FFB supplied and timeline for payment; C) Weight of FFB supplied; D) Deductions (if any); and E) Total price paid by the UoC for FFB supplied.</p>	Agreed to adopt	
5.1.4 (C)	<p>To support smallholder inclusion and to strengthen downstream traceability, the Unit of Certification shall actively engage, consult, and provide opportunities for all smallholders to access the UoC's RSPO certified supply chain where feasible, including interested RSPO certified independent smallholders.</p> <p>Where potential smallholder partnership or collaboration opportunities is identified and is feasible, the UoC shall develop mutually agreed terms or agreement(s) that specify:</p> <p>For non-RSPO certified independent smallholder groups A) Management of the RSPO certification process; B) Roles and responsibilities of the UoC and smallholders for operating the internal control system (ICS); and C) Certificate ownership.</p> <p>For RSPO certified independent smallholder groups A) Distribution, handling, and marketing of physical certified FFB, where possible.</p>	<p>To support smallholder inclusion and to strengthen downstream traceability, the Unit of Certification shall annually engage, consult, or provide opportunities for all smallholders to access the UoC's RSPO certified supply chain where feasible, including interested RSPO certified independent smallholders.</p> <p>Where potential smallholder partnership or collaboration opportunities is identified and is feasible, the UoC shall develop mutually agreed terms or agreement(s) that specify:</p> <p>For non-RSPO certified independent smallholder groups A) Management of the RSPO certification process; B) Roles and responsibilities of the UoC and smallholders for operating the internal control system (ICS); and C) Certificate ownership.</p> <p>For RSPO certified independent smallholder groups A) Distribution, handling, and marketing of physical certified FFB, where possible.</p>	"actively" changed to "annually" and "and" changed to "or" for clarity & more specific.
5.2	The Unit of Certification shall support interested smallholders within its supply base to develop, operate, and improve their livelihoods; in particular interested certified independent smallholders.		

Principle 5 - RSPO Growers support and provide opportunities for smallholder inclusion		
Criteria / Indicator	Revised Criteria / Indicator (in English)	Reason for changes
<p>5.2.1</p> <p>In collaboration with interested smallholders within its supply base, the Unit of Certification shall develop, implement, and review annually a smallholder support plan to improve agricultural practices.</p> <p>The plan shall include, at a minimum: A) Training on sustainable agricultural practices; B) Support to enhance legality of smallholder FFB production; and C) Support to identify geolocation of FFB origins.</p>	<p>In collaboration with interested smallholders (if any) within its supply base, the Unit of Certification shall develop, implement, and review annually a smallholder support plan to improve agricultural practices.</p> <p>The plan shall include, at a minimum: A) Training on sustainable agricultural practices; B) Support to enhance legality of smallholder FFB production; and C) Support to identify geolocation of FFB origins.</p>	<p>To be more specific, this will only be carried out if there are any interested smallholders</p>
<p>5.2.2</p> <p>The Unit of Certification shall ensure that interested smallholders participating in its smallholder support plan are trained and can show understanding of key sustainable agricultural practices necessary to increase FFB productivity.</p> <p>The development of training in the plan should prioritise training(s) relevant to RSPO, aligned with the requirements/guidance of RSPO Principles and Criteria 2024, as appropriate topics and goals for smallholders.</p>	<p>The Unit of Certification shall ensure that interested smallholders participating in its smallholder support plan (if any) are trained and can show understanding of key sustainable agricultural practices necessary to increase FFB productivity.</p> <p>The development of training in the plan should prioritise training (s) relevant to RSPO, aligned with the requirements/guidance of RSPO Principles and Criteria 2024, as appropriate topics and goals for smallholders.</p>	
<p>5.2.3</p> <p>The Unit of Certification shall identify potential opportunities and implement additional activities that contribute to livelihood improvement of smallholders within its supply base. Development and implementation of the activities shall take into consideration results of participatory consultations conducted with such smallholders.</p>	<p>The Unit of Certification shall identify potential opportunities and implement additional activities that contribute to livelihood improvement of smallholders within its supply base (where applicable). Development and implementation of the activities shall take into consideration results of participatory consultations conducted with such smallholders.</p>	

Principle 6 - RSPO Growers respect workers' rights and working conditions			
Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
6.1	All forms of discrimination are prohibited against all Workers.		
6.1.1 (C)	The Unit of Certification shall establish and implement a non-discrimination policy which is applicable to recruitment, hiring, work scope, pay, and benefits, and access to training, promotion, facilities, and work equipment. This policy shall be Publicly Available and socialised to the Workforce and Contractors.	Agreed to adopt	
6.1.2 (C)	The Unit of Certification shall provide equal opportunities to all workers.	<p>The Unit of Certification shall provide equal opportunities to all workers.</p> <p>To add Guidance - refer to Annex 5 Guidance for Ind 6.1.2.</p>	Guidance to adopt Indicator 6.1.3 of MYNI 2019
6.1.3	The Unit of Certification shall ensure that all workers receive remuneration for work of equal value and evaluation, which is based on both their experience and the quality of their work.	Agreed to adopt	
6.2	Working conditions for all Workers shall meet at least legal or industry standards.		
6.2.1 (C)	The Unit of Certification shall establish and implement procedure(s) for recruitment, selection, hiring, promotion, retirement, suspension, and termination. The procedure(s) shall be documented, and socialised to all workers. The document shall be made available upon request.	Agreed to adopt	

Principle 6 - RSPO Growers respect workers' rights and working conditions			
Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
6.2.2 (C)	<p>The Unit of Certification shall ensure that:</p> <p>A) Employment contracts shall set out the terms and conditions of employment in compliance with national legal requirements or any collective bargaining agreement (if applicable). The terms and conditions shall include pay, regular working hours, deductions, overtime, sick leave, leave entitlement, maternity leave, reasons for dismissal, repatriation (if applicable), and termination notice.</p> <p>B) The terms and conditions of the employment contract, or collective bargaining agreement, along with applicable labour laws, shall be made available and explained to workers in a language they understand prior to signing of the contract. The UoC shall acquire acknowledgment from the workers regarding their understanding of the terms and conditions of employment.</p> <p>C) A copy of the employment contract shall be given to the workers.</p> <p>D) There shall be no contract substitution. If national regulations require more than one contract to be signed by workers, the higher standard or provisions will apply.</p> <p>E) Any amendments to the employment contract shall be agreed to by the Worker. This does not include the terms and conditions in the collective bargaining agreement, if applicable.</p>	<p>The Unit of Certification shall ensure that:</p> <p>A) Employment contracts shall set out the terms and conditions of employment in compliance with national legal requirements or any collective bargaining agreement (if applicable). The terms and conditions shall include pay, regular working hours, deductions, overtime, sick leave, leave entitlement, maternity leave, reasons for dismissal, repatriation (if applicable), and termination notice.</p> <p>B) The terms and conditions of the employment contract, or collective bargaining agreement, along with applicable labour laws, shall be made available and explained to workers in a language they understand prior to signing of the contract. The UoC shall acquire acknowledgment from the workers regarding their understanding of the terms and conditions of employment.</p> <p>C) A copy of the employment contract shall be given to the workers.</p> <p>D) There shall be no contract substitution. If national regulations require more than one contract to be signed by workers, the higher standard or provisions will apply.</p> <p>E) Any amendments to the employment contract shall be agreed to by the Worker. This does not include the terms and conditions in the collective bargaining agreement, if applicable.</p>	Typo (Certification)
6.2.3	The Unit of Certification shall demonstrate that the International Migrant Workers signed the UoC's employment contract in the country where they were hired.	Agreed to adopt.	

Principle 6 - RSPO Growers respect workers' rights and working conditions			
Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
6.2.4	<p>The Unit of Certification shall maintain a worker register for up to five years from the date of workers' resignation or termination of employment, or as determined by national regulation.</p> <p>Records of remediation for cases of forced labour, trafficking in persons, and repayment of recruitment fees (where applicable) shall be kept for up to five years from the date of worker's resignation or termination of employment.</p>	<p>The Unit of Certification shall maintain a worker register for up to five years from the date of workers' resignation or termination of employment, or as determined by national regulation.</p> <p>Records of remediation for cases of forced labour, trafficking in persons, and repayment of recruitment fees (where applicable) shall be kept for up to five years from the date of worker's resignation or termination of employment.</p> <p>To add in Guidance: "Applicable upon endorsement of P&C 2024 and will not have a retrospective effect" - refer to Annex 5</p>	For clarity
6.2.5	<p>Permanent, full-time employment is used for all Core Work in the Unit of Certification.</p> <p>Casual and short-term workers who are rehired for more than three successive times shall be provided the opportunity to become permanent full-time workers on the fourth rehiring.</p>	<p>Permanent, full-time employment including contractors' workers and contracted workers, is used for all Core Work in the Unit of Certification.</p> <p>Casual and short-term workers who are rehired for more than three successive times shall be provided the opportunity to become permanent full-time workers on the fourth rehiring.</p>	Adopt MYNI 2019 Indicator 6.2.7
6.2.6 (C)	<p>The Unit of Certification shall ensure that:</p> <p>A) All Workers are paid and provided with payslips in accordance with the terms of their employment contracts (monthly, weekly, daily, or piece rate, as relevant).</p> <p>B) The details on the payslips, including the calculation of wages and lawful deductions, are clearly explained to the Workers in a language they understand.</p> <p>C) Records are maintained for each and every type of Worker, detailing hours worked (both regular and overtime), the calculation of wages and lawful deductions, and the actual wages paid.</p> <p>D) Where several members of a family are employed by the UoC, each family member shall have separate payslips. The wages earned shall be reflected in their individual payslips.</p>	<p>The Unit of Certification shall ensure that:</p> <p>A) All Workers are paid and provided with payslips in accordance with the terms of their employment contracts (monthly, weekly, daily, or piece rate, as relevant).</p> <p>B) The details on the payslips, including the calculation of wages and lawful deductions, are clearly explained to the Workers in a language they understand.</p> <p>C) Records are maintained for each and every type of Worker, detailing hours worked (both regular and overtime), the calculation of wages and lawful deductions, and the actual wages paid. For daily rated worker: as per working hours For piece rated workers: as per productivity</p> <p>D) Where several members of a family are employed by the UoC, each family member shall have separate payslips. The wages earned shall be reflected in their individual payslips.</p>	For clarity

Principle 6 - RSPO Growers respect workers' rights and working conditions

Criteria / Indicator	Revised Criteria / Indicator (in English)	Reason for changes
<p>6.2.7 (C) The Unit of Certification shall ensure that:</p> <p>A) Piece-rate wages are not less than the legal piece-rate minimum wage, or the rate specified in the Collective Bargaining Agreement (CBA), as applicable. Where there is no legal minimum or CBA piece-rate wage, wages shall be calculated proportionately and not less than the legal minimum wage or the CBA wage. Work targets shall be achievable within regular working hours.</p> <p>B) Overtime wage rate is not less than the national legal overtime rate or the rate specified in the Collective Bargaining Agreement (CBA), as applicable. Where legal and CBA rates are not available, the overtime wage rate shall not be less than one-and-one-quarter times the regular wage rate.</p> <p>C) Where a work day is curtailed due to workplace injuries, a full day's wage is paid to the affected Worker (regardless of worker type) or as per the legal or Collective Bargaining Agreement (CBA) provision. Workplace injuries refer to injuries caused by work-related accidents.</p>	<p>The Unit of Certification shall ensure that:</p> <p>A) Piece-rate wages are not less than the legal minimum wage, or the rate specified in the Collective Bargaining Agreement (CBA), as applicable. Where there is no legal minimum or CBA piece-rate wage, wages shall be calculated proportionately and not less than the legal minimum wage or the CBA wage. Work targets shall be achievable within regular working hours.</p> <p>B) Overtime wage rate is not less than the national legal overtime rate or the rate specified in the Collective Bargaining Agreement (CBA), as applicable. Where legal and CBA rates are not available, the overtime wage rate shall not be less than one-and-one-quarter times the regular wage rate.</p> <p>C) Where a work day is curtailed due to workplace injuries, a full day's wage is paid to the affected Worker (regardless of worker type) or as per the legal or Collective Bargaining Agreement (CBA) provision. Workplace injuries refer to injuries caused by work-related accidents.</p>	<p>legal piece-rate minimum wage is not an accurate term</p>

Principle 6 - RSPO Growers respect workers' rights and working conditions			
Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
6.2.8 (C)	<p>The Unit of Certification shall provide for Workers living within the Unit of Certification housing that ensures:</p> <p>A) Structural safety; B) At least minimum space per worker; C) Sewage and garbage disposal; D) Supply of water, including water that is safe to drink; E) Supply of electricity; F) Sanitary, washing, and cooking facilities; and G) Appropriate protection against weather elements</p> <p>The UoC shall ensure workers, and their families (if applicable), have access to healthcare, education (for workers' children), and welfare amenities. The facilities and amenities provided shall comply with applicable national and/or international law requirements.</p> <p>In cases of acquisitions of non-certified supply base by the UoC, a plan shall be developed detailing the upgrade of infrastructure, if necessary. The plan shall be implemented within 5 years from when FFB production starts and the UoC shall review the plan annually. The plan shall meet applicable national and/or international law requirements.</p>	<p>The Unit of Certification shall provide for Workers living within the Unit of Certification housing in accordance to Workers' Minimum Standards of Housing and Amenities Act 1990, Sabah Labour Ordinance and Sarawak Labour Ordinance.</p> <p>The UoC shall ensure workers, and their families (if applicable), have access to healthcare, education (for workers' children), and welfare amenities.</p> <p>In cases of acquisitions of non-certified supply base by the UoC, a plan shall be developed detailing the upgrade of infrastructure, if necessary. The plan shall be implemented within 5 years from the date of acquisition or when FFB production starts, whichever comes later and the UoC shall review the plan annually. The plan shall meet applicable national and/or international law requirements.</p>	<p>Items A to G in P&C generic are already embedded in Act 446.</p> <p>Added Sabah & Sarawak Labour Ordinance as agreed in 4th TF meeting.</p>
6.2.9	The Unit of Certification shall ensure workers have access to safe, sufficient, and affordable food.	Agreed to adopt	
6.3	Living Wage shall be paid to all workers, progressively		

Principle 6 - RSPO Growers respect workers' rights and working conditions			
Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
6.3.1 (C)	<p>Aligned with the Revised RSPO Living Wage Strategy 2023, Living Wage shall be paid to all workers.</p> <p>The Unit of Certification shall calculate prevailing wages annually in accordance with 'RSPO Prevailing Wage Calculation Procedure'.</p> <p><u>Procedural Note</u> <i>The Unit of Certification shall use the existing 'RSPO Guidance on Calculating Prevailing Wages' until the 'RSPO Prevailing Wage Calculation Procedure' is available. Revised RSPO Living Wage Strategy 2023 has 3 key steps:</i> <i>Step One: Calculate prevailing wage</i> <i>Step Two: Identify Living Wage gaps.</i> <i>Step Three: Verify and close Living Wage gaps.</i></p>	<p>Aligned with the Revised RSPO Living Wage Strategy 2023, Living Wage shall be paid to all workers.</p> <p>The Unit of Certification shall calculate prevailing wages annually in accordance with 'RSPO Prevailing Wage Calculation Procedure'.</p> <p><u>Procedural Note</u> The Unit of Certification shall demonstrate knowledge and proficiency to calculate the prevailing wages until the 'RSPO Prevailing Wage Calculation Procedure' is available. Revised RSPO Living Wage Strategy 2023 has 3 key steps: Step One: Calculate prevailing wage Step Two: Identify Living Wage gaps. Step Three: Verify and close Living Wage gaps.</p>	Reverted to Version 2.0 (agreed during 2nd TF meeting)
6.4	The Unit of Certification shall respect the rights of all Workers to form and join trade unions, associations of their choice, or Worker Organisations with their own representatives to bargain collectively. Where the right to freedom of association and collective bargaining is restricted under law, the employer facilitates a parallel means of independent and free association and bargaining for all Workers through representatives of their choice.		
6.4.1 (C)	The Unit of Certification shall establish and implement a policy recognising freedom of association, the right to collective bargaining, and Collective Bargaining Agreements (CBA), where available. This policy shall be made Publicly Available.	Agreed to adopt	
6.4.2	<p>The Unit of Certification shall allow nomination, formation, functioning, and administration of Workers' Organisations and registered trade unions free from interference. Workers that participate in such organisations shall be protected against discrimination, retaliation, and intimidation or harassment (including threats) such as penalties or repercussion.</p> <p>The UoC shall provide facilities free of charge within its premises for workers to engage with each other and their representatives.</p>	Agreed to adopt	

Principle 6 - RSPO Growers respect workers' rights and working conditions			
Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
6.4.3	The Unit of Certification shall document the minutes of meetings between the UoC and trade unions or workers' representatives. These minutes of meetings shall be accessible upon request, and shall be explained in language(s) the workers understand. The actions agreed upon at these meetings shall be implemented and status of actions is updated.	Agreed to adopt	
6.5	There is no use of Child Labour		
6.5.1 (C)	The Unit of Certification shall establish and implement a policy for the protection of children, and the prohibition and remediation for child labour. The policy shall be made Publicly Available. The UoC shall socialise this policy and the negative effects of child labour to the Workforce, Contractors, Suppliers, and any other relevant stakeholders, in a language that they understand.	Agreed to adopt	
6.5.2 (C)	For non-hazardous work, the Unit of Certification is permitted to employ young workers from the age of 15, following the national minimum age or the company policy's minimum age, whichever is higher. The work shall not interfere with schooling nor be harmful to their health or development. Young workers shall be paid and provided individual payslips.	Agreed to adopt	
6.5.3 (C)	The Unit of Certification shall document and implement an age screening verification procedure. In the event child labour is found, the UoC shall conduct remediation as guided by the latest version of the 'RSPO Guidance on Child Rights for Palm Oil Producers'.	The Unit of Certification shall document and implement an age screening verification procedure. In the event child labour is found, the UoC shall conduct remediation as guided by the latest version of the 'RSPO Guidance on Child Rights for Palm Oil Producers'. To add Guidance - refer to Annex 5	adopt MYNI 2019 Guidance for Cri 6.4
6.6	All forms of intimidation, harassment, abuse, or violence in the workplace are prevented, mitigated, and addressed.		

Principle 6 - RSPO Growers respect workers' rights and working conditions		
Criteria / Indicator	Revised Criteria / Indicator (in English)	Reason for changes
6.6.1 (C) The Unit of Certification shall establish and implement a policy for prohibiting all forms of intimidation and harassment (including threats), sexual harassment, abuse, and violence. There shall be procedures for investigation, disciplinary actions/sanctions, and remediation. The policy shall be made publicly available and socialised to Workforce, suppliers, and Contractors in a language that they understand.	Agreed to adopt	
6.7 Rights of women workers are respected and promoted and where violations are found, women shall be provided access to remediation.		
6.7.1 (C) The Unit of Certification shall establish and implement a policy to protect the rights of women Workers (e.g., reproductive rights, maternal health, women's safety). The policy shall be made publicly available and socialised to the Workforce in a language that they understand.	Agreed to adopt	
6.7.2 (C) The Unit of Certification shall facilitate the formation of a Womens' Welfare and Empowerment Committee of women workers to discuss matters such as, but not limited to, those related to discrimination, safety, grievances, or workplace issues. The Womens' Welfare and Empowerment Committee shall be permitted to decide the frequency of meetings. Meetings shall be conducted in a language that is understood or spoken by its members. The UoC shall provide a safe and secure meeting place. The Unit of Certification shall respond to any issues presented by the Women's Welfare and Empowerment Committee. Any actions taken shall be documented. Where no action is taken, the UoC shall record its reasons.	Agreed to adopt	
6.7.3 (C) No work with hazardous chemicals is undertaken by pregnant or breastfeeding women workers. The Unit of Certification shall provide safe alternative work with equivalent pay to the identified women workers. Pregnancy tests shall be provided when legally mandated and with the women workers' consent.	Agreed to adopt	

Principle 6 - RSPO Growers respect workers' rights and working conditions			
Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
6.7.4	The Unit of Certification shall assess the medical and maternity needs of expectant and new mothers in consultation with them, and actions shall be taken to address the needs that have been identified.	The Unit of Certification shall assess the medical and maternity needs of expectant and new mothers in consultation with them, and actions shall be taken to address the needs that have been identified. To add Guidance on definition of new mothers, in Annex 5	Adopt from MYNI 2019 Guidance for Ind 6.5.3
6.8	Forced Labour and Trafficking in persons is prohibited. Prevention and remediation procedures are in place. <i>*National Interpretations shall include information on national regulations governing recruitment fees and related costs, where applicable.</i>	To remove NI	Recruitment fees and related costs already captured in 6.8.3
6.8.1 (C)	The Unit of Certification shall develop and implement policies and procedures on the prevention and remediation of Forced Labour and trafficking in persons; reference is made to International Labour Organisation (ILO)'s Indicators of Forced Labour. The policies and procedures shall be made Publicly Available and socialised to the Workforce, Suppliers, and Contractors in a language that they understand. Where migrant workers are employed, specific labour procedures shall be established and implemented. Where third party labour recruiters are used, the Unit of Certification shall conduct an evaluation of them against Indicator 6.8.1 (C).	The Unit of Certification shall develop and implement policies and procedures on the prevention and remediation of Forced Labour and trafficking in persons; reference is made to International Labour Organisation (ILO)'s Indicators of Forced Labour. The policies and procedures shall be made Publicly Available and socialised to the Workforce, Suppliers, and Contractors in a language that they understand. Where migrant workers are employed, specific labour procedures shall be established and implemented. Where third party labour recruiters are used, the Unit of Certification shall conduct an evaluation of them against Unit of Certification's policies and procedures, aligned with ILO indicators of Forced Labour.	Sentence refinement

Principle 6 - RSPO Growers respect workers' rights and working conditions		
Criteria / Indicator	Revised Criteria / Indicator (in English)	Reason for changes
<p>6.8.2 (C) The Unit of Certification shall ensure that there is no debt bondage, withholding of wages, or collection of any payments directly or indirectly, including through deductions from wages and/or benefits.</p> <p>This includes, but is not limited to, the following: A) Wage deductions due to inability to meet unachievable work targets; B) Allowing wage arrears to accumulate due to delayed payment (beyond the payment date agreed in the employment contracts) or non-payment of wages; C) Deception in the calculation and payment of wages, including unlawful wage deductions; D) Requiring workers to pay deposits to the Unit of Certification; E) Wage advances and loans (and related interest rates) which exceed the limits prescribed by law; and F) Recruitment fees and related costs</p>	<p>Agreed to adopt</p>	
<p>6.8.3 (C) The Unit of Certification shall repay active workers (as of, and from, the adoption date of the RSPO Principles & Criteria 2024) who have paid recruitment fees or related costs.</p>	<p>The Unit of Certification shall repay active workers (as of, and from, the adoption date of the RSPO Principles & Criteria 2024) who have paid recruitment fees or related costs.</p> <p>For companies that have already implemented the repayment of recruitment fees and related costs, the Guidance for Repayment of Recruitment Fees & Related Cost serves as a resource. Where methodologies differ (e.g., if a company has adopted a sampling approach other than what is outlined in this guidance), the Guidance should be viewed as a reference.</p>	<p>Adopt from Draft Guidance for Repayment of Recruitment Fees & Related Cost</p>
<p>6.8.4 (C) Workers' government-issued identity documents and other personal documents shall not be kept by the Unit of Certification. These documents may be handed to the UoC, or those acting on its behalf, for mandatory legal or immigration processing purposes with the consent of the Workers, and shall be returned without undue delay.</p> <p>Secure storage for these documents shall be provided for those workers who are accommodated by the UoC and shall be freely accessible to the Workers.</p>	<p>Agreed to adopt</p>	

Principle 6 - RSPO Growers respect workers' rights and working conditions			
Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
6.8.5 (C)	Workers shall be able to enter or exit the Unit of Certification's work and accommodation premises in accordance with reasonable measures related to health, safety, security, and employment terms.	Agreed to adopt	
6.8.6 (C)	Workers who live on-site shall have access to transport and/or means of communication (e.g., telephones, SIM cards, phone credits). Restriction of transport and/or communication shall not be used as a disciplinary measure.	Agreed to adopt	
6.8.7 (C)	For overtime work, informed consent of the worker shall be obtained. The total working hours shall allow for breaks and rest periods during a working day, as determined by local and/or national laws, including at least 24 consecutive hours of rest in every 7-day period. When work is offered on rest days, informed consent of the worker must be obtained, and they may work for not more than 14 days continuously.	Agreed to adopt	
6.8.8 (C)	Workers shall have the right to enter into, and terminate, their employment. Termination of contract(s) shall be in accordance with their terms of employment. Penalty for termination of employment is prohibited.	Agreed to adopt	
6.9	The Unit of Certification shall implement health and safety practices to protect workers from occupational illness, disease, and injury.		

Principle 6 - RSPO Growers respect workers' rights and working conditions

Criteria / Indicator	Revised Criteria / Indicator (in English)	Reason for changes
<p>6.9.1 (C) The Unit of Certification shall establish and implement Occupational Health and Safety policies. The policies shall be made publicly available and socialised to the Workforce in a language that they understand.</p> <p>The policies shall include provisions that will:</p> <ul style="list-style-type: none">A) Assure a safe and healthy working place;B) Prevent work-related illnesses, diseases, and injuries;C) Create a mechanism for Workers to report and raise health and safety issues, including work related accidents, illnesses, diseases, injuries, and emergencies;D) Comply with applicable national laws and Collective Bargaining Agreements (where applicable);E) Provide access to water that is safe to drink at workplace; andF) Establish roles and responsibilities of the Unit of Certification, Health & Safety Committees, and Workers in relation to health and safety.	Agreed to adopt	

Principle 6 - RSPO Growers respect workers' rights and working conditions

Criteria / Indicator	Revised Criteria / Indicator (in English)	Reason for changes
<p>6.9.2 (C) The Unit of Certification shall establish Health and Safety (H&S) Committees at its mill(s) and estate(s). The H&S Committee shall include members from management, worker representatives, Worker Organisations, and registered trade unions (where applicable). The H&S Committee meetings shall be conducted in a language understood by all members. The UoC shall respond to any issues raised by the H&S Committee. The committee shall meet quarterly.</p> <p>The Unit of Certification shall be responsible for the following matters which are managed through its H&S Committee:</p> <ul style="list-style-type: none"> A) Workplace health and safety issues, including regular worksite safety inspections, training, and continuous improvements; B) Review Hazard Identification, Risk Assessment and Risk Control (HIRARC), in consultation with Health and Safety (H&S) Committees; C) Identification of the necessary controls for the elimination of workplace hazards; D) Identification, safe storage, mixing, and usage of chemicals including pesticides in the workplace, and establishing a documented procedure for the safe storage, handling, mixing, use, and safe disposal of chemicals; E) Continued improvement of the management system to enhance its H&S performance; F) Concerns raised by workers about health, safety, and welfare; and G) Collaborate with the Women's Welfare and Empowerment Committee to address specific health and safety risks for women Workers. 	<p>Agreed to adopt</p>	

Principle 6 - RSPO Growers respect workers' rights and working conditions			
Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
6.9.3 (C)	<p>The Unit of Certification shall conduct hazard identification, risk assessment and risk control (HIRARC) at its mill(s) and estate(s) respectively, to identify health and safety issues including gender-specific impacts (e.g., impact of pesticides on reproductive health, pregnant women, young workers), suitable job-specific Personal Protection Equipment (PPE), and persons with disabilities. The HIRARC shall be conducted by competent personnel* who has been trained in HIRARC assessment. The HIRARC shall be reviewed and approved by an authorised health and safety officer.</p> <p><i>*National Interpretations should identify requirements for competent personnel.</i></p>	<p>The Unit of Certification shall conduct hazard identification, risk assessment and risk control (HIRARC) at its mill(s) and estate(s) respectively, to identify health and safety issues including gender-specific impacts (e.g., impact of pesticides on reproductive health, pregnant women, young workers), suitable job-specific Personal Protection Equipment (PPE), and persons with disabilities. The HIRARC shall be conducted by competent personnel* who has been trained in HIRARC assessment. UoC's management must endorse and approve the HIRARC results.</p> <p>*Competent personnel refers to person possessing adequate qualification, such as suitable training and required knowledge, experience and skill to conduct HIRARC assessment.</p> <p>Reference : Department of Occupational Safety and Health (DOSH) Guidelines for HIRARC 2008</p>	Alignment with Malaysia DOSH Guideline for HIRARC 2008.
6.9.4 (C)	The Unit of Certification shall develop and implement risk mitigation practices and corrective actions (a 'H&S Plan') in consultation with the Health and Safety (H&S) Committees for both its mill(s) and estate(s), based on the UoC's HIRARC. The H&S Plan shall be monitored and reviewed annually.	Agreed to adopt	
6.9.5 (C)	<p>The Unit of Certification shall provide suitable, appropriate, and good conditioned PPE (as determined by the HIRARC assessment) to all workers, free of charge.</p> <p>Workers shall receive training on the importance of proper use and maintenance of essential PPE.</p> <p>Records of the PPE issuance shall be documented and maintained. When there is a need for replacement, it shall be provided free of charge.</p> <p>Sanitation facilities shall be made available for workers applying hazardous chemicals to change out of PPE, wash, and wear their personal clothing. A designated area for washing PPE shall be provided.</p>	Agreed to adopt	

Principle 6 - RSPO Growers respect workers' rights and working conditions			
Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
6.9.6 (C)	The Unit of Certification shall provide training on updated job-specific occupational health and safety procedures to relevant Workers (e.g., operational supervisors), taking into account gender-specific needs, in a form and language that they understand. The UoC shall conduct assessment of the training conducted, and records of assessment and training shall be maintained.	Agreed to adopt	
6.9.7	The Unit of Certification shall assign personnel trained in first aid to all operations. Workers shall have access to first aid kits at all times.	Agreed to adopt	
6.9.8	<p>The Unit of Certification shall establish an Emergency Response Procedure (ERP) in accordance with the risk assessment conducted by the UoC. The ERP shall be made available and socialised to the Workforce in a language that they understand.</p> <p>The ERP shall include:</p> <p>A) Establishment of an Emergency Response Team (ERT) trained in first aid to provide emergency response in all operations;</p> <p>B) Contact details of personnel responsible for emergencies;</p> <p>C) Contact details and address of nearest medical facilities (e.g., dispensaries, medical practitioners); and</p> <p>D) Safety drills (e.g., fire evacuation)</p> <p>The ERP shall be reviewed annually, and results of the review shall be documented.</p>	Agreed to adopt	
6.9.9 (C)	The Unit of Certification shall provide annual medical surveillance for Workers handling hazardous chemicals, free of charge. Actions to treat related health conditions shall be documented.	<p>The Unit of Certification shall provide annual medical surveillance for Workers handling hazardous chemicals*, free of charge. Actions to treat related health conditions shall be documented.</p> <p>*Reference shall be made to CHRA (Chemical Health Risk Assessment).</p>	For clarity
6.9.10	The Unit of Certification shall record occupational injuries and illnesses using Lost Time Incidents (LTI) metrics. Processes to investigate work-related incidents shall be developed and implemented. Reports of the investigation shall be documented.	Agreed to adopt	

Principle 6 - RSPO Growers respect workers' rights and working conditions			
Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
6.9.11	The Unit of Certification shall provide all workers with medical care and be covered by accident insurance. Costs incurred from work-related incidents leading to illness, disease, or injury are covered in accordance with national law or by the UoC where national law does not offer protection.	Agreed to adopt	
6.9.12 (C)	The Unit of Certification shall ensure that only trained workers handle, use, or apply chemicals in accordance with the manufacturers' or suppliers' instructions and precautions. Personnel handling, using, or applying chemicals must demonstrate up-to-date understanding and knowledge related to their assigned tasks.	<p>The Unit of Certification shall ensure that only trained workers handle, use, or apply chemicals in accordance with the manufacturers' or suppliers' instructions and precautions*.</p> <p>Personnel handling, using, or applying chemicals must demonstrate up-to-date understanding and knowledge related to their assigned tasks.</p> <p>*Reference shall be made to respective chemical's Safety Data Sheet (SDS).</p>	For clarity

Principle 7 - RSPO Growers protect, conserve, and enhance ecosystems as responsible environmental stewards			
Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
7.1	<p>The Unit of Certification shall practise Integrated Pest Management to effectively manage pests, diseases, weeds and invasive introduced species.</p> <p><i>*National Interpretations shall determine any nationally regulated and/or industrial specific controls, measures, best practices, and thresholds. This may include:</i></p> <p><i>A) Prohibited chemical pesticides;</i></p> <p><i>B) Controlled chemical pesticides;</i></p> <p><i>C) Use of biological control agents;</i></p> <p><i>D) Prophylactic use;</i></p> <p><i>E) Aerial spraying; and</i></p> <p><i>F) Medical surveillance.</i></p>	<p>To add Guidance - Pesticides Act 1974(Act 149), Pesticides (Highly Toxic Pesticide) Regulation 1996 describes the protocol for handling and use of highly toxic pesticides. Justification of the use of such pesticides will be included in the RSPO public summary audit report.</p>	adopt Guidance 7.2.5 of MYNI2019
7.1.1 (C)	The Unit of Certification shall develop and implement an Integrated Pest Management (IPM) plan to mitigate negative impacts of unsustainable pest management methods on the environment and human health.	Agreed to adopt	
7.1.2 (C)	<p>Restricted and hazardous pesticides that endanger the health of workers, families, communities, or the environment shall be not be used, unless in exceptional circumstances as validated by a due diligence process or when authorised by government authorities for pest outbreaks.</p> <p>This shall include pesticides that are:</p> <p>A) Categorised as World Health Organization Class 1A or 1B;</p> <p>B) Meet the criteria for carcinogenicity Categories 1A and 1B, mutagenicity Categories 1A and 1B, or reproductive toxicity Categories 1A and 1B, according to the Globally Harmonized System on Classification and Labeling of Chemicals (GHS);</p> <p>C) Listed by the Stockholm or Rotterdam Conventions;</p> <p>D) Restricted or prohibited under national regulations; and/or</p> <p>E) Paraquat.</p>	<p>Restricted and hazardous pesticides that endanger the health of workers, families, communities, or the environment shall not be used, unless in exceptional circumstances as validated by a due diligence process or when authorised by government authorities for pest outbreaks.</p> <p>This shall include pesticides that are:</p> <p>A) Categorised as World Health Organization Class 1A or 1B;</p> <p>B) Meet the criteria for carcinogenicity Categories 1A and 1B, mutagenicity Categories 1A and 1B, or reproductive toxicity Categories 1A and 1B, according to the Globally Harmonized System on Classification and Labeling of Chemicals (GHS);</p> <p>C) Listed by the Stockholm or Rotterdam Conventions;</p> <p>D) Restricted or prohibited under national regulations; and/or</p> <p>E) Paraquat.</p>	Sentence refinement
7.1.3 (C)	The Unit of Certification shall record all pesticides usage. Records shall include the pesticides trade name, active ingredient, LD50, quantity of active ingredient used, period of usage, location/area of application, and reason for usage.	Agreed to adopt	

Principle 7 - RSPO Growers protect, conserve, and enhance ecosystems as responsible environmental stewards			
Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
7.1.4 (C)	There shall be no prophylactic use of pesticides, unless in exceptional circumstances, as identified in national best practice guidelines.	Agreed to adopt	
7.1.5 (C)	The Unit of Certification shall not launch aerial sprayings of pesticides, unless in exceptional circumstances where no other viable alternatives are available. When aerial spraying is unavoidable, prior approval from government authorities shall be obtained and detailed information of the aerial spraying shall be provided to potentially affected local communities at least 48 hours prior to application of aerial spraying. Targeted spraying with unmanned aerial vehicles (drones) is permitted.	Agreed to adopt	
7.1.6 (C)	The introduction of species referenced in the Global Invasive Species Database and/or CABI Digital Library and/or national regulation shall be prohibited.	Agreed to adopt	
7.1.7 (C)	Where the use of the invasive or prohibited species was already in place before November 2024, the Unit of Certification shall manage the usage of such species in line with internationally accepted scientific protocols or national regulations.	Agreed to adopt	
7.1.8	<p>The use of fire for pest or disease control shall be prohibited, unless in exceptional circumstances.</p> <p>Where fire must be used for control of pests and diseases, the Unit of Certification shall provide evidence of prior approval from government authorities and implement a plan to prevent, mitigate, and/or repair damages to the environment.</p>	Agreed to adopt	
7.2	The Unit of Certification shall reduce, recycle, reuse, and dispose of waste/by-products in an environmentally and socially responsible manner.		
7.2.1	The Unit of Certification shall develop and implement a waste management plan to reduce, minimise, recycle, and reuse waste produced from its operations and non-operational activities. The plan shall also include responsible disposal of waste or by-products, where applicable.	Agreed to adopt	

Principle 7 - RSPO Growers protect, conserve, and enhance ecosystems as responsible environmental stewards			
Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
7.2.2	The Unit of Certification shall develop and implement a nutrient recycling plan. The nutrient recycling plan shall include the recycling of biomass (i.e., Empty Fruit Bunches/EFB, Palm Oil Mill Effluent/POME, palm residues) and optimal use of inorganic fertilisers.	Agreed to adopt	
7.2.3 (C)	The Unit of Certification shall demonstrate that workers have job-specific training to implement the waste management plan.	Agreed to adopt	
7.2.4	The use of fire as a measure for waste disposal shall be prohibited, unless in exceptional circumstances. Direct disposal of waste into watercourses or other ecosystems shall be prohibited.	Agreed to adopt	
7.3	<p>The Unit of Certification shall not conduct new plantings on steep terrain, marginal soil(s), and fragile soil(s). The UoC shall adopt best soil conservation practices for minimising soil erosion and soil degradation in these areas.</p> <p><i>*National Interpretations should determine nationally regulated specific controls (best practices) and thresholds, such as slope limits, specifying soil types (marginal and/or fragile) on which planting should be avoided, or the proportion of plantation area that may be allowed. National Interpretation may include expanded definitions of 'extensive planting', 'marginal soil', 'fragile soil', and 'steep slope'.</i></p>	To add Guidance - refer to Annex 5	Adopt MYNI 2019 Guidance for Cri 7.5
7.3.1 (C)	<p>Areas of steep terrain, marginal soil(s), and fragile soil(s) shall be identified and mapped. Soil surveys and topographic information shall guide the planning of drainage and irrigation systems, roads, and other infrastructure of the Unit of Certification.</p> <p>To demonstrate the long-term suitability of land for oil palm cultivation, soil maps or soil surveys identifying marginal and fragile soils, including steep terrain, shall be taken into account in plans and operations.</p>	Agreed to adopt	
7.3.2 (C)	The Unit of Certification shall not conduct new plantings and extensive replanting of oil palm on steep terrain.	The Unit of Certification shall not conduct new plantings and extensive replanting of oil palm on steep terrain. No replanting in contiguous area of steep terrain (greater than 25 degrees) larger than 25 Ha within the Unit of Certification.	Adopt MYNI 2019 Ind 7.5.2

Principle 7 - RSPO Growers protect, conserve, and enhance ecosystems as responsible environmental stewards			
Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
7.3.3 (C)	<p>The Unit of Certification shall not conduct new plantings and/or new development on marginal soil(s) and/or fragile soil(s).</p> <p><u>Procedural Note</u> <i>The RSPO New Planting Procedure shall be updated to reflect this requirement.</i></p>	<p>The Unit of Certification shall not conduct new plantings and/or new development on marginal soil(s) and/or fragile soil(s).</p> <p>This indicator does not apply upon rehabilitation of these soils, as evidenced in Agronomist report/ soil maps.</p>	To emphasize that upon rehabilitation, new planting/ new development may proceed (subject to assessment outcomes)
7.3.4 (C)	<p>In the event there is any replanting on marginal soil(s) and/or fragile soil(s), the Unit of Certification shall manage the area in accordance with the 'RSPO Best Management Practices (BMPs) for Soil'.</p> <p><u>Procedural Note</u> <i>RSPO shall develop the 'RSPO Best Management Practices (BMPs) for Soil' guidance document.</i></p>	<p>In the event there is any replanting on marginal soil(s) and/or fragile soil(s), the Unit of Certification should manage the area in line with the 'RSPO Best Management Practices (BMPs) for Soil'.</p> <p>Procedural Note: RSPO shall develop the RSPO Best Management Practices (BMPs) for Soil' guidance document. Other soil management approaches to maintain the environmental integrity of marginal soil(s) and/or fragile soil(s) may apply.</p>	Refer to revised Indicator V4-1 P&C 2024 (adopted)
7.4	<p>In the event there is any replanting on marginal soil(s) and/or fragile soil(s), the Unit of Certification shall manage the area in accordance with the 'RSPO Best Management Practices (BMPs) for Soil'.</p> <p><u>Procedural Note</u> <i>RSPO shall develop the 'RSPO Best Management Practices (BMPs) for Soil' guidance document.</i></p>		
7.4.1 (C)	There shall be no new plantings and/or development on peatlands, regardless of depth, after 15 November 2018.	Agreed to adopt	
7.4.2	The Unit of Certification shall map and have inventories of all areas of peatlands (planted and unplanted) in accordance with RSPO procedures on Peat Inventory. The UoC shall make its map and other inventory information available to the RSPO Secretariat.	Agreed to adopt	
7.4.3 (C)	Any activities by the Unit of Certification that may disrupt peatland ecosystem integrity or hydrology including new construction of drains, roads, dams, bunds, levees, and/or power lines on unplanted and set-aside peatlands shall be prohibited.	Agreed to adopt	

Principle 7 - RSPO Growers protect, conserve, and enhance ecosystems as responsible environmental stewards			
Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
7.4.4 (C)	The Unit of Certification shall protect and manage all unplanted and set-aside peatlands, guided by the latest version of 'RSPO Manual on Best Management Practices (BMPs) for Management and Rehabilitation of Peatlands' and associated audit guidance.	Agreed to adopt	
7.4.5 (C)	All existing plantings on peat are managed according to the latest version of 'RSPO Manual on Best Management Practices (BMPs) for Existing Oil Palm Cultivation on Peat' and associated audit guidance.	All existing plantings on peat should be managed in line with the latest version of 'RSPO Manual on Best Management Practices (BMPs) for Existing Oil Palm Cultivation on Peat' and associated audit guidance.	Standardisation with 7.4.4
7.4.6 (C)	To determine the suitability of replanting on peat, the Unit of Certification shall conduct a drainability assessment for oil palm planted on peat in accordance with the latest 'RSPO Drainability Assessment Procedure'.	Agreed to adopt	
7.4.7 (C)	Where a RSPO Drainability Assessment report indicates a phasing out of oil palm cultivation of at least 40 years, or two cycles (whichever is greater), before reaching the natural gravity drainability limit for peat, the Unit of Certification shall develop and implement a plan to replace with crops suitable for a higher water table (e.g., paludiculture) or to rehabilitate with natural vegetation.	Agreed to adopt	
7.5	The Unit of Certification shall demonstrate efforts to maintain the quality and availability of surface and groundwater, and mitigate/remedy those that occur.		
7.5.1 (C)	<p>The Unit of Certification shall develop and implement a water management plan* to promote more efficient use to maintain quality, and continued availability of surface and groundwater, in consultation with affected communities.</p> <p>The plan shall address the following: A) The UoC does not restrict access to clean water or contribute to pollution of water used by communities; and B) Workers shall have adequate access to clean water.</p> <p><i>*National Interpretations should further define the process and developing the water management plan, based on the national context.</i></p>	<p>The Unit of Certification shall develop and implement a water management plan* to promote more efficient use to maintain quality, and continued availability of surface and groundwater, in consultation with affected communities.</p> <p>The plan shall address the following: A) The UoC does not restrict access to clean water or contribute to pollution of water used by communities; and B) Workers shall have adequate access to clean water.</p> <p>To add Guidance - refer to Annex 5</p>	Adopt MYNI 2019 Guidance 7.8

Principle 7 - RSPO Growers protect, conserve, and enhance ecosystems as responsible environmental stewards			
Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
7.5.2	The Unit of Certification shall record water consumption (mill water use per metric tonne of product) and water withdrawal (total water volume extracted from surface and groundwater source) at the UoC's mill(s).	Agreed to adopt	
7.5.3 (C)	The Unit of Certification shall protect watercourses and wetlands by maintaining and restoring appropriate riparian reserves and other buffer zones, in line with the latest version of the 'RSPO Manual on Best Management Practices (BMPs) for the Management and Rehabilitation of Riparian Reserves'.	The Unit of Certification shall protect watercourses and wetlands by maintaining and restoring appropriate riparian reserves and other buffer zones, guided by the latest version of the 'RSPO Manual on Best Management Practices (BMPs) for the Management and Rehabilitation of Riparian Reserves'.	RSPO Manual on BMP for Riparian Reserves is an informative document; therefore, the term 'guided by' is more appropriate, as it does not imply a strict requirement to follow the document.
7.5.4 (C)	The Unit of Certification shall treat and process palm oil mill effluent (POME) in compliance with applicable national regulations. Discharge quantity and quality of the palm oil mill effluent, especially Biochemical Oxygen Demand (BOD), shall be regularly monitored.	Agreed to adopt	
7.6	The Unit of Certification shall demonstrate efforts to minimise and reduce greenhouse gas (GHG) emissions, air pollution associated with its existing activities and new developments, and reduce fossil fuel consumption by optimising the use of renewable energy.		
7.6.1 (C)	The Unit of Certification shall identify and assess its greenhouse gas emissions (GHG) through the latest version of RSPO PalmGHG calculator to develop and implement an emissions reduction plan. The plan to reduce or minimise GHG emissions shall be implemented and monitored.	Agreed to adopt	
7.6.2 (C)	The Unit of Certification shall publicly report its GHG emissions per product, as estimated through the latest version of RSPO PalmGHG calculator.	Agreed to adopt	
7.6.3 (C)	The Unit of Certification shall estimate the carbon stock of the proposed development area and major potential sources of emissions that may result directly from the development since 2014. The Unit of Certification shall prepare and implement a plan to protect the carbon stock, following the 'RSPO GHG Assessment Procedure for New Development'.	Agreed to adopt	

Principle 7 - RSPO Growers protect, conserve, and enhance ecosystems as responsible environmental stewards			
Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
7.6.4 (C)	<p>The Unit of Certification shall develop and implement a plan to reduce or minimise significant air pollutants (apart from greenhouse gases).</p> <p><i>*National Interpretations should determine any relevant national air pollution standards or thresholds.</i></p>	<p>The Unit of Certification shall develop and implement a plan to reduce or minimise significant air pollutants (apart from greenhouse gases).</p> <p>Reference : Environmental Quality (Clean Air) Regulations 2014</p>	
7.6.5 (C)	<p>The Unit of Certification shall prohibit the use of fire for land preparation of new plantings, development, and/or replanting.</p>	Agreed to adopt	
7.6.6	<p>The Unit of Certification shall develop and implement fire prevention process(es)/procedure(s) to reduce fire risk in all areas under the UoC. The process/procedure should be developed in engagement with relevant stakeholders.</p>	Agreed to adopt	
7.6.7	<p>A plan for improving the efficiency of, or minimising, fossil fuel usage shall be developed and implemented. The plan shall consider the role and usage of renewable energy to replace or reduce fossil fuels.</p>	Agreed to adopt	

Principle 7 - RSPO Growers protect, conserve, and enhance ecosystems as responsible environmental stewards

Criteria / Indicator	Revised Criteria / Indicator (in English)	Reason for changes
<p>7.7</p> <p>Land clearing does not cause deforestation or damage any area required to protect and/or enhance High Conservation Values (HCVs) and/or High Carbon Stock (HCS) forests. HCVs and HCS forests in the managed area are identified, protected, and/or enhanced.</p> <p><i>Preamble</i> <i>The RSPO will develop a procedure for development in High Forest Cover Landscapes (HFCLs) within High Forest Cover Countries (HFCCs), to enable certified development by indigenous peoples and local communities with legal or customary rights, to balance sustainable livelihoods and poverty reduction with the need to conserve, protect, and enhance ecosystems.</i></p> <p><i>This procedure will take into consideration regional and national multi-stakeholder processes and will be designed to enable communities to choose their own development path, while providing socio-economic benefits and safeguards. The procedure should aim to provide:</i> <i>A) Demonstrable benefits to the local community;</i> <i>B) Clear recognition of legal and customary lands based on participatory land use planning;</i> <i>C) Development proportional to the needs of the local community; and</i> <i>D) A balance between conservation and development.</i> <i>This procedure will also cover planting on previous or abandoned agricultural land/plantations in such landscapes.</i></p>		

Principle 7 - RSPO Growers protect, conserve, and enhance ecosystems as responsible environmental stewards

Criteria / Indicator	Revised Criteria / Indicator (in English)	Reason for changes
<p>7.7.1 (C) A Unit of Certification shall not damage primary forest and HCVs (from November 2005) and HCS Forests (from 15 November 2018). HCVs, HCS forests, and other conservation areas are identified for protection according to the following scenarios:</p> <p>1) A Unit of Certification (or parts thereof) with existing plantations and no new land clearing (after November 2018) shall provide evidence of a valid HCV assessment.</p> <p>2) A Unit of Certification (or parts thereof) that followed the transitional measures in P&C 2018 (Refer to 'Interpretation of Indicator 7.12.2 and Annex 5 of RSPO P&C 2018') shall provide evidence that a valid HCV, and/or standalone HCSA assessment, and/or Integrated HCV-HCS assessment (as applicable) was conducted before any new land clearing.</p> <p>3) A Unit of Certification (or parts thereof) not covered by Scenario 2 with any new land clearing after 15 November 2018 shall provide evidence that:</p> <p>a) Land clearing is preceded by an Assessor Licensing Scheme (ALS) integrated HCV-HCS assessment, using the Integrated HCV-HCSA Assessment Manual valid at the time of the assessment (either the November 2017 or June 2023 version of the Manual).</p> <p>b) Compliance with the requirements of the New Planting Procedure (NPP) 2015, and subsequent revisions of the NPP.</p> <p><u>Procedural Note</u> <u>For details of the scenarios, refer to Annex 3 (to be developed and approved by the RSPO Standards Standing Committee). Annex 3 will be based on the 'Interpretation of Indicator 7.12.2 and Annex 5 of RSPO P&C 2018', to be updated for validity.</u></p>	<p>Agreed to adopt</p>	

Principle 7 - RSPO Growers protect, conserve, and enhance ecosystems as responsible environmental stewards			
Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
7.7.2 (C)	<p>For all land clearing since November 2005, the Unit of Certification shall provide evidence of a historic Land Use Change Analysis (LUCA).</p> <p>Where there has been land clearing without prior HCV assessment since November 2005, or without a prior Integrated HCV-HCSA Assessment since 15 November 2018, the 'RSPO Remediation and Compensation Procedure (RaCP)' applies.</p>	<p>For existing non-certified plantations with land clearing since November 2005, the Unit of Certification shall provide evidence of a historic Land Use Change Analysis (LUCA).</p> <p>Where there has been land clearing without prior HCV assessment since November 2005, or without a prior Integrated HCV-HCSA Assessment since 15 November 2018, the 'RSPO Remediation and Compensation Procedure (RaCP)' applies.</p>	For clarity
7.7.3 (C)	<p>Where HCVs and/or HCS forests have been identified, the Unit of Certification shall develop and implement a management & monitoring plan to protect and/or enhance HCVs and/or HCS forests. This plan shall make clear the roles of affected communities in implementation; shall be developed in consultation with relevant stakeholders; and shall include the directly managed area and any relevant wider landscape level considerations (where these are identified).</p> <p>This management & monitoring plan shall include, but is not limited to the following (if applicable):</p> <ul style="list-style-type: none"> A) All RTE species (HCV-1); B) Management of human-wildlife conflict (threats to HCVs); C) Other conservation areas; and D A programme to socialise the status of RTE species to the workforce. 	Agreed to adopt	
7.7.4 (C)	<p>The Unit of Certification shall Adapt, where necessary, the management & monitoring plan to protect and/or enhance HCVs and/or HCS forests (Refer to Indicator 7.7.3). The plan shall be reviewed at least once every five years. Outcomes of the monitoring activities shall be used to update the management & monitoring plan.</p> <p><u>Procedural Note</u> <u>RSPO shall develop a guidance on changes in HCV conditions and status to support implementation of the management & monitoring plan.</u></p>	Agreed to adopt	

Principle 7 - RSPO Growers protect, conserve, and enhance ecosystems as responsible environmental stewards

Criteria / Indicator		Revised Criteria / Indicator (in English)	Reason for changes
7.7.5	Where rights of local communities have been identified in HCV areas, HCS forest after 15 November 2018, and other conservation areas, there is no diminishment of these rights without evidence of a negotiated agreement, obtained through FPIC.	Agreed to adopt	

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Active ingredients	Chemical substances that provide the pesticidal actions.	Guidelines on Highly Hazardous Pesticides (FAO & WHO, 2016)				
Adapt	To modify or adjust the previously developed management & monitoring plan in response to changing conditions, outcomes, or new information, ensuring the continuous protection and enhancement of key elements (such as HCVs and HCS forests). This process includes streamlining documentation and findings from other processes, such as accident logs and grievance mechanisms.	RSPO P&C 2024	Agreed to adopt	Agreed to adopt	7.7.4(C)	Added specific reference to the Indicator
Aerial spraying	Application of pesticides from an aircraft (plane or helicopter)	Guidelines on Highly Hazardous Pesticides (FAO & WHO, 2016)				
Abuse of vulnerability	Taking advantage of any worker of their vulnerabilities for the purposes of exploitation or gain. Abuse of a position of vulnerability refers to any situation in which the worker involved believes he or she has no real and acceptable alternative except to submit to the abuse.	RSPO P&C 2024				
Affected Communities	All communities that are likely to be affected directly and significantly by the proposed development, i.e., those with land holdings and usage rights within the affected area who must be included in the assessment and FPIC process. Other communities that are likely to be affected only indirectly, e.g., by possible longer-term changes to the ecosystem services provisions due to the water usage of the operation, also need to be taken into account.	RSPO Free, Prior and Informed Consent (FPIC) Guide (2022)				
Agreement	An arrangement or decision by two or more parties to do or not to do something. This can be formal or informal, and depending on the common intention of the parties may be enforceable by law.	RSPO P&C 2024				
Alternate Land Development Strategies	Allocation of smallholder plot(s) as conservation or restoration areas with the main objective to improve and maintain peatland ecosystem integrity.	RSPO ISH standard 2024				
Annual Surveillance Audit	Annual systematic repetition of conformity assessment activities as a basis for maintaining the validity of RSPO certification.	RSPO Certification Systems for Principles & Criteria and Independent Smallholder Standards (2024)				
Associated Development	Developments including establishing mills, kernel crushers, nurseries, housing/camps and offices, roads/tracks, drainage, effluent treatment plants, fruit collection centres, terracing, earthworks, scheme smallholdings/outgrower plots, and any other development relevant to the operations of a new oil palm development.	RSPO New Planting Procedure (2015)				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Biochemical Oxygen Demand (BOD)	Biochemical Oxygen Demand is the amount of dissolved oxygen (DO) needed (i.e., demanded) by aerobic biological organisms to break down organic material present in a given water sample at a certain temperature over a specific time period.	RSPO P&C 2024				
Biological control agent	Refers to the use of natural or modified organisms, genes, or gene products to reduce the effects of undesirable organisms and to favour desirable organisms such as crops, beneficial insects, and microorganisms	Biological Control Agents: Diversity, Ecological Significances, and Biotechnological Applications' (Singh et al., 2020)				
Bribery	The offering, promising, giving, accepting, or soliciting of an advantage as an inducement for an action which is illegal, unethical, or a breach of trust. Inducements can take the form of money, gifts, loans, fees, rewards, or other advantages (taxes, services, donations, favours etc.).	Global Anti Bribery Guidance (Transparency International, 2017)				
Child/Children	The term child applies to all persons under the age of 18.	ILO Minimum Age Convention, 1973 (No. 138) ILO Worst Forms of Child Labour Convention, 1999 (No. 182)				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Child labour	<p>Child labour is work that deprives children of their childhood, their potential, and their dignity, and that is harmful to physical and mental development. The term applies to:</p> <ul style="list-style-type: none"> - All children under 18 involved in the “worst forms of child labour”, per the ILO Worst Forms of Child Labour Convention, 1999 (No. 182); - All children aged under 12 taking part in economic activity; and - All 12 to 14-year-olds engaged in more than light work. <p>The ILO defines 'light work' as work that is not likely to be harmful to children's health or development and not likely to be detrimental to their attendance at school or vocational training.</p> <p>Those under 18 years old should not engage in hazardous work that might jeopardise their physical, mental, or moral well-being, either because of its nature or the conditions under which it is carried out.</p> <p>For young workers above the legal minimum age but below 18, there should be restrictions on hours of work and overtime; working at dangerous heights; with dangerous machinery, equipment and tools; transport of heavy loads; exposure to hazardous substances or processes; and difficult conditions such as night work at night.</p>	<p>ILO Minimum Age Convention, 1973 (No. 138)</p> <p>ILO Worst Forms of Child Labour Convention, 1999 (No. 182)</p> <p>International Programme on the Elimination of Child Labour (IPEC), ILO (1992)</p>				
Child labour remediation	<p>Child labour remediation refers to the process of removing a child from a child labour situation to ensure safe and adequate alternatives for them, such as reintegrating them into the education system or, if they are above the minimum age for work, creating an opportunity for them to work in a non-hazardous job.</p>	<p>RSPO Guidance on Child Rights for Palm Oil Producers (2020)</p>				
Communities	<p>Communities refer to indigenous peoples, tribal peoples, local communities (including women, children, and people with disabilities), displaced persons, migrants, and other land users.</p>	<p>RSPO P&C 2018</p>				
Confidential information/ Confidentiality	<p>Examples of commercially confidential information include financial data such as costs and income, and details relating to customers and/or suppliers. Data that affects personal privacy should also be confidential.</p> <p>Ongoing disputes (within or outside of a legal mechanism) can be considered as confidential information where disclosure could result in potential negative outcomes for all parties involved. However, affected stakeholders and those seeking resolution to conflict should have access to relevant information.</p> <p>Examples of information where disclosure could result in potential negative environmental or social outcomes include information on sites of rare species where disclosure could increase the risk of hunting or capture for trade, or sacred sites which a community wishes to maintain as private.</p>	<p>RSPO P&C 2024</p>				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Conflict resolution process	A Conflict resolution process is any process that can either prevent, diffuse, or address conflict effectively, whether such conflict occurs between the Unit of Certification and Communities, or between Affected Communities themselves.	Adapted from <u>Designing Conflict Resolution Systems (Mediators Beyond Borders. online; accessed on 3 April 2024 at https://mediatorsbeyondborders.org/what-we-do/conflict-literacy-framework/cr-systems-design)</u>				
Contract	An agreement between two or more parties that, by its terms, is legally binding and enforceable in a court of law.	RSPO P&C 2024				
Contract substitution	The practice of substituting or changing the terms of employment to which the worker originally agreed, either in writing or verbally, which results in worse conditions or less benefits. Changes to the employment agreement or contract are prohibited unless these changes are made to meet local law and provide equal or better terms.	ILO Report of the Committee examining alleged non-observance by Qatar of the Forced Labour Convention, 1930 (No. 29), (ILO, 2014)				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Contributing family members	<p>Family or smallholder household members who do not receive a wage/salary or profit in return for the work performed on the smallholder plot. They may benefit in-kind or receive irregular payments in cash as a result of the outputs of their work.</p> <p>Please refer to other related definitions: 'smallholder household' and 'family members'.</p>	<p>Adapted from the International Classification of Status in Employment (ICSE-18) Manual 2023;</p> <p>and</p> <p>the ILO Private Employment Agencies Convention, 1997 (No. 181)</p>				
Contractor	A person, firm, organisation, or company that undertakes a contract with the Unit of Certification to provide materials or services (including labour)	RSPO P&C 2024				
Core work	<p>The primary area or activity that a company was founded to do or focuses on in its business operations. Core work pertains to work that is essential and desirable to the growth of the company.</p> <p>All agricultural and milling activities are considered core work, e.g. planting, harvesting, fertilising, maintenance, FFB sorting and grading, machine-technical maintenance; and machine operation.</p>	RSPO P&C 2018	Core work	<p>The primary area or activity that a company was founded to do or focuses on in its business operations. Core work pertains to work that is essential and desirable to the growth of the company.</p> <p>All agricultural and milling activities are considered core work, i.e.-e.g. planting, harvesting, fertilising, maintenance, FFB sorting and grading, machine-technical maintenance; and machine operation.</p>		For clarity
Debt bondage	Debt bondage is work exchanged for a debt. It is also known as bonded labour or debt slavery, which occurs when individuals are compelled to work in exchange for repayment of a debt. Workers are often coerced into labour under the pretext of settling their own debts or those of family members.	<p><u>ILO Helpdesk: Business and Forced Labour (online; accessed on 3 April 2024 at https://www.ilo.org/resource/other/ilo-helpdesk-business-and-forced-labour)</u></p>				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Deception	Deception pertains to the act of providing false representations and failing to fulfill promises made to workers, whether communicated verbally or in writing. Deceptive recruitment practices can include false promises regarding working conditions and wages, but also regarding the type of work, housing and living conditions, acquisition of regular migration status, job location, or the identity of the employer.	Adapted from the ILO '11 Indicators on Forced Labour' (International Labour Organization, 2012)				
Deforestation	<p>The conversion of forests - including primary, regenerated (second-growth), and managed natural forests, as well as areas identified through High Conservation Value (HCV) and High Carbon Stock (HCS) assessments required by the RSPO - into non-forest land use. This process involves the removal of trees and the alteration of ecosystems, resulting in the loss of species composition, ecological structure, and function.</p> <p>Forests at risk of deforestation include:</p> <ul style="list-style-type: none"> - Primary forests, which have developed naturally without significant human intervention. - Regenerated forests, which have recovered from past impacts but now function similarly to natural ecosystems. - Managed natural forests, where human activities like timber harvesting or low-intensity agriculture occur without severely impacting the forest's ecological integrity. - Partially degraded forests, where degradation has not resulted in a complete transformation of land use or a sustained reduction in ecological function. <p>HCV and HCS assessments help identify these forests as critical for biodiversity, ecosystem services, and carbon storage. Deforestation of such areas compromises both environmental sustainability and efforts to combat climate change, emphasising the need for strong safeguards and responsible land management practices.</p>	RSPO P&C 2024				
Development	Development refers to alteration of landscape in any number of ways: from natural or semi-natural state of the land, to land for the purposes of palm oil production. This includes the carrying out of building (construction, installation or expansion of a building or other structure), engineering, creation of impervious surfaces; or other operations in, on, over, or under land; or making of any material change in the use of any building or other land.	RSPO P&C 2024				
Discrimination	Any distinction, exclusion, or preference made on the basis of race, colour, sex, religion, political opinion, national extraction, or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation; Such other distinction, exclusion, or preference which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation as may be determined after consultation with representative employers' and workers' organisations, where such exist, and with other appropriate bodies.	United Nations Human Rights Office of the High Commissioner, Discrimination (Employment and Occupation) Convention, 1958 (No. 111)				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Drainability Assessment Procedure	A methodology for determining how the projected future subsidence would affect the relative level of the fields and the respective drainage outlet from the plantation and the ability of water to drain by gravity in the future. In implementing the DAP, the Unit of Certification shall: - Describe the characteristics of the plantation and the proposed replanting area; - Determine drainage zone(s) and identify the final water outlets; - Determine the average ground elevation and calculate elevation of peatland replanting area; - Determine the annual water level at the final water outlets; - Measure the peat thickness and calculate average peat thickness of peatland replanting area; - Calculate average Natural Drainage Limit (NDL) of each peatland replanting area; - Calculate the depth to NDL of each peatland replanting area; - Use the default subsidence rate or calculate the average subsidence rate of each peatland replanting area; and - Project the future drainability of peatland replanting area.	RSPO Drainability Assessment Procedure 2021				
Due diligence	A risk management process implemented by a company to identify, prevent, mitigate, and account for how it addresses environmental and social risks and impacts in its operations, supply chains, and investments.	Adapted from the Accountability Framework Initiative (2020)				
Engage	The act of participating, becoming involved, entering into, or maintaining an agreement or contract.	RSPO P&C 2024				
Expropriation	The act by authorities (governments and/or any other institution exercising governmental functions) to acquire private property or divesting interest in land without obtaining agreement and consent, and which may or may not be with the payment of compensation.	RSPO P&C 2024				
Ethical recruitment	Hiring workers lawfully and in a fair and transparent manner that respects and protects their rights	IRIS Standards: Ethical Recruitment, (International Organization for Migration, 2020)				
Existing Plantations	Land planted with oil palm and associated development owned and/or directly managed by an RSPO member prior to its RSPO membership. This includes newly acquired oil palm plantations by an RSPO member.	RSPO P&C 2024				
Extensive replanting on steep terrain	Any individual, contiguous replanted area on steep terrain (>25 degrees) greater than 25 hectares within the replanting area.	RSPO P&C 2024				
Family farm	A farm operated and mostly owned by a family, for the growing of oil palm, sometimes along with subsistence production of other crops, and where the family provides the majority of the labour used. Such farms provide the principal source of income, and the planted area of oil palm is below 50 hectares in size.	Adapted from Free, Prior and Informed Consent Guide for RSPO Members (2015)				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Family members	<p>Family members refer specifically to individuals within the nuclear family structure. This includes parents, siblings, and children who are directly related by blood, marriage, or adopted. Excluded from this definition are extended family members such as aunts, uncles, grandparents, and cousins. The focus is on the immediate family unit, emphasising the core relationships that typically reside within the same household.</p> <p>Please refer to other related definitions: 'smallholder household' and 'contributing family members'.</p>	RSPO ISH standard 2024				
Forced labour	All work or service which is exacted from any person under the menace of any penalty, and for which said person has not offered him or herself voluntarily.	ILO Forced Labour Convention, 1930 (No. 29)				
Forest	<p>Natural ecosystem characterised by a significant tree cover, with species composition, structure, and ecological functions that support biodiversity, carbon storage, and other ecosystem services as identified through High Conservation Value (HCV) and High Carbon Stock (HCS) assessments required by the RSPO.</p> <p>This includes:</p> <ul style="list-style-type: none"> - Primary forests, untouched by significant human activities and developed through natural processes. - Regenerated forests, which have recovered after past disturbances and now resemble natural ecosystems in terms of structure and function. - Managed natural forests, where human activities like timber extraction or small-scale agriculture occur, but the forest retains its overall ecological integrity. - Partially degraded forests, which have been impacted by natural or anthropogenic factors but still maintain enough tree cover and ecological functions to be classified as forests. 	RSPO P&C 2024				
Fragile soil	<p>A soil that is susceptible to degradation (i.e., reduction in fertility) when disturbed. A soil is particularly fragile if the degradation rapidly leads to an unacceptably low level of fertility or if it is irreversible using economically feasible management inputs.</p> <p>Please also refer to other related definitions: 'marginal soil'.</p>	RSPO P&C 2018				
Gender Sensitive	To understand and give consideration to socio-cultural norms and discriminations in order to acknowledge the different rights, roles, and responsibilities of women, and men, in the community and the relationships between them. Policies and programmes that take into account the particularities pertaining to the lives of both women, and men, while aiming to eliminate inequalities or imbalance between women, and men, and promote gender equality, including an equal distribution of resources.	Adapted from Women Empowerment Development Organisation (WEDO), 2013 (online)				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Geolocation	Geographical location of a plot of land described by means of latitude and longitude coordinates corresponding to at least one latitude and one longitude point, and using at least six decimal digits; for plots of land of more than four hectares used for the production of the relevant commodities other than cattle, this shall be provided using polygons with sufficient latitude and longitude points to describe the perimeter of each plot of land.	Article 2 (28), Regulation (EU) 2023/1115 of the European Parliament and of the Council (2023)				
Good faith	The principle of good faith implies that the parties make every effort to reach an agreement, conduct genuine and constructive negotiations, avoid unjustified delays in negotiations, respect agreements concluded, and give sufficient time to discuss and settle collective disputes. In the case of multinational enterprises, such companies should not threaten to transfer the whole or part of an operating unit from the country concerned in order to unfairly influence negotiations.	Adapted from ILO Q&As on <u>business and collective bargaining</u> (online; accessed on 3 April 2024 at https://www.ilo.org/resource/qas-business-and-collective-bargaining-0)				
Greenhouse gas	Gaseous constituents of the atmosphere, both natural and anthropogenic, that absorb and emit radiation at specific wavelengths within the spectrum of infrared radiation emitted by the Earth's surface, the atmosphere, and clouds.	Intergovernmental Panel on Climate Change (2021)				
Group manager	A person, a group of people or an organisation responsible for running the internal control system and managing the independent smallholder group. This can be a mill, an organisation, or an individual.	RSPO ISH standard 2019				
Growers	Growers are beneficial owners, land owners, or businesses with more than 500 hectares (accumulative) of cultivated and harvested oil palms. Please also refer to other related definitions: 'medium grower', 'smallholder'.	RSPO P&C 2024				
Health and Safety (H&S) Committee	A Health and Safety Committee is a representative group composed of both management and worker representatives, tasked with the development of safety and health rules, and safe systems of work. It is responsible for identifying hazards, assessing risks, developing and implementing measures to prevent accidents and injuries, and ensuring compliance with relevant health and safety regulations and standards. It reviews the effectiveness of safety and health programmes, conducts investigations on trends of accidents that occur at the place of work, reviews the health and safety policies, and makes recommendations.	RSPO P&C 2024				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Hazardous waste	Hazardous waste is a waste with properties that make it dangerous or capable of having a harmful effect on human health or the environment.	<u>United States Environment Protection Agency (EPA). Learn the Basic of Hazardous Waste (online: accessed on 3 April 2024 at https://www.epa.gov/hw/learn-basics-hazardous-waste)</u>				
Hazardous work for children	Hazardous work for children is defined as “any work which is likely to jeopardise children’s physical, mental or moral health, safety or morals” and which “should not be done by anyone under the age of 18.” (https://www.ilo.org/ipecc/facts/ILOconventionsonchildlabour/lang --en/index.htm). This includes: (a) work which exposes children to physical, psychological or sexual abuse; (b) work underground, under water, at dangerous heights or in confined spaces; (c) work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads; (d) work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health; (e) work under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer.	Adapted from Article 3 (d) of the ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (No. 182) and from Article (II) - Hazardous Work, of the ILO Worst Forms of Child Labour Recommendation , 1999 (No. 190)				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
High Conservation Value (HCV) areas	<p>The areas necessary to maintain or enhance one or more High Conservation Values (HCVs):</p> <p>HCV 1 – Species diversity. Concentrations of biological diversity including endemic species, and rare, threatened or endangered (RTE) species, that are significant at global, regional, or national levels.</p> <p>HCV 2 – Landscape-level ecosystems, ecosystem mosaics, and Intact Forest Landscapes (IFL). Large landscape-level ecosystems, ecosystem mosaics, and IFL that are significant at global, regional, or national levels, and that contain viable populations of the great majority of the naturally occurring species in natural patterns of distribution and abundance.</p> <p>HCV 3 – Ecosystems and habitats. RTE ecosystems, habitats, or refugia.</p> <p>HCV 4 – Ecosystem services. Basic ecosystem services in critical situations, including protection of water catchments and control of erosion of vulnerable soils and slopes.</p> <p>HCV 5 – Community needs. Sites and resources fundamental for satisfying the basic necessities of local communities or indigenous peoples (for livelihoods, health, nutrition, water, etc.), identified through engagement with these communities or indigenous peoples.</p> <p>HCV 6 – Cultural values. Sites, resources, habitats, and landscapes of global or national cultural, archaeological, or historical significance, and/or of critical cultural, ecological, economic, or religious/sacred importance for the traditional cultures of local communities or indigenous peoples, identified through engagement with these local communities or indigenous peoples.</p>	High Conservation Value Resource Network (HCVRN) Common Guidance for Identification of HCVs (2017)				
High Carbon Stock	High Carbon Stock forests are defined as forests with above and below ground carbon stores, where the sequestered carbon losses as a result of land use change are greater than the potential gains in carbon stock within the new development area (including set aside and non-planted areas) over the period of one planting cycle.	RSPO P&C 2024, adapted from RSPO P&C 2013				
High Forest Cover Country (HFCC)	Countries assessed as having >60% forest cover (based on recent, trusted REDD+ and/or national data); <1% oil palm cover; a deforestation trajectory that is historically low but is increasing or constant; and a known frontier area for oil palm or where major areas have been allocated for development.	RSPO No Deforestation consultancy: HFCC (Proforest, 2018)				
High Forest Cover Landscape (HFCL)	<p>Landscapes having >80% forest cover. Landscape defined as "the size of a landscape may be determined by</p> <p>A) Identifying the watershed or the geographical land unit containing a cluster of interacting ecosystems;</p> <p>B) Selecting a unit size that encompasses the plantation concession and a buffer of the surrounding area (e.g. 50,000 ha or 100,000 ha); or</p> <p>C) Using a radius of 5 km from the area of interest (for instance, the planned concession)."</p>	Adapted from Module 5 of the HCSA Toolkit Version 2.0 (High Carbon Stock Approach, May 2017)				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Highly Hazardous Pesticide	Pesticides that are acknowledged to present particularly high levels of acute or chronic hazards to health or the environment according to internationally accepted classification systems such as the World Health Organization (WHO), or the Globally Harmonized System of Classification and Labelling of Chemicals (GHS), or their listing in relevant binding international agreements or conventions. In addition, pesticides that appear to cause severe or irreversible harm to health or the environment under conditions of use in a country may be considered to be, and treated as, highly hazardous.	Guidelines on Highly Hazardous Pesticides (FAO & WHO, 2016)				
Human Rights Defenders (HRD)	People who, individually or with others, act to promote and protect human rights in a peaceful way.	Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms (United Nations General Assembly, 1998)				
Human Rights Due Diligence	Human rights due diligence is a way for businesses to proactively manage potential and actual adverse human rights impacts with which they are involved. It involves requiring businesses to identify, prevent, mitigate, and account for how they address actual and potential impacts on human rights.	United Nations Guiding Principles on Business and Human Rights (Office of the United Nations High Commissioner for Human Rights, 2011)				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Identity Preserved	<p>A mill is deemed to be Identity Preserved (IP) if the FFB processed by the mill is only sourced from plantations/estates that are certified against the RSPO Principles and Criteria, or against the RSPO Group Certification scheme.</p> <p>Certification for mills is necessary to verify the volumes and sources of certified FFB entering the mill, the implementation of any processing controls (e.g., if physical separation is used), and volume sales of RSPO certified palm oil and oil palm products. If a mill processes certified and uncertified FFB without physically separating them, then only the Mass Balance supply chain module is applicable.</p>	RSPO Supply Chain Certification standard (2020)				
Independent Smallholder	<p>An oil palm grower who has the following characteristics:</p> <ul style="list-style-type: none"> - Enforceable decision-making power on the operation of the land and production practices; - Ability and freedom to choose how the land and type of planted crops is organised, managed, and financed; - Meet any further criteria or definition relative to the applicability of the RSPO P&C and ISH standards, provided in the relevant National Interpretation for a specific country; - The total size of their oil palm production area is smaller than or equal to 50 hectares (ha) if no threshold is defined in a National Interpretation; OR smaller than or equal to the maximum size defined in a National Interpretation (e.g., for Indonesia this implies the threshold size is 20 ha or below; for Ecuador 75 ha or below); and - Not a scheme smallholder <p>Please refer to other related definitions: 'smallholder' and 'scheme smallholder'.</p>	Adapted from RSPO P&C 2018 and ISH 2019 standards				
Indigenous peoples	<p>Indigenous peoples refer to those who:</p> <ul style="list-style-type: none"> - Self-identify as indigenous peoples at the individual level and accepted by the community as their member - Have historical continuity with pre-colonial and/or pre-settler societies that developed on their territories - Strong link to territories and surrounding natural resources - Consider themselves as having distinct social, economic or political systems from other sector of the societies in the area where they live - Distinct language, culture, and beliefs - Form non-dominant groups of society - Resolve to maintain, develop, and reproduce their ancestral environments and systems to future generations as distinctive peoples and communities. <p>When considering the factors above, no single one shall be determinative. Indigenous peoples are defined as such regardless of the local, national, and regional terms that may be applied to them, such as 'tribal people,' 'first peoples,' 'secluded tribes,' 'hill people,' or others.</p>	Adapted from the United Nations Permanent Forum on Indigenous Issues Factsheet (online, accessed on 11 September 2024 at https://www.un.org/esa/socdev/unpfii/documents/5session_factsheet1.pdf)				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Initial Certification	The beginning stage of the certification cycle where the decision of certification and issuance of certificate is done.	RSPO Certification Systems for Principles & Criteria and RSPO Independent Smallholder Standard (2020)				
Integrated Pest Management (IPM)	A careful consideration of all available plant protection methods and subsequent integration of appropriate measures that discourage the development of populations of harmful organisms and keep the use of plant protection products and other forms of intervention to levels that are economically and ecologically justified, and reduce or minimise risks to human health and the environment. 'Integrated pest management' emphasises the growth of a healthy crop with the least possible disruption to agro-ecosystems and encourages natural pest control mechanisms.	Guidelines on Highly Hazardous Pesticides (FAO & WHO, 2016)				
Internal Control System (ICS)	A set of rules, policies, and procedures which an organisation implements to provide direction, increase efficiency, and strengthen adherence to policies to manage a group.	RSPO ISH standard 2019				
International accepted scientific protocol	A predefined science-based procedure which is either published by an international scientific network or union, or referenced frequently in the international scientific literature.	FSC Principles and Criteria for Forest Stewardship FSC-STD-01-001 (V5-2, 2018)				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Intimidation and harassment (including threats)	<p>Refers to a range of unacceptable behaviour that results in physical, psychological, sexual, or economic harm. Examples include:</p> <p><u>Communities</u></p> <p>A) Any threats of dispossession of land, forced removal, or relocation</p> <p>B) Any threat to deny access to resources on land e.g. water, agriculture, sacred grounds etc.</p> <p>C) Any threats against community members during receipt of grievances</p> <p>D) Any threats and abuse of power by military, paramilitaries, or security personnel (contracted by the Unit of Certification) against community members (includes sexual favours)</p> <p>E) Any threats and coercion against community members in signing agreements related to relinquishing of land rights or resources</p> <p>F) Persistent verbal abuse</p> <p><u>Workers</u></p> <p>A) Loss of income and/or restricted access to the workplace, housing, and/or land</p> <p>B) Threats of dismissal from employment or against workers who wish to resign</p> <p>C) Threats against workers during receipt of grievances regarding working and living conditions via internal (labour dispute mechanisms) and/or external (eg. embassy, NGO, etc.) grievance channels</p> <p>D) Threats to terminate employment of family members</p> <p>E) Withdrawal of rights such as the rights to leave the workplace</p> <p>F) Verbal abuse</p> <p>It may also include undermining of workers, i.e., psychological coercion, designed to increase the sense of vulnerability.</p> <p><u>Human Rights Defenders</u></p> <p>A) Loss of income due to/resulting in organisational restrictions</p> <p>B) Any threats of dismissal from employment, restrictions on travel, and restrictions to the environment in which the HRDs operate</p> <p>C) Any deliberate obstruction to holding of meetings between HRDs</p> <p>D) Any hostility within the community the HRDs lives as claims may be seen to jeopardise the community's honour and culture (this may especially be the case with women HRDs).</p> <p>E) Any character assassination of HRDs in the form of discrediting or defamation campaigns</p> <p>F) Any arbitrary use of security forces surveillance</p> <p>G) Any SLAPP suits (Strategic Lawsuits against Public Participation) due to his or her work and/or in the course of his/her activities,</p> <p>H) Any threats of physical violence and death threats. Special attention is needed to avoid gender-specific violence such as rape or threats of sexual violence used to silence women.</p>	RSPO P&C 2024				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Labour recruiters	Includes all labour recruiters (both public and private employment services/agencies) and all other intermediaries or sub-agents that offer labour recruitment and placement services. This includes labour recruiters in countries of origin that assist, or are sub-contracted to, the labour recruiter that is directly engaged by the Unit of Certification, and any recruiters engaged by the sub-contractor.	RSPO P&C 2024				
Land Clearing	<p>Conversion of land from one land use to another. Clearing of actively managed certified oil palm plantation to replant oil palm is not considered land clearing.</p> <p>Within existing certified units, clearing of less than 10 ha meeting all the requirements below is not considered land clearing:</p> <p>a) 10ha threshold is the maximum limit (cumulative) within a specified unit of certification over the lifetime of the plantation.</p> <p>b) Must not be contiguous to HCV and potential HCS forests.</p> <p>c) Must not be HCV and potential HCS forests.</p> <p>Please refer to most recent New Planting Procedure document for additional details on scenarios and/or conditions applicable for new land clearing.</p>	RSPO P&C 2018 Interpretation of Indicator 7.12.2 and Annex 5 (for RSPO P&C 2018)	Newly added	Newly added		Align with P&C 2018
Legal due diligence	The term 'legal due diligence' is commonly defined as an investigation, review performed, and/or research conducted on a company or business asset or a business, to confirm the facts of a matter under consideration before entering into an agreement with the another party. Once the facts are collected and analysed, an informed decision can be made.	RSPO P&C 2024				
Legal registration	Official license and/or permission from the relevant government authorities for an entity to operate as an enterprise, with rights to buy and sell products and/or services commercially. The licence or permissions can apply to an individual, a privately-owned enterprise. or a publicly-owned corporate entity.	RSPO P&C 2024				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Livelihood	<p>A person's or a group's way of making a living, from their environment or in the economy, including how they provision their basic needs, and assure themselves and following generations secure access to food, clean water, health, education, housing, and the materials needed for their life and comfort either through their own direct use of natural resources or through exchange, barter, trade, or engagement in the market.</p> <p>A livelihood includes not just access to resources but the knowledge and institutions that make this possible such as time for community participation and integration, personal, local, or traditional ecological knowledge, skills, endowments, and practices, the assets that are intrinsic to that way of making a living (e.g. farms, fields, pastures, crops, stock, natural resources, tools, machinery, and intangible cultural properties) and their position in the legal, political, and social fabric of society.</p> <p>The risk of livelihood failure determines the level of vulnerability of a person or a group to income, food, health, and nutritional insecurity. Therefore, livelihoods are secure when they have secure ownership of, or access to, resources and income earning activities, including reserves and assets, to offset risks, ease shocks, and meet contingencies.</p>	<p>Compiled and adapted from various definitions of livelihoods from the Department for International Development (DfID), the Institute of Development Studies (IDS), the FAO, and academic texts in 'The Household Livelihood Security Concept' (Frankenberger & McCaston, 1998; online, accessed on 3 April 2024 at https://www.fao.org/4/x0051t/x0051t05.htm)</p>				
Living Wage	<p>The remuneration received for a standard workweek by a worker in a particular place sufficient to afford a decent standard of living for the worker and her or his family. Elements of a decent standard of living include food, water, housing, education, health care, transportation, clothing, and other essential needs including provision for unexpected events.</p>	<p>What is a Living Wage? (Global Living Wage Coalition; online, accessed on 3 April 2024 at https://www.globallivingwage.org/about/what-is-a-living-wage/)</p>				
Local Community	<p>Refer to a community in a particular place where local people share common concern around local facilities, services and environment, and which may at times depart from traditional or state definitions. Generally, local communities attach particular meaning to land and natural resources as sources of culture, customs, history, and identity, and depend on them to sustain their livelihoods, social organisation, culture and traditions, beliefs, environment, and ecology.</p>	<p>RSPO Free, Prior and Informed Consent (FPIC) Guide (2022)</p>				
Managed area	<p>The land containing oil palm and associated land uses such as infrastructure (e.g., roads, buildings), riparian zones, and set-aside conservation areas.</p>	<p>RSPO P&C 2018</p>				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Management documents	Management documents are documented information and evidence to interact with the RSPO P&C standard. It shall be in the form of manual, working procedures, reports, and records that subject to be audited and reviewed periodically.	RSPO P&C 2018				
Management Review	Management Reviews are an opportunity to evaluate the systems and controls that are in place, to review feedback, make improvements and track corrective action, to assure that changes are monitored, reported and evaluated, and to determine the overall effectiveness of the quality programme (QMS).	ISO 9001: 2015 - Quality Management Systems				
Marginal soil	A soil that is unlikely to produce acceptable economic returns for the proposed crop at reasonable projections of crop value and costs of amelioration. Degraded soils are not marginal soils if their amelioration, and resulting productivity, is cost effective. Please also refer to other related definitions: 'fragile soil'.	RSPO P&C 2018				
Mass Balance	A mill is deemed to be Mass Balance (MB) if the mill processes FFB from both RSPO certified and uncertified plantations/estates. A mill may take delivery of FFB from uncertified growers, in addition to those from its own and 3rd party certified supply base(s). In that scenario, the mill can only claim the volume of palm oil and oil palm products produced from processing of the certified FFB as Mass Balance.	RSPO Supply Chain Certification standard (2020)				
Maternal Health	Maternal health refers to the health of women during pregnancy, childbirth and the post-natal period.	<u>Maternal Health (World Health Organisation: online, accessed January 2023 at https://www.who.int/health-topics/maternal-health)</u>				
Medium Grower	Medium Growers are beneficial owners, land owners, or businesses with more than 50 hectares (ha) and up to 500 ha (accumulative) of cultivated and harvested oil palms. Please also refer to other related definitions: 'grower', 'smallholder'.	RSPO P&C 2024				
Migrant Worker	A person who migrates or who has migrated whether within a country (internal migrant) or from one country to another (international migrant) to work.	RSPO P&C 2024				
Migrant Worker Status	Workers who have registered to be regularised under national labour recalibration/regularisation programs.	RSPO P&C 2024				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
National law	A binding rule or body of rules prescribed by the government of a sovereign state that holds force throughout the regions and territories within the government's dominion. In the context of international law, a State party to an international treaty must ensure that its own domestic law and practice are consistent with what is required by the treaty. National laws includes subsidiary legislations, regulations, by-laws, rules, and orders issued by the government.	National Law (UN Environment Programme; online, accessed January 2023 at https://leap.unep.org/en/knowledge/glossary/national-law)				
Negative action	Negative action against affected stakeholders is any act of retaliation; intimidation, harassment and threats; violence (physical, sexual and gender-based) and torture; instigating violence or use of any form of harassment, including the use of mercenaries and paramilitaries in their operations; exploitation; discrimination; and detention, disappearance or killing.	RSPO P&C 2024	Negative action against affected stakeholders	Negative action against affected stakeholders is Any act of retaliation; intimidation, harassment and threats; violence (physical, sexual and gender-based) and torture; instigating violence or use of any form of harassment, including the use of mercenaries and paramilitaries in their operations; exploitation; discrimination; and detention, disappearance or killing.	2.4.1(C)	For clarity and specific to Indicator context - as general negative actions may have broader definition.
New planting/ New land clearing	The planned or proposed establishment of oil palm plantations and associated developments on lands not previously cultivated with oil palm, owned and/or directly managed by an RSPO member.	RSPO P&C 2024				
Non-judicial process	Non-judicial process refers to mechanisms that do not involve formal national court proceedings or the direct involvement of the judiciary. These processes are often carried out by administrative or executive bodies such as mediations or arbitrations. This may also include dialogue-based or other culturally appropriate compatible processes. It can be used by individuals, workers, communities, and/or civil society organisations e.g., labour tribunals, national human rights institutions, ombudsperson offices, community tribunals, etc.	RSPO P&C 2024				
Oil Extraction Rate (OER)	Proportion of crude palm oil extracted from Fresh Fruit Bunches, using either the dry or wet extraction method.	RSPO P&C 2024				
Operations	All activities planned and/or undertaken by the Unit of Certification, which includes its contractors, within the boundaries of its palm oil mill and its estates/plantations.	RSPO P&C 2024				
Other conservation areas	Areas (in addition to HCVs, HCS forests, and peatland conservation areas) that are required to be conserved by the RSPO P&C standard e.g., riparian areas, steep slopes, other areas allocated by the Unit of Certification.	RSPO P&C 2018				
Outgrower	Farmer(s), where the sale of their FFB is exclusively contracted to the Unit of Certification. Outgrowers may be smallholders.	RSPO P&C 2013				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Paludiculture	Productive land use on rewetted peatland with crops that are adapted to the high water levels in peatlands. Paludiculture is classified as a peatland rehabilitation strategy. Plant species can be cultivated as part of the paludiculture are swam jelutong (<i>drya polyphylla</i>), alternative pulp species, tengkawang (<i>shorea spp.</i>), sago (<i>metroxylon spp.</i>), rattan, and medicinal plants.	RSPO Manual on BMPs for Management and Rehabilitation of Peatlands (2019)				
Participatory Mapping	Participatory mapping, also known as 'community mapping', is based on the premise that communities have knowledge of their customary tenure and surrounding environments, which can be expressed in simple maps. It allows communities to bring their local knowledge and perspectives to the attention of authorities and the UoC. This is done jointly by the Unit of Certification and the Communities.	Adapted from RSPO Free, Prior and Informed Consent (FPIC) Guide (2022)				
Peat	A soil with cumulative organic layer(s) comprising more than half of the upper 80 cm or 100 cm of the soil surface, containing 35% or more of organic matter (35% or more Loss on Ignition) or 18% or more organic carbon. Note for management of existing plantations in Malaysia and Indonesia, a narrower definition has been used, based on national regulations, namely: soil with an organic layer of more than 50% in the top 100 cm, containing more than 65% organic matter.	RSPO Peatland Working Group 2 (PLWG2), July 2018. Derived from FAO and USDA definition for histosols (organic soils) (FAO 1998, 2006/7; USDA 2014)				
Pesticide	Substances or a mixture of substances intended for preventing, destroying, repelling, or mitigating any pest, or regulating plant growth. Pesticides are categorised into four main substituent chemicals: herbicides; fungicides; insecticides; and bactericides.	RSPO P&C 2013				
Plan	A time-bound and detailed scheme, programme, or method for achieving objective(s) and desired outcome(s). Plans shall have clear targets with timelines for delivery, actions to be taken, and a process for monitoring progress to adapt plans to changing circumstances and reporting. Plans shall also include the identification of named individuals or positions responsible for the delivery of the plan. There shall be evidence that sufficient resources are available to carry out the plan and the plan is implemented in full.	RSPO P&C 2013				
Plantation	The land on which oil palm is grown.	RSPO P&C 2018				
Precautionary Approach	<p>An approach requiring that when the available information indicates that management activities pose a threat of severe or irreversible damage to the environment or a threat to human welfare, The organisation will take explicit and effective measures to prevent the damage and avoid the risks to welfare, even when the scientific information is incomplete or inconclusive, and when the vulnerability and sensitivity of environmental values are uncertain</p> <p>A precautionary approach applies explicit and effective measures when there is a threat of severe or irreversible damage to the environment or a threat to human welfare, to prevent the damage and reduce the risks. These measures are applied even when the scientific information is incomplete or inconclusive, and when the vulnerability and sensitivity of values are uncertain.</p>	Rio Declaration on Environment and Development A/CONF.151/26 (Vol. I) (United Nations General Assembly, 1992)				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Prevailing wage	The remuneration earned by a worker during normal working hours. It includes basic wage (cash), certain types of in-kind benefits, allowances, and bonuses .	RSPO Guidance on Calculating Prevailing Wages (2019)				
Primary forest	<p>Forest that has never been logged and has developed following natural disturbances and under natural processes, regardless of its age. Also included as primary are forests that are used inconsequentially by indigenous and local communities living traditional lifestyles relevant for the conservation and sustainable use of biological diversity. The present cover is normally relatively close to the natural composition and has arisen (predominantly) through natural regeneration.</p> <p>Applicability: <i>The RSPO standards have evolved in addressing deforestation, shifting from terms like “primary forest” in earlier iterations to more recent concepts such as “High Conservation Values (HCVs)” and “High Carbon Stock Forests (HCS)” in 2018. These updated terms are used within the RSPO system to ensure compliance with the standards relevant at the time of deforestation risk assessment, conducted during membership application. For new members (since November 2005) and existing members planning new planting (since January 2010), the definition of “primary forest” is applied to determine if deforestation occurred within a specified time frame.</i></p>	RSPO P&C 2024				
Private Employment Agency	<p>Any natural or legal person, independent of the public authorities, which provides one or more of the following labour market services:</p> <p>A) Services for matching offers of and applications for employment, without the private employment agency becoming a party to the employment relationships which may arise therefrom</p> <p>B) Services consisting of employing workers with a view to making them available to a third party, who may be a natural or legal person (referred to below as a "user enterprise") which assigns their tasks and supervises the execution of these tasks</p> <p>C) Other services relating to jobseeking, determined by the competent authority after consulting the most representative employers and workers organizations, such as the provision of information, that do not set out to match specific offers of and applications for employment.</p>	RSPO P&C 2024				
Prophylactic	A treatment or course of action applied as a preventive measure.	RSPO P&C 2013				
Publicly available	Refers to information or documents are accessible free of charge to anyone in the general public, without the need for special qualifications, permissions, or privileges.	RSPO P&C 2024				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Rare, threatened or endangered (RTE) species	<p>Rare species: Species that are uncommon or scarce, but not classified as threatened. These species are located in geographically restricted areas or specific habitats, or are scantily scattered on a large scale. They are approximately equivalent to the IUCN (2001) category of Near Threatened (NT), including species that are close to qualifying for, or are likely to qualify for, a threatened category in the near future. They are also approximately equivalent to imperiled species.</p> <p>Threatened species: Species that meet the IUCN (2001) criteria for Vulnerable (VU), Endangered (EN) or Critically Endangered (CR), and are facing a high, very high, or extremely high risk of extinction in the wild. These categories may be reinterpreted according to official national classifications (which have legal significance) and to local conditions and population densities (which should affect decisions about appropriate conservation measures).</p> <p>Endangered species: A taxon is Endangered when the best available evidence indicates that it meets any of the criteria A to E for Endangered (see Section V), and it is therefore considered to be facing a very high risk of extinction in the wild.</p>	IUCN Red List Categories and Criteria Version 3.1 (International Union for Conservation of Nature, 2001)				
Recruitment fees and related costs	The terms 'recruitment fees' or 'related costs' refer to any fees or costs incurred in the recruitment process in order for workers to secure employment or placement, regardless of the manner, timing, or location of their imposition or collection.	ILO General principles and operational guidelines for fair recruitment and definition of recruitment fees and related costs (International Labour Organization, 2019)				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Remediation	<p>Remediation refers to both the process and the outcome of addressing adverse human rights impacts. Remedies available should be adequate and appropriate, proportional to the gravity of the violation, and adapted to the circumstances of the case. Assistance provided to each aggrieved party will depend on the individual needs of the aggrieved party.</p> <p>Below are some examples of remediation that may be considered by the Unit of Certification:</p> <p>A) Shelter and accommodation B) Medical and health-care services and counselling, including mental health and psychosocial support C) Compensation/repayment D) Financial assistance E) Legal assistance F) Return assistance G) Reintegration assistance H) Satisfaction (acknowledgement fault/apology) I) Restitution (restoration of situation) J) Guarantee of non-repetition</p>	Adapted from the Corporate Responsibility to Respect Human Rights: An Interpretive Guide (United Nations Office of the High Commissioner for Human Rights, 2012)				
Replanting	Replanting oil palm with a subsequent oil palm crop.	RSPO New Planting Procedure (NPP) 2021				
Restoration	The process of assisting the recovery of an ecosystem, and its associated conservation values, that has been degraded, damaged, or destroyed.	Adapted from the Accountability Framework Initiative (2020)				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Rights	<p>Rights are legal, social or ethical principles of freedom or entitlement, in accordance with the International Bill of Rights and other relevant international human rights instruments, including the UN Declaration on the Rights of Indigenous Peoples, UN Guiding Principles on Business and Human Rights, and the Global Compact for Safe, Orderly and Regular Migration.</p> <ul style="list-style-type: none"> - Customary rights: Patterns of long-standing community land and resource usage in accordance with indigenous peoples' customary laws, values, customs, and traditions, including seasonal or cyclical use rather than formal legal title to land and resources issued by the State. - Legal rights: Rights given to individual(s), entities, and others through applicable local, national, or ratified international laws and regulations. - User rights: Rights for the use of land and resources that can be defined by local custom, mutual agreements, or prescribed by other entities holding access rights. - Demonstrable rights: Indigenous peoples, local communities, and users may have informal or customary rights in land that are not registered or recognised by the government or national laws. Demonstrable rights are distinguished from spurious claims by direct engagement with local communities, so they have adequate opportunities to justify their claims, and are best ascertained through participatory mapping with the involvement of neighbouring communities 	RSPO Free, Prior and Informed Consent (FPIC) Guide (2022)				
Riparian	Riparian is used to refer to land located next to natural lakes, as well as streams and rivers, although the latter are more commonly found within oil palm concessions.	RSPO Manual for the Management and Rehabilitation of Riparian Reserves (2018)				
Risk assessment	<p>A systematic process of identifying and evaluating the potential risks that may be involved in a projected activity or undertaking.</p> <p>It enables a weighing up of whether enough precautions are in place or whether more should be done to prevent harm to those at risk, including workers and members of the public.</p>	Adapted from ILO 'A 5 step guide for employers, workers and their representatives on conducting workplace risk assessments' (International Labour Organization, 2014)				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Safe drinking water	Safe drinking water, also known as 'potable water' or 'improved drinking water', is water that is of sufficient quality to be used for drinking (as well as for cooking and personal/domestic hygiene) without causing risk to health.	Adapted from Module 1: Water in 'WASH@Work: a self-training handbook' (International Labour Office, 2016)				
Scheme Smallholder	All smallholder farmers who are not Independent Smallholders, under a formal and legal contractual FFB sourcing agreement with a Unit of Certification. Please also refer to other related definitions: 'smallholder' and 'independent smallholder'.	RSPO P&C 2024				
Segregated	The Segregated (SG) supply chain model assures that RSPO certified palm oil and oil palm products delivered to the end user is only from RSPO certified sources (a mixture of Identity Preserved/IP products). Please also refer to other related definitions: 'Identity Preserved'	RSPO Supply Chain Certification standard (2020)				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Sexual Harassment	Sexual harassment is any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another, when such conduct interferes with work, is made a condition of employment, or creates an intimidating, hostile, or offensive work environment. While typically involving a pattern of behaviour, it can take the form of a single incident. Sexual harassment may occur between persons of the opposite or same sex. Both males and females can be either the victims or the offenders.	Adapted from the ILO Briefing note 'Sexual harassment in the world of work' (International Labour Organization; online, accessed on 8 April 2024 at https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@dgreports/@gender/documents/briefingnote/wcms_738115.pdf) and UN Women 'Harassment Policy including sexual harassment' (United Nations Entity for Gender Equality and the Empowerment of Women; online, accessed on 8 April 2024 at https://www.un.org/womenwatch/osaginew/fpsexualharassment.htm)				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Sexual violence	Includes rape, threats of sexual violence, and/or abuse. Sexual violence also includes forcing (directly or indirectly) workers/community members to engage in sexual activities.	Adapted from the ILO '11 Indicators on Forced Labour' (International Labour Organization, 2012)				
Significant air pollutant	Significant air pollutants are chemical or biological substances that substantially degrade air quality. These may include pollutants from sources such as palm oil mill effluent (POME), sewage, wastewater, sediment, fertilisers, pesticides, fuels, and other palm oil operations, which exceeds the threshold in accordance with national regulations and international standards.	RSPO P&C 2024				
Smallholder	An oil palm grower with a total accumulative planted area of oil palm that is smaller than or equal to 50 hectares (ha). The definition of a smallholder farmer and threshold of planted area of oil palm may vary by country, to be determined by the relevant National Interpretation of the RSPO P&C and ISH standards. In the absence of an NI developed for a specific country that has been formally endorsed by the RSPO Board of Governors, the definition of a smallholder farmer in the generic RSPO P&C shall prevail. Please refer to other related definitions: 'independent smallholder' and 'scheme smallholder'.	Adapted from RSPO P&C 2018 and ISH 2019 standards				
Smallholder plot	Land where smallholders have Rights, and is planted with oil palm or allocated for new planting with oil palm or replanting.	RSPO ISH standard 2024				
Smallholder household	A smallholder household refers to persons or groups that may be related or unrelated that live together and make common provision for food and other essentials for living. Please refer to other related definitions: 'family members' and 'contributing family members'.	RSPO ISH standard 2024				
Social and Environmental Impact Assessment (SEIA)	An analysis and planning process to be carried out prior to new plantings or operations. This process incorporates relevant environmental and social data, as well as stakeholder consultations, in order to identify the baseline condition and potential impacts (both direct and indirect) to the site; and to determine whether these impacts can be satisfactorily addressed, in which case the proponent also defines specific actions to minimise and mitigate potential negative impacts in a resulting social and environmental management & monitoring plan.	RSPO P&C 2024				
Socialise	A process of sharing knowledge and/or skills through providing information to, and interacting with, stakeholders.	RSPO P&C 2024				
Stakeholder(s)	An individual or group with a legitimate and/or demonstrable interest in, or who may or may not be directly affected by, the activities of an organisation and the consequences of those activities. Stakeholders include suppliers, internal staff members, workers, family members living on-site, communities, smallholders, customers, regulators, purchasers, clients, owners, trade unions, and non-governmental organisations (NGOs).	RSPO P&C 2018				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Standard Operating Procedure (SOP)	SOP is a set of step-by-step instructions compiled by an organisation to help workers carry out routine operations. SOPs aim to achieve efficiency, quality output, and uniformity of performance, while reducing miscommunication and failure to comply.	RSPO P&C 2024				
Steep terrain	Areas with a slope greater than 25 degrees, or otherwise defined through a National Interpretation (NI) process.	RSPO P&C 2013				
Supplier(s)	Person(s) or organisation(s) that supply Fresh Fruit Bunches to the Unit of Certification.	RSPO P&C 2024				
Supply chain	The series of processes/steps through which agricultural raw materials pass from the primary producer through to the end-product manufacturer (i.e. oil palm cultivation, harvesting, milling, storage, transport, refining, distribution, processing, manufacturing, retailing, etc.)	RSPO Supply Chain Certification standard 2020				
Traders	Person(s), business(es), or organisation(s) that buy and sell Fresh Fruit Bunches	RSPO P&C 2024				
Trafficking in Persons	The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;	United Nations 'Protocols to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children....' (United Nations General Assembly, 2000)				
Tribal peoples	Persons, or groups of persons, that can be identified or characterised as follows: - People who self-identify as tribal people and are accepted as such by their community - Social, cultural, and economic conditions distinguish them from other sections of the national community - Status is regulated wholly or partially by their own customs or traditions, or by special laws or regulations	RSPO P&C 2024				
Unit of Certification	The Unit of Certification is the collective area proposed for certification under the RSPO P&C standard, including: A) The mill(s) and its supply base(s), which shall include both directly managed land (and estates) and scheme smallholders, where estates have been legally established with proportions of lands allocated to each; B) Oil palm production areas managed by growers, medium growers, and/or smallholders; and C) Set-aside conservation areas within the concession area under the management control of the UoC.	RSPO P&C 2024				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Unlawful wage deductions	Unlawful wage deductions refer to wage deductions that are not stipulated in the national laws or collective bargaining agreement. In circumstances where the national law or collective bargaining agreement is silent on deductions, the Unit of Certification shall obtain approval from the relevant authorities for the said deductions.	RSPO P&C 2024				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Violence	<p>Violence may take many forms. It consists of acts that results in, or is likely to result in, physical, sexual, or psychological harm or suffering. This includes threats of such acts, coercion, or withdrawal of rights, occurring within the Unit of Certification, as well as the use of violence as a disciplinary measure and/or as a result of gender-based discrimination. Violence humiliates, degrades or damages a person's well-being, value, or dignity. Violence can be perpetrated either directly or indirectly. It includes:</p> <p>A) Physical violence B) Sexual violence C) Psychological violence</p> <p>Physical Violence The use of physical force against another person or group that results in physical, sexual, or psychological harm.</p> <p>Sexual Violence Any form or attempt of non-consensual sexual activity or coercion perpetrated against an individual. This includes rape, forced or coerced penetration of the vulva, anus, or any other body orifice with a penis, body part, or object. Sexual violence extends beyond physical acts to include psychological coercion, verbal harassment, and any behavior aimed at exploiting or violating an individual's sexual autonomy and dignity</p> <p>Psychological Violence Any intentional conduct that seriously impairs another person's psychological integrity through coercion or threats. Psychological violence can take the form of coercion, defamation, verbal abuse, threats, or harassment. It may also include threat of physical force, against another person or group that result in harm to mental, spiritual, moral, or social development, as well as bullying/mobbing.</p> <p>Additional notes and information Gender-based violence Gender-based violence is violence directed against a person because of that person's gender or violence that affects persons of a particular gender disproportionately. It is rooted in gender inequality, the abuse of power and harmful norms. The term is primarily used to underscore the fact that structural, gender-based power differentials place women and girls at risk of multiple forms of violence. The United Nations Declaration on the Elimination of Violence Against Women defines violence against women as "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life." While women and girls suffer disproportionately from GBV, men and boys can also be targeted.</p>	<p>Adapted from the ILO Department of Statistics 'Work-related violence and its integration into existing surveys' paper from the 19th International Conference of Labour Statisticians in Geneva (International Labour Organization, October 2013; online, accessed on 3 April 2024 at https://www.ilo.org/sites/default/files/wcmsp5/groupsp/public/@dgregp/orts/@stat/documents/meetingdocument/wcms_222231.pdf)</p> <p>and</p> <p>UN Women 'Frequently asked questions: Types of violence against women and girls' (United Nations Entity for Gender Equality and the Empowerment of Women; online,</p>				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Violence (Continued)	<p>Violence against Communities</p> <ul style="list-style-type: none">- Use of physical violence against community members in signing agreements related to relinquishing of land rights or resources- Forced dispossession of land, removal, or relocation through the use of violence- Excessive use of force by military or security personnel (contracted by the Unit of Certification) against community members	<p>accessed on 8 April 2024 at https://africa.unwomen.org/en/what-we-do/ending-violence-against-women/faqs/types-of-violence-1</p> <p>and</p> <p>(for communities)</p> <p>Adapted from United Nations Permanent Forum on Indigenous Issues Mandated Areas - Human Rights (United Nations Department of Economic and Social Affairs; online, accessed on 3 April 2024 at https://social.desa.un.org/issues/indigenous-peoples/unpfii-mandated-areas-human-rights)</p>				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Voluntary isolation	Indigenous peoples in voluntary isolation are indigenous peoples or segments of indigenous peoples who do not maintain sustained contacts with the majority non-indigenous population, and who generally reject any type of contact with persons not part of their own people. They may also be peoples or segments of peoples previously contacted and who, after intermittent contact with the non-indigenous societies, have returned to a situation of isolation and broke the relations of contact that they may have had with those societies. In line with the principles of Free, Prior and Informed Consent (FPIC), RSPO prohibits oil palm expansion in these peoples' territories.	IAHCR 'Indigenous Peoples in Voluntary Isolation and Initial Contact in the Americas' (Inter-American Commission on Human Rights & Organization of American States, 2013)				
Vulnerable groups	Any group or sector of society that is at higher risk or being subjected to social exclusion, discriminatory practices, violence, natural or environmental disaster, or economic hardship than other groups, such as indigenous peoples, ethnic minorities, migrants, disabled people, the homeless, isolated elderly people, women, and children.	RSPO P&C 2018				
Waste	Any substance or object which the holder discards or intends or is required to discard	Article 3 (1), Directive 2008/98/EC of the European Parliament and of the Council (19 November 2008)				
Waste management	The collection, transport, recovery, and disposal of waste, including the supervision of such operations and the after-care of disposal sites, and including actions taken as a dealer or broker.	Article 3 (9), Directive 2008/98/EC of the European Parliament and of the Council (19 November 2008)				
Watercourse	A watercourse is a natural or artificial channel through which water flows and/or a stream of water (such as a river, a brook, or an underground stream).	RSPO P&C 2024				

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Water security	The capacity of a population to safeguard sustainable access to adequate quantities of acceptable quality water for sustaining livelihoods, human well-being, and socio-economic development, for ensuring protection against water-borne pollution and water-related disasters, and for preserving ecosystems in a climate of peace and political stability	<u>UN-Water Analytical Brief 'Water Security and the Global Water Agenda' (United Nations Water, 2013: online, accessed on 3 April 2024 at https://www.unwater.org/publications/water-security-and-global-water-agenda)</u>				
Whistleblower	Individuals who are employees or former employees who report on illegal, irregular, dangerous, or unethical practices or actions by employers which contravene the RSPO Code of Conduct and related RSPO key documents, and who may potentially be at risk of reprisal. This includes individuals who are outside the traditional employee-employer relationship, such as contract workers, temporary workers, consultants, contractors, trainees/interns, volunteers, student workers, and former employees.	RSPO Policy on the Protection of Human Rights Defenders, Whistleblowers, Complainants and Community Spokespersons (2018)				

Term	Definition	Source	Term	Revised Definition	Reference to Indicator(s)	Reason for revision
Worker(s)	<p>Individual(s) that perform work for pay. This includes:</p> <ul style="list-style-type: none"> - Permanent workers: Workers with an ongoing employment relationship with the Unit of Certification and do not have a predetermined end date for their employment. - Fixed-term workers: Workers with an ongoing employment relationship with the Unit of Certification and who have an agreed minimum number of hours of work for a period of 3 months or more. - Short-term workers: Workers with an ongoing employment relationship with the Unit of Certification and who have an agreed minimum number of hours of work for a period of less than 3 months. (Seasonal workers with guaranteed work or number of working hours for a period of less than 3 months can be considered a short-term worker.) - Casual workers: Workers with an ongoing employment relationship with the Unit of Certification and who have no guarantee of employment for a certain number of hours during a specified period but may have arrangements of an ongoing or recurring nature. (Day workers can be considered as a casual worker if they have no guarantee of work or a minimum number of hours during a specified period.) - Third-party contracted workers: Workers employed by private employment agencies and deployed to a Unit of Certification which assigns and supervises the execution of their tasks. <p>Seasonal, contract, day, and temporary workers would fall into one of the above categories depending on the terms of the employment contract (permanency/duration, minimum number of working hours, pay structure, etc.)</p> <p>In the context of smallholders, family members who receive a wage/salary in return for the work performed may fall under one of the above categories of workers depending on the employment permanency/duration, nature of work, and minimum number of working hours.</p>	RSPO P&C 2024	Worker(s)	<p>Individual(s) that perform work for pay. This includes:</p> <ul style="list-style-type: none"> - Permanent workers: Workers with an ongoing employment relationship with the Unit of Certification and do not have a predetermined end date for their employment. - Fixed-term workers: Workers with an ongoing employment relationship with the Unit of Certification and who have an agreed minimum number of hours of work for a period of 3 months or more. - Short-term workers: Workers with an ongoing employment relationship with the Unit of Certification and who have an agreed minimum number of hours of work for a period of less than 3 months. (Seasonal workers with guaranteed work or number of working hours for a period of less than 3 months can be considered a short-term worker.) - Casual workers: Workers with an ongoing employment relationship with the Unit of Certification and who have no guarantee of employment for a certain number of hours during a specified period but may have arrangements of an ongoing or recurring nature. (Day workers can be considered as a casual worker if they have no guarantee of work or a minimum number of hours during a specified period.) - Third-party contracted workers: Workers employed by private employment agencies and deployed to a Unit of Certification which assigns and supervises the execution of their tasks. If the nature of the contract is to provide services to the UoC, without the UoC directly assigning and supervising the workers tasks, then those workers fall outside the scope of this definition. <p>Seasonal, contract, day, and temporary workers would fall into one of the above categories depending on the terms of the employment contract (permanency/duration, minimum number of working hours, pay structure, etc.)</p> <p>In the context of smallholders, family members who receive a wage/salary in return for the work performed may fall under one of the above categories of workers depending on the employment permanency/duration, nature of work, and minimum number of working hours.</p>		For clarity to emphasize that the third party contracted workers are ofc contractors directly assigned & supervised by UoC.

Annex 1 Terms and Definition

Term	Definition	Source	Term	Revised Definition	Reference to Indicator (s)	Reason for revision
Workforce	The total number of workers employed by the Unit of Certification either directly or indirectly. This includes contract workers and consultants.	RSPO P&C 2013				
Worker Organisation	Any organisation or group formed by workers to advocate their rights and interests in the workplace. These organisations may include trade unions, labor unions, workers' associations, or similar entities dedicated to promoting workers' rights, improving working conditions, and fostering engagement between the Unit of Certification and workers.	RSPO P&C 2024				
Work Target	An achievable output of work to be delivered by a worker within standard working hours in order to receive a full daily/monthly wage. It can also be referred to as 'quota'.	Adapted from 'Guideline for Indonesian Palm Oil Companies: Fair Target-Setting and Wage Policies in Oil Palm Plantations' (Earthworm Foundation, 2020)				
Worst forms of child labour	The worst forms of child labour comprises: A) All forms of slavery, or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom, and forced or compulsory labour (including forced or compulsory recruitment of children for use in armed conflict); B) The use, procuring, or offering of a child for prostitution, for the production of pornography, or for pornographic performances; C) The use, procuring, or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties; and D) Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety, or morals of children.	ILO Worst Forms of Child Labour Convention, 1999 (No.182)				
Yield	Fresh Fruit Bunch (FFB) production in metric tonnes (MT) per hectare of production area.	RSPO P&C 2024				
Young workers	Young workers are those who are from the age of 15 (or above the national minimum age, if higher) but under the age of 18.	RSPO P&C 2024				

Annex 2A: Key international laws and conventions applicable to the production of palm oil

Theme	International Standards			Key Provisions	Summary of Protection	Malaysia Signatory (S) Or Ratified (R)
	Convention	Declaration	Guiding Principles/ UN Outcome Documents			
Ethical Business Conduct	United Nations Convention against Corruption (2003)			Art 12	Promoting the development of standards and procedures to safeguard the integrity of private entities, including codes of conduct, for business activities and preventing conflict of interest. Promoting transparency. Ensuring that companies have sufficient internal auditing controls to prevent corruption.	Ratified
	Private Employment Agencies Convention 1997 (No 181)				Covers protection for workers who are employed through third party and/or private employment agencies.	Not ratified
		Declaration on the Rights of Human Rights Defenders			Contains human rights standards enshrined in other international instruments that are legally binding for the protection of human rights, including HRDs.	
			United Nations Guiding Principles on Business and Human Rights (2011)	Principles 11-24	Respect human rights, by avoiding and/or mitigating negative impacts regardless of their organisation size, sector of operation or ownership.	Adopted

Annex 2A: Key international laws and conventions applicable to the production of palm oil

Theme	International Standards			Key Provisions	Summary of Protection	Malaysia Signatory (S) Or Ratified (R)
	Convention	Declaration	Guiding Principles/ UN Outcome Documents			
Respect for Human Rights	<p>Core International Human Rights Treaties:</p> <ul style="list-style-type: none"> - International Covenant on Civil and Political Rights (ICCPR) - International Covenant on Economic, Social and Cultural Rights (ICESCR) - Convention on the Elimination of All Forms of Racial Discrimination (CERD) - Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) - Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) - Convention on the Rights of the Child (CRC) - International Convention on Protection of the Rights of All Migrant Workers and Members of Their Families (ICMRW) - Convention for the Protection of All Persons from Enforced Disappearance (CPED) - Convention on the Rights of Persons with Disabilities (CRPD) 			All core human rights treaties	Respect for human rights regardless of age, nationality, gender, race, ethnicity, religion, ability, marital status, sexual orientation and gender identity, political opinion or affiliation, etc.	

Annex 2A: Key international laws and conventions applicable to the production of palm oil

Theme	International Standards			Key Provisions	Summary of Protection	Malaysia Signatory (S) Or Ratified (R)
	Convention	Declaration	Guiding Principles/ UN Outcome Documents			
Just Land Acquisition	ILO Convention 169 (1989) on Indigenous and Tribal Peoples			Art 13-19	Respect and safeguard rights to lands and natural resources traditionally occupied and used; respect for customs of inheritance; no forced removals; compensation for loss and injury.	Not ratified
		UN Declaration on the Rights of Indigenous Peoples (2007)		Art 25-26	Right to distinctive relationship with land; right to own, use, develop and control their lands, territories and other resources.	Adopted
	UN Convention on Biological Diversity (1992)			Art 10(c)	Protect and encourage customary use of biological resources in accordance with traditional practices.	Ratified
Public Participation of Affective Communities			Rio Declaration on Environment and Development (1992) and Agenda 21	Principle 10	Environmental issues are best handled with the participation of all concerned citizens, at the relevant level. Principle 10 combines public participation with public access to information and access to remedial procedures. According to Agenda 21, one of the fundamental principles for the achievement of sustainable development is broad public participation in decision-making. Both Agenda 21 and the Rio Declaration emphasize the importance of the participation of all major groups, and special emphasis has been given, including in legally binding international instruments, to ensuring participation in decision-making of those groups that are considered to be politically disadvantaged, such as indigenous peoples and women.	

Annex 2A: Key international laws and conventions applicable to the production of palm oil

Theme	International Standards			Key Provisions	Summary of Protection	Malaysia Signatory (S) Or Ratified (R)
	Convention	Declaration	Guiding Principles/ UN Outcome Documents			
Fair Representation and Participation of Indigenous and Tribal People	ILO Convention 169 (1989) on Indigenous and Tribal Peoples			Art 6-9	Self-representation through institutions; consultations with objective of achieving agreement or consent; rights to decide their own priorities, retain their own customs and resolve their offences according to customary law (compatible with international laws).	Not ratified
		UN Declaration on the Rights of Indigenous Peoples (2007)		Art 3	Indigenous peoples have the right to self-determination and to freely pursue their economic, social and cultural development.	
		UN Declaration on the Rights of Indigenous Peoples (2007)		Art 10, 11(2), 19, 28(1), 29(2) and 32(2)	Right to free, prior and informed consent to any project affecting their lands as expressed through their own representative institutions.	
	Convention on the Eliminations of All Forms of Racial Discrimination, International Covenant on Economic, Social and Cultural Rights, Inter American Human Rights System.			UN CERD Committee UN Committee on Social Culture and Economic Rights, Inter American Commission on Human Rights	FPIC for decisions that may affect indigenous people. (This standard has been widely accepted as 'best practice' standard by bodies such as World Commission on Dams, Extractive Industries Review, Forest Stewardship Council, UNDP, CBD, IUCN, WWF).	
No Forced Labour	ILO Convention 29 (1930) Forced Labour			Art 5	No concession to companies shall involve any form of forced or compulsory labour.	Ratified
		Protocol of 2014 to the Forced Labour Convention 1930		Art 1, 2,4	Provides the measures which should be taken for the avoidance of forced or compulsory labour	Not ratified
	ILO Convention 105 (1957) Abolition of Forced Labour			Art 1	Not make use of any form of forced or compulsory labour.	Not in force. Denounced on 10.1.1990
	ILO Convention 138 (1973) Minimum Age			Arts 1-3	Abolition of child labour and definition of national minimum age for labour not less than 15-18 years (depending on occupation).	Ratified

Annex 2A: Key international laws and conventions applicable to the production of palm oil

Theme	International Standards			Key Provisions	Summary of Protection	Malaysia Signatory (S) Or Ratified (R)
	Convention	Declaration	Guiding Principles/ UN Outcome Documents			
Protection of Children	ILO Convention 182 (1999) Worst Forms of Child Labour			Arts 1-7	Abolition of child slavery, debt bondage, trafficking and procurement for prostitution; suitable methods to monitor and enforce compliance.	Ratified
	Minimum Age (Agriculture) Convention 1921 (No.10)			Art 1-2	Applicable to children under the age of 14 outside the hours of attendance in school.	Not ratified
	Convention on the Rights of the Child (CRC), 1989			Article 32	Right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.	Ratified
		UN Declaration on the Rights of Indigenous Peoples (2007)		Art 17(2), 21, 22 (2)	No exploitation or exposure to hazard or discrimination against indigenous women and children.	Adopted
	ILO Convention 87 (1948) Freedom of Association and Protection of Right to Organise			Art 2-11	Freedom to join organisations, federations and confederations of their own choosing; with freely chosen constitutions and rules; measures to protect the right to organise.	Not ratified
	ILO Convention 98 (1949) Right to Organise and Collective Bargaining			Art 1-4	Protection against anti-union acts and measures to dominate unions; establish means for voluntary negotiation of terms and conditions of employment through collective agreements.	Ratified
	ILO Convention 141 (1975) Rural Workers' Organisations			Art 2-3	Right of tenants, sharecroppers and smallholders to organise; freedom from association; free from interference and coercion.	Not ratified

Annex 2A: Key international laws and conventions applicable to the production of palm oil

Theme	International Standards			Key Provisions	Summary of Protection	Malaysia Signatory (S) Or Ratified (R)
	Convention	Declaration	Guiding Principles/ UN Outcome Documents			
Freedom of Association and Collective Bargaining	International Covenant on Economic, Social and Cultural Rights (ICESCR) (1966)			Art 8 (1)	The right of everyone to form trade unions and join the trade union of their choice, subject only to the rules of the organisation concerned, for the promotion and protection of their economic and social interests. No restrictions may be placed on the exercise of this right, other than those prescribed by law and which are necessary in a democratic society in the interests of national security, or public order, or for the protection of the rights and freedoms of others.	
	Collective Bargaining Convention, 1981 (No 154)			Art 1, 2, 3(2), 4, 5, 7, 8	Promotion of the right to collective bargaining.	Not ratified
	Workers Representative Convention 1971 (No 135)			Art 1-3	Workers' representatives in the undertaking shall enjoy effective protection against any act prejudicial to them, including dismissal, based on their status or activities as a workers' representative or on union membership or participation in union activities, in so far as they act in conformity with existing laws or collective agreements or other jointly agreed arrangements.	Not ratified
	ILO Convention 100 (1951) Equal Remuneration			Art 1-3	Equal remuneration for men and women for work of equal value.	Ratified
	ILO Convention 111 (1958) Discrimination (Employment and Occupation)			Art 1-2	Equality of opportunity and treatment in respect to employment and occupation; no discrimination on the basis of race, colour, sex, religion, political opinion, national extraction or social origin.	Not ratified
		UN Declaration on the Rights of Indigenous Peoples (2007)		Articles 2, 8(e), 9, 15(2), 16(1), 21 (2), 22, 24(1), 29 (1), 46(3)	No discrimination based on origin or identity; free to express identity based on custom; special attention to and full protection of rights of indigenous women.	

Annex 2A: Key international laws and conventions applicable to the production of palm oil

Theme	International Standards			Key Provisions	Summary of Protection	Malaysia Signatory (S) Or Ratified (R)
	Convention	Declaration	Guiding Principles/ UN Outcome Documents			
Non-discrimination and Equal Remuneration	ILO Convention 156 (1981) Workers with Family Responsibility			Art 1-5, 7- 10	No discrimination of any form against a worker, whether male or female with responsibilities in relation to their dependent children, where such responsibilities restrict their possibilities of preparing for, entering, participating in or advancing in economic activity.	Not ratified
	ILO Convention on Private Employment Agencies 1997 (No. 181)			Art 1,2,4-12	Concerns the protection of workers which are employed with the intention of making the services of these workers available to third parties.	Not ratified
	ILO Convention on Vocational Rehabilitation and Employment (Disabled Persons) 1983 (No. 159)			Art 1-4		Not ratified
	International Covenant on Economic, Social and Cultural Rights (ICESCR) (1966)			Art 7	Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work. Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence;	Not ratified

Annex 2A: Key international laws and conventions applicable to the production of palm oil

Theme	International Standards			Key Provisions	Summary of Protection	Malaysia Signatory (S) Or Ratified (R)
	Convention	Declaration	Guiding Principles/ UN Outcome Documents			
Elimination of	Convention on the Elimination of All Forms of Discrimination against Women			General Recommendation on 35	of the private sector, including businesses and transnational corporations, in efforts to eradicate all forms of gender- based violence against women; developing protocols and procedures addressing all forms of gender-based violence that may occur in the workplace or affect women workers, including effective and accessible internal complaints procedures.	Ratified
	ILO Convention 97 (1949) Migration for Employment				Provision of information; no obstacles to travel; provision of healthcare; non-discrimination in employment; accommodation, social security and remuneration; no forced repatriation of legal migrant workers; repatriation of savings.	Not ratified
	ILO Convention 143 (1975) Migrant Workers (Supplementary Provisions)			Art 1-12	Respect basic human rights; protection of illegal migrants from abusive employment; no trafficking in illegal migrants; fair treatment of migrant labour.	Not ratified
	Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)			Art 11; 21; 25; 26	Prevention of slavery; forced and compulsory labour; on confiscation of identity documents; conditions of work and contractual terms; and freedom of association and right to join trade unions.	Not ratified

Annex 2A: Key international laws and conventions applicable to the production of palm oil

Theme	International Standards			Key Provisions	Summary of Protection	Malaysia Signatory (S) Or Ratified (R)
	Convention	Declaration	Guiding Principles/ UN Outcome Documents			
Harassment and Abuse in the Workplace	ILO Convention 97 (1949) Migration for Employment			Art 5-91	Protection of members of families of recruited workers' rights during recruitment and transport; fair employment contracts; abolition of penal sanctions; fair wages and conditions of work; no coercion or obligation to use company stores; adequate accommodation and conditions; maternity protection; compensation for injuries and accidents; freedom of association; right to organise and collective bargaining; proper labour inspection; decent housing and medical care.	Not ratified
	ILO Convention No 11 Rights of Association (Agriculture) 1921			Art 1	All those who work in the agricultural sector to be accorded the same rights of association and combination as to industrial workers.	Malaysia- Peninsular (R) Malaysia- Sarawak (R)
	ILO Convention on Plantation (1958) (No. 110)			Art 1,2,5,7,8, 11,12-15	This convention relates to rights of workers and their families (including migrant workers) who have been recruited to work on plantations.	Not ratified
	ILO Convention No 101 Holidays with Pay (Agriculture) 1952			Art 1,3,5,7-9	Workers employed in agricultural undertakings and related occupations shall be granted an annual holiday with pay after a period of continuous service with the same employer.	Not ratified
	ILO Convention No 47 Forty Hour Week			Art 1	Requires that a member adopts a 40 hour week in a manner that the standard of living is not reduced as a consequence.	Not ratified

Annex 2A: Key international laws and conventions applicable to the production of palm oil

Theme	International Standards			Key Provisions	Summary of Protection	Malaysia Signatory (S) Or Ratified (R)
	Convention	Declaration	Guiding Principles/ UN Outcome Documents			
Protection of Women's Rights to Work	Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (1979)			Art 11	Right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training; Right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work	Ratified
	Maternity Protection Convention 2000 (No. 183)			Art 9	Prohibition from requiring a test for pregnancy or a certificate of such a test when a woman is applying for employment, except where required by national laws or regulations in respect of work.	Not ratified
	Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (1979)			Art 11 (f)	The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.	
	Maternity Protection Convention 2000 (No. 183)			Art 10	A woman shall be provided with the right to one or more daily breaks or a daily reduction of hours of work to breastfeed her child. These breaks or the reduction of daily hours of work shall be counted as working time and remunerated accordingly	Not ratified
Protection of Tenants and Sharecroppers			ILO Recommendation 132 (1968) Tenants and Share- croppers	Art 4-8	Fair rents; adequate payment for crops; provisions for well-being; organisation; fair contracts; procedures for the settlement of disputes.	Not ratified

Annex 2A: Key international laws and conventions applicable to the production of palm oil

Theme	International Standards			Key Provisions	Summary of Protection	Malaysia Signatory (S) Or Ratified (R)
	Convention	Declaration	Guiding Principles/ UN Outcome Documents			
Protection of Smallholders	ILO Convention 117 (1962) Social Policy (Basic Aims and Standards)			Art 4	Alienation with due regard to customary rights; assistance to form cooperatives; tenancy arrangements to secure highest possible living standards	Not ratified
Health and Safety	ILO Conventions 184 (2001) Safety and Health in Agriculture			Art 7-21	Carry out risk assessments and adopt preventive and protective measures to ensure health and safety with respect to workplaces, machinery equipment, chemical tools and processors; ensure dissemination of information, appropriate training, supervision and compliance; special protection for youth and women workers; coverage against occupational health and disease.	Not ratified
	ILO Convention on Occupational Cancer 1974 (No 139)				Members shall make every effort to have carcinogenic substances and agents to which workers may be exposed in the course of their work replaced by non- carcinogenic substances or agents or by less harmful substances or agents; in the choice of substitute substances or agents account shall be taken of their carcinogenic, toxic and other properties.	Not ratified
	ILO Convention on Invalidity Insurance (Agriculture) 1933 (No. 38)			Art 1-6, 13, 17, 20,23	Maintenance of a scheme for invalidity Insurance for workers.	Not ratified
	Convention on Maternity Protection 2000 (No. 183)			Art 2-4	Maternity Protection and benefits	Not ratified

Annex 2A: Key international laws and conventions applicable to the production of palm oil

Theme	International Standards			Key Provisions	Summary of Protection	Malaysia Signatory (S) Or Ratified (R)
	Convention	Declaration	Guiding Principles/ UN Outcome Documents			
Control or Eliminate the use of Dangerous Chemicals and Pesticides	Stockholm Convention on Persistent Organic Pollutants (2001)			Arts 1-5	Prohibit and/or eliminate production and use of chemicals listed in Annex A (eg Aldrin, Chlordane PCB); restrict production and use of chemicals in Annex B (eg DDT); reduce or eliminate releases of chemicals listed in Annex C (eg Hexachlorobenzene).	Signatory
	Rotterdam Convention on Prior and Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (1998)			Art 1, 5, and 6	Curb the trade of banned and hazardous chemicals and pesticides; develop national procedures for control of their use and trade; list banned and hazardous chemicals and pesticides.	
		UN Declaration on the Rights of Indigenous Peoples (2007)		Art 21(1), 23, 24, 29(3)	Improvement of livelihood and sanitation, health and housing, participate in health delivery; maintain traditional health systems; effective monitoring of health.	
	ILO Convention No 148 on Working Environment (Air, Pollution, Noise and Vibration) 1977			Art 1-3	Provides for measures which should be taken for the prevention and control of, and protection against, occupational hazards in the working environment due to air pollution, noise and vibration.	Not ratified
	ILO Convention No 170 on Chemical Convention 1990					Not ratified
Right to Food	International Covenant on Economic, Social and Cultural Rights (ICESCR) (1966)			Art 11	Right to adequate standard of living, including right to food.	Not ratified
Environmental Protection	UN Convention on Biological Diversity (1992)			Art 14	Environmental impact assessment of its proposed projects that are likely to have significant adverse effects on biological diversity with a view to avoiding or minimising such effects and, where appropriate, allow for public participation in such procedures.	Ratified

Annex 2A: Key international laws and conventions applicable to the production of palm oil

Theme	International Standards			Key Provisions	Summary of Protection	Malaysia Signatory (S) Or Ratified (R)
	Convention	Declaration	Guiding Principles/ UN Outcome Documents			
Conservation of Biodiversity	UN Convention on Biological Diversity (1992)			Art 1 – 18	Conservation of biological diversity and the sustainable use of its components.	Ratified
GHG				Art 1-4	Aimed at stabilising atmospheric concentrations of greenhouse gases to avoid dangerous anthropogenic interference, including in agricultural sector.	

Annex 2B: Related Laws, Regulations & Guidelines Used In Malaysia Palm Oil Industry In Relation To Respective Principles And Criteria

Principle	Criterion	Related Laws, Conventions, Regulations and Guidelines
1	1.1	Nil
	1.2	<ul style="list-style-type: none"> • Malaysia Anti-Corruption Commission (MACC) Act 2009 • Anti-Corruption Act 1997 • Penal Code • Anti-Money Laundering and Anti-Terrorism • Finance Act 2021 • Financial Services Act 2013 • Whistleblower Protection Act 2010
	1.3	Nil

Annex 2B: Related Laws, Regulations & Guidelines Used In Malaysia Palm Oil Industry In Relation To Respective Principles And Criteria

Principle	Criterion	Related Laws, Conventions, Regulations and Guidelines
2	2.1	<ul style="list-style-type: none"> • National Land Code 1965 • Federal Territory Land Rules, 1975 • Johore Land Rules 1966 • Kedah Land Rules 1966 • Kedah Provisional Titles (Transitional) Rules 1967 • Kelantan Land Rules 1966 • Malacca Land Rules 1966 • Land Titles Rules (Malacca) 1966 • Negeri Sembilan Land Rules 1966 • Pahang Land Rules 1986 • Penang Land Rules 1965 • Land Titles Rules (Penang) 1965 • Perak land Rules 1966 • Perlis Land Rules 1987 • Sabah Land Ordinance 1930 • Sarawak Land Code (Sarawak Cap.81) • Selangor Land Rules 1966 • Terengganu Land Rules 1966 • Town and Country Planning Act, Act 172 (For Environmentalist Sensitive Areas, ESA / Zoning) • Workers' Minimum Standard of Housing and Amenities Act 1990 <p>Sabah</p> <ul style="list-style-type: none"> • Land (Subsidiary Title) Enactment 1972 – Sabah No. 9 of 1972 • Land Acquisition Ordinance (Cap.69) Together with the subsidiary legislation made thereunder • Land Ordinance Cap.68 Together with the subsidiary legislation made thereunder • Sabah Town and Country Planning Ordinance (Caps 141) (For Environmentalist Sensitive Areas, ESA / Zoning) <p>Sarawak</p> <ul style="list-style-type: none"> • Sarawak Land Code (Sarawak Cap.81) • Sarawak Land Code (Caps 81) planning
		2.2 Nil
		2.3 Nil
		2.4 Nil
		2.5 Nil
3	3.1	Nil
	3.2	Nil

Annex 2B: Related Laws, Regulations & Guidelines Used In Malaysia Palm Oil Industry In Relation To Respective Principles And Criteria

Principle	Criterion	Related Laws, Conventions, Regulations and Guidelines
	3.3	<ul style="list-style-type: none"> • Environmental Quality (Prescribed Activities) (Environmental Impact Assessment) Order 2015 • National Physical Plan 2 <p>Sabah</p> <ul style="list-style-type: none"> • Environment Protection Enactment 2002 • Environment Protection (Prescribed Activities) (Environmental Impact Assessment) Order 2005 • (Environmental Impact Assessment) Order 2005 • Sabah Structure Plan 2033 <p>Sarawak</p> <ul style="list-style-type: none"> • Natural Resources and Environment (Prescribed Activities) Order 1994 (Incorporating all amendments up to May 1997) • The Natural Resources & Environment Ordinance (Cap.84-Laws of Sarawak 1958 ed.) • Natural Resources and Environment (Amendment) Ordinance, 1997 <ul style="list-style-type: none"> • ISO 14001 Environmental Management System (EMS)
		#VALUE!
	3.4	<ul style="list-style-type: none"> • MPOB Code of Good Agricultural Practice for Oil Palm • MSGAP Part2: OP [Malaysian Standard Good Agricultural Practice (GAP) Part 2: Oil Palm (Elaeis Guineensis Jacq.)] <ul style="list-style-type: none"> • MPOB Codes of Practices i.e. • Code of Good Nursery Practice for Oil Palm Nurseries • Code of Good Agricultural Practice for the Oil Palm Estates and Small Holdings • Code of Good Milling Practice for Palm Oil Mills
	3.5	Nil
	3.6	Nil
	3.7	Nil
4	4.1	<ul style="list-style-type: none"> • Aboriginal People Act 1954 (Revised 1974) • Human Rights Commission • Malaysian Federal Constitution is a dynamic document with several provisions that protects orang Asli's rights, including Articles 5, 6, 8, 10, 11 and 12. <p>Protect and encourage customary use of biological resources in accordance with traditional cultural practices that are compatible with conservation or sustainable use requirements: - Wildlife Conservation Act 2010 (Act 716) - Sabah Wildlife Conservation Enactment 1997 - Sarawak Wildlife Protection Ordinance 1998</p> <p>Sarawak</p> <ul style="list-style-type: none"> • Sarawak Native Code 1992

Annex 2B: Related Laws, Regulations & Guidelines Used In Malaysia Palm Oil Industry In Relation To Respective Principles And Criteria

Principle	Criterion	Related Laws, Conventions, Regulations and Guidelines
	4.2	Nil
	4.3	Nil
	4.4	<ul style="list-style-type: none"> • Land Acquisition Act 1960 • Land Acquisition Ordinance (Sabah Cap. 69) • Sarawak Land Code (Cap. 81)
	4.5	
	4.6	Nil
	4.7	Nil
5	5.1	<ul style="list-style-type: none"> • Sales Tax Act 1972 (Act 64) & Regulations • Environmental Quality (Prescribed Activities) (Environmental Impact Assessment) Order 1987) <p>Sabah</p> <ul style="list-style-type: none"> • Environment Protection Enactment 2002 • Environment Protection (Prescribed Activities) Order 2005 • (Environmental Impact Assessment) Order 2005 <p>Sarawak</p> <ul style="list-style-type: none"> • Natural Resources and Environment (Prescribed Activities) Order 1994 (Incorporating all amendments up to May 1997) • The Natural Resources & Environment Ordinance (Cap.84-Laws of Sarawak 1958 ed.) • Natural Resources and Environment (Amendment) Ordinance, 1997
	5.2	Nil
6	6.1	Nil

Annex 2B: Related Laws, Regulations & Guidelines Used In Malaysia Palm Oil Industry In Relation To Respective Principles And Criteria

Principle	Criterion	Related Laws, Conventions, Regulations and Guidelines
	6.2	<ul style="list-style-type: none"> • Employment Act (1955) • Employment Acts & Regulations (Act 265) 2003 • Employment (Restriction) Act 1968 • Private Employment Agency Act 1981 • Employees Provident Fund Act 1951(Act 272) • Immigration Act 1959/1963 (Act 155) • Workers' Minimum Standards of Housing & Amenities Act 1990 (Act 446) • Employment Information Act 1953 • Employees Social Security Act 1969 (Amended 2003) • Workmen's Compensation Act 1952 (Act 273) • Employment (Restriction)(Exemption) Order 1983 • Employment Provident Fund Rules 1991 • Workmen's Compensation Regulations 1953 • Wages Council Act 1947 • Minimum Wage Order 2018 • Employment Insurance System (EIS) 2017 • Workers Union Act 1959 • Minimum Retirement Age Act 2012 (Act 753) • Passport Act 1966 <p>Sabah</p> <ul style="list-style-type: none"> • Sabah Labour Ordinance 1950 (Amended 2004) <p>Sarawak</p> <ul style="list-style-type: none"> • Labour Ordinance of Sarawak 1952 (Amended 2005)
	6.3	Nil
	6.4	<ul style="list-style-type: none"> • Trade Unions Act 1959 • Employment Act 1955 • Industrial Relation Act 1967 • Immigration Regulation 1963 <p>Sabah</p> <ul style="list-style-type: none"> • Sabah Labour Ordinance 1950 (Amended 2004) <p>Sarawak</p> <ul style="list-style-type: none"> • Labour Ordinance of Sarawak 1952 (Amended 2005)

Annex 2B: Related Laws, Regulations & Guidelines Used In Malaysia Palm Oil Industry In Relation To Respective Principles And Criteria

Principle	Criterion	Related Laws, Conventions, Regulations and Guidelines
	6.5	<ul style="list-style-type: none"> • Children & Young Persons (Employment) (Amendment) 2018 • Factory and Machinery Act 1967, section 28 • Children and Young Person (Employment) (Amendment) 2018, section 2 (2), (4) & (5). [Applicable to Peninsular Malaysia only] • Labour Ordinance (Sarawak) 1952, section 73 (2), (3),(4) & (5) • Sabah Labour Ordinance 1950, section 72(2), (3), (4) & (5) • Pesticides (Highly Toxic Pesticides) Regulation 1966, section 3 (a) • Electricity Ordinance (Sarawak) 1956, section 31 (1) • Electricity Act 1949, section 50 (1) – Applicable to Peninsular Malaysia & Sabah only
	6.6	<ul style="list-style-type: none"> • Sexual Harassment in The Workplace (Guidelines) • Code of Practice on Sexual Harassment In The Workplace (A Guide to the Malaysian)
	6.7	Nil
	6.8	<ul style="list-style-type: none"> • Industrial Relations Act 1967 • Employment Act 1955 • Immigration Act 1959/63 • Sabah Labour Ordinance 1950 • Sarawak Labour Ordinance 1952
	6.9	<ul style="list-style-type: none"> • OSH Act 1994 • Factories & Machinery Act 1967 (Act 139) & Regulations and Rules

Annex 2B: Related Laws, Regulations & Guidelines Used In Malaysia Palm Oil Industry In Relation To Respective Principles And Criteria

Principle	Criterion	Related Laws, Conventions, Regulations and Guidelines
7	7.1	<ul style="list-style-type: none"> • Destruction of Disease-Bearing Insects (1975) • IPM definition in accordance to FAO (2013) <p>IPM is the careful consideration of all available pest control techniques and subsequent integration of appropriate measures that discourage the development of pest populations and keep pesticides and other interventions to levels that are economically justified and reduce or minimize risks to human health and the environment. IPM emphasizes the growth of a healthy crop with the least possible disruption to agro-ecosystems and encourages natural pest control mechanisms. (FAO 2013: http://www.fao.org/agriculture/crops/core-themes/theme/pests/ipm/en/)</p> <ul style="list-style-type: none"> • WHO Type 1A or 1B or Stockholm & Rotterdam Conventions • Pesticides Act 1974 (Act 149) and Regulations • Food Act 1983 (Act 281) • Food Regulations, 1985 • OSH Act 1994 (Act 514) Regulations and Orders • Environment Quality (Scheduled Wastes) Regulations 2005 • Use & Standards Exposure of Chemicals Hazardous to Health (USECHH) Regulations 2000 - Chemical Health Risk Assessment (CHRA) • Poison Act & Regulations 1952 (Act 366) (Revised 1989) • Malaysian Laws on Poisons & Sale of Drugs • Estate Hospital Assistants (Registration) Act 1965 (Revised 1990) • Pesticides (Highly Toxic Pesticide) Regulation 1996 • Environmental Quality Act 1974(Act 127) and Regulations
	7.2	<ul style="list-style-type: none"> • Environmental Quality Act 1974 (Scheduled Wastes), Regulations, 2005 • Environmental Quality Act 1974(Act 127) and Regulations • Ministry of Health Guidelines-Municipal Waste Disposal • Local Government Act 1976 • Workers' Minimum Standards of Housing and Amenities Act 1990 (Act 446) • Environmental Quality (Prescribed Premises) (Crude Palm Oil) Order 1977. For Sabah and Sarawak, POME should be discharged according to the respective state policies.
	7.3	<ul style="list-style-type: none"> • MSGAP Part2: OP (4.4.1.3 – All new oil palm plantings should not be cultivated on land more than 300 m above sea level & 4.4.1.4 – All new oil palm plantings should not be cultivated on land of more than 25o slope unless as specified by local legislation.) • Garis Panduan Pembangunan di Kawasan Tanah Tinggi, Kem. Sains, Teknologi dan Alam Sekitar, 22 Jun 2002. • Street, Drainage & Building Act 1974 (Act 133)

Annex 2B: Related Laws, Regulations & Guidelines Used In Malaysia Palm Oil Industry In Relation To Respective Principles And Criteria

Principle	Criterion	Related Laws, Conventions, Regulations and Guidelines															
	7.4	<ul style="list-style-type: none">•Street, Drainage & Building Act 1974 (Act 133)•MSGAP-Part 2 OP (4.4.2.2 – Where oil palm is grown on sloping land within the permissible level, appropriate soil conservation measures should be undertaken to prevent soil erosion and siltation of drains, waterways and contamination of surface and groundwater through run-off of soil, nutrients or chemicals.) <p>Sabah</p> <ul style="list-style-type: none">•Environmental Impact Assessment (Order 2005) <p>Sarawak</p> <ul style="list-style-type: none">•Natural Resources and Environment (Amendment) Ordinance, 1997•Natural Resources and Environment Board (NREB)•Natural Resource and Environment (Prescribed Activities) Order 1994 (Incorporating all amendments up to May 1997)															
	7.5	<ul style="list-style-type: none">•Irrigation Areas Act 1953 (Revised 1989)•Garis Panduan Pembangunan Melibatkan Sungai dan Rizab Sungai, Department of Irrigation and Drainage Malaysia•Environmental Quality (Prescribed Premises) (Crude Palm Oil) Order 1977															
		<table><tr><th rowspan="2">Summary of Requirements Related to Width of Rivers River Width (m)</th><th colspan="2">Minimum Width of River Reserve (m)</th></tr><tr><th>For Peninsular Malaysia and Sarawak</th><th>Sabah</th></tr><tr><td>1-5</td><td>5</td><td rowspan="5">20 (for River Width > 3 metres)</td></tr><tr><td>5-10</td><td>10</td></tr><tr><td>10-20</td><td>20</td></tr><tr><td>20-40</td><td>40</td></tr><tr><td>> 40</td><td>50</td></tr></table>	Summary of Requirements Related to Width of Rivers River Width (m)	Minimum Width of River Reserve (m)		For Peninsular Malaysia and Sarawak	Sabah	1-5	5	20 (for River Width > 3 metres)	5-10	10	10-20	20	20-40	40	> 40
Summary of Requirements Related to Width of Rivers River Width (m)		Minimum Width of River Reserve (m)															
	For Peninsular Malaysia and Sarawak	Sabah															
1-5	5	20 (for River Width > 3 metres)															
5-10	10																
10-20	20																
20-40	40																
> 40	50																
	<p>Sabah</p> <ul style="list-style-type: none">•Drainage & Irrigation Ordinance 1956 (Sabah No.15 of 1956)•Sabah Water Resources Enactment 1998 <p>Sarawak</p> <ul style="list-style-type: none">•Natural Resources and Environment (Prescribed Activities) Order 1994 (Incorporating all amendments up to May 1997)																

Annex 2B: Related Laws, Regulations & Guidelines Used In Malaysia Palm Oil Industry In Relation To Respective Principles And Criteria

Principle	Criterion	Related Laws, Conventions, Regulations and Guidelines
	7.6	<ul style="list-style-type: none"> • Road Transport Act 1987(Act 334) • Street, Drainage & Building Act 1974 (Act 133) • Water Act 1920 (Act 418) • Environmental Quality (Clean Air Regulation) 1978 • Environmental Quality (Control of Emission from Diesel Engines) Regulation 1996 • Environmental Quality (Control of Emission from Petrol Engines) Regulation 1996 • Environmental Quality (Control of Emission from Motorcycles Engines) Regulation 1996 <p>That all new mills obtaining MPOB licensing will be required to have methane capture facilities. For increase of capacity for existing mills, methane capture or methane avoidance is compulsory. For existing mills, there are no requirements enforced yet.</p> <ul style="list-style-type: none"> • Guidelines for implementation of ASEAN policy on zero-burning, 2003 • Environment Quality (Declared Activities) (Open Burning) Order 200
	7.7	<ul style="list-style-type: none"> • IUCN 2007 Red List of Threatened Species • Wildlife Protection Act 1972 (Revised 1976) & State Ordinances related to this Act • Wildlife Conservation Act 2010 • HCV Guidelines : “The HCVF Toolkit” available from www.proforest.net • National Parks Act 1980 • State Forestry Enactments (particularly Section 10 on protection forests) • Land Conservation Act • National Forestry Act 1984 <p>Sabah</p> <ul style="list-style-type: none"> • Enakmen Biodiversiti Sabah 2000 • Sabah Wildlife Conservation Enactment 1997 <p>Sarawak</p> <ul style="list-style-type: none"> • Biodiversity Centre Ordinance, 1996 • Sarawak Wildlife Protection Ordinance, 1998 • National Parks and Nature Parks Ordinance (Sarawak) 1998

Annex 5: Guidance

Principle	Criterion	Guidance
3		<p>Guidance for 3.3</p> <p>The terms of reference of the SEIA should be defined. Ideally, the SEIA should be carried out by accredited independent experts, in order to ensure an objective process. The assessment (SEIA) should include, but is not limited to:</p> <ol style="list-style-type: none"> 1. Assessment of the impacts of all major planned activities, including land clearing, planting, replanting, pesticide and fertiliser use, mill operations, roads, drainage and irrigation systems and other infrastructure 2. Assessment of the impacts on HCVs, biodiversity and RTE species, including beyond concession boundaries and any measures for the conservation and/or enhancement of these 3. Assessment of the potential effects on adjacent natural ecosystems of planned developments, including whether development or expansion will increase pressure on nearby natural ecosystems 4. Identification of watercourses and wetlands and assessment of potential effects on hydrology and land subsidence of planned developments. Measures should be planned and implemented to maintain the quantity, quality and access to water and land resources 5. Baseline soil surveys and topographic information, including the identification of steep terrain, marginal and fragile soils, areas prone to erosion, degradation, subsidence, and flooding 6. Analysis of the type of land to be used (forest, degraded forest, peatlands, cleared land, etc.) 7. Assessment of land ownership and user rights 8. Assessment of current land use patterns 9. Assessment of impacts on people's amenity 10. Assess impacts on employment, employment opportunities or from changes of employment terms 11. A cost-benefit analysis on social aspects 12. Assessment of potential social impacts on surrounding communities of a plantation, including an analysis of potential effects on livelihoods, and differential effects on women versus men, ethnic communities, and migrant versus long-term residents 13. Assessment of salient risk of human rights violations 14. Assessment of the impacts on all dimensions of food and water security including the right to adequate food, and monitoring food and water security for affected communities 15. Assessment of activities which may impact air quality or generate significant GHG emissions <p>For smallholder schemes, the scheme management has the responsibility to undertake an impact assessment and to plan and operate in accordance with the results.</p> <p>Additional information on SEIA can be found in various external sources such as HCSA Toolkit Module 3 and the International Finance Corporation (IFC)'s Guide to Biodiversity for Private Sector: The Social and Environmental Impact Process.</p> <p>The review of the monitoring and management plan should be done (once every two years) internally or externally.</p>

Annex 5: Guidance

Principle	Criterion	Guidance																							
	3.3	<p>Guidance for 3.3.1</p> <p>‘For land areas less than 500ha, an internal assessment using selected components of SEIA and HCV assessments can be used. Where such internal assessments identify significant environmentally or socially sensitive areas or issues (i.e. with medium and high risks), an independent assessment will be undertaken. Notwithstanding, any activities that require an EIA in accordance to the relevant regulations on Environmental Impact Assessments (as specified in Annex 2B of MYNI 2025 for Peninsular Malaysia, Sabah and Sarawak) will require an independent assessment.’</p> <p>The guidance of Low, Medium and High Risk identification related to Environmentally or Socially Sensitive Areas/Issues is as per the table below.</p> <table><tr><th>Indicators</th><th>Low Risk</th><th>Medium Risk</th><th>High Risk</th></tr><tr><td>The scale of change (or impact) refers to the area that may be affected by the proposed development (for Environment related indicators)</td><td>- Site (i.e. the extent of change is restricted to areas within the boundaries of the site); - Local</td><td>- Regional (for example, affecting habitat areas that may support species that are of regional significance);</td><td>- National and/or international</td></tr><tr><td>Identification of ERT, IUCN Red List, Appendix I of CITES or listed as protected under Malaysian legislation (federal or state)</td><td>- Internal assessment DO not identify existence of any species categorised as either Critically Endangered (CR), Endangered (EN) or Vulnerable (VU) on the IUCN Red List, Appendix I of CITES or listed as protected under Malaysian legislation (federal or state) with the scale of change/impact indicated above.</td><td>- Where internal assessments identify existence of any species categorised as either Critically Endangered (CR), Endangered (EN) or Vulnerable (VU) on the IUCN Red List, Appendix I of CITES or listed as protected under Malaysian legislation (federal or state) with the scale of change/impact indicated above.</td><td>- Where internal assessments identify existence of any species categorised as either Critically Endangered (CR), Endangered (EN) or Vulnerable (VU) on the IUCN Red List, Appendix I of CITES or listed as protected under Malaysian legislation (federal or state) with the scale of change/impact indicated above.</td></tr><tr><td rowspan="2">Environmental Sensitive Areas</td><td>- Nil</td><td>- Nil</td><td>- Catchment for water intakes and groundwater extraction (wellfields) - All areas between 150m – 300m contour, all areas with erosion risk above 150 ton/ha/yr - All areas experiencing critical or significant coastal erosion.</td></tr><tr><td>- Nil</td><td>- Nil</td><td>- The above adoption is guided by the Environmentally Sensitive Area (ESA) as defined in the National Physical Plan under ESA Rank 3. - For ESA Rank 1 and ESA Rank 2, no development is permissible. - For Sabah ESA framework, reference can be made to Sabah Structure Plan 2033 document.</td></tr><tr><td>Socially Sensitive Areas</td><td>- Where internal assessments identify that the affected community are self-sufficient for their livelihoods and do not depend on forest resources for basic subsistence or health needs. - Use of the land for oil palm does not diminish the legal, customary or user rights of other users without their free, prior and informed consent.</td><td>- Where internal assessments identify that food security is available and assured, where project is adjacent to settlements which depend on produce from that forest for basic subsistence or health needs. - Use of the land for oil palm concerns the legal, customary or user rights of other users without their free, prior and informed consent indicated above.</td><td>- Where internal assessments identify that community is heavily dependent on the forest resources nearby for basic subsistence or health needs. - Use of the land for oil palm concerns the legal, customary or user rights of other users without their free, prior and informed consent. - Impact could be irreversible and affect vulnerable groups</td></tr></table>	Indicators	Low Risk	Medium Risk	High Risk	The scale of change (or impact) refers to the area that may be affected by the proposed development (for Environment related indicators)	- Site (i.e. the extent of change is restricted to areas within the boundaries of the site); - Local	- Regional (for example, affecting habitat areas that may support species that are of regional significance);	- National and/or international	Identification of ERT, IUCN Red List, Appendix I of CITES or listed as protected under Malaysian legislation (federal or state)	- Internal assessment DO not identify existence of any species categorised as either Critically Endangered (CR), Endangered (EN) or Vulnerable (VU) on the IUCN Red List, Appendix I of CITES or listed as protected under Malaysian legislation (federal or state) with the scale of change/impact indicated above.	- Where internal assessments identify existence of any species categorised as either Critically Endangered (CR), Endangered (EN) or Vulnerable (VU) on the IUCN Red List, Appendix I of CITES or listed as protected under Malaysian legislation (federal or state) with the scale of change/impact indicated above.	- Where internal assessments identify existence of any species categorised as either Critically Endangered (CR), Endangered (EN) or Vulnerable (VU) on the IUCN Red List, Appendix I of CITES or listed as protected under Malaysian legislation (federal or state) with the scale of change/impact indicated above.	Environmental Sensitive Areas	- Nil	- Nil	- Catchment for water intakes and groundwater extraction (wellfields) - All areas between 150m – 300m contour, all areas with erosion risk above 150 ton/ha/yr - All areas experiencing critical or significant coastal erosion.	- Nil	- Nil	- The above adoption is guided by the Environmentally Sensitive Area (ESA) as defined in the National Physical Plan under ESA Rank 3. - For ESA Rank 1 and ESA Rank 2, no development is permissible. - For Sabah ESA framework, reference can be made to Sabah Structure Plan 2033 document.	Socially Sensitive Areas	- Where internal assessments identify that the affected community are self-sufficient for their livelihoods and do not depend on forest resources for basic subsistence or health needs. - Use of the land for oil palm does not diminish the legal, customary or user rights of other users without their free, prior and informed consent.	- Where internal assessments identify that food security is available and assured, where project is adjacent to settlements which depend on produce from that forest for basic subsistence or health needs. - Use of the land for oil palm concerns the legal, customary or user rights of other users without their free, prior and informed consent indicated above.	- Where internal assessments identify that community is heavily dependent on the forest resources nearby for basic subsistence or health needs. - Use of the land for oil palm concerns the legal, customary or user rights of other users without their free, prior and informed consent. - Impact could be irreversible and affect vulnerable groups
Indicators	Low Risk	Medium Risk	High Risk																						
The scale of change (or impact) refers to the area that may be affected by the proposed development (for Environment related indicators)	- Site (i.e. the extent of change is restricted to areas within the boundaries of the site); - Local	- Regional (for example, affecting habitat areas that may support species that are of regional significance);	- National and/or international																						
Identification of ERT, IUCN Red List, Appendix I of CITES or listed as protected under Malaysian legislation (federal or state)	- Internal assessment DO not identify existence of any species categorised as either Critically Endangered (CR), Endangered (EN) or Vulnerable (VU) on the IUCN Red List, Appendix I of CITES or listed as protected under Malaysian legislation (federal or state) with the scale of change/impact indicated above.	- Where internal assessments identify existence of any species categorised as either Critically Endangered (CR), Endangered (EN) or Vulnerable (VU) on the IUCN Red List, Appendix I of CITES or listed as protected under Malaysian legislation (federal or state) with the scale of change/impact indicated above.	- Where internal assessments identify existence of any species categorised as either Critically Endangered (CR), Endangered (EN) or Vulnerable (VU) on the IUCN Red List, Appendix I of CITES or listed as protected under Malaysian legislation (federal or state) with the scale of change/impact indicated above.																						
Environmental Sensitive Areas	- Nil	- Nil	- Catchment for water intakes and groundwater extraction (wellfields) - All areas between 150m – 300m contour, all areas with erosion risk above 150 ton/ha/yr - All areas experiencing critical or significant coastal erosion.																						
	- Nil	- Nil	- The above adoption is guided by the Environmentally Sensitive Area (ESA) as defined in the National Physical Plan under ESA Rank 3. - For ESA Rank 1 and ESA Rank 2, no development is permissible. - For Sabah ESA framework, reference can be made to Sabah Structure Plan 2033 document.																						
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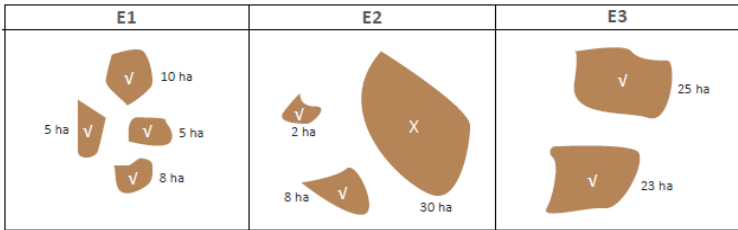
Annex 5: Guidance

Principle	Criterion	Guidance
	3.4	<p>Guidance for 3.4</p> <p>National legal requirements and Good Agricultural Practices related to nutrition and nutrient management of oil palms:</p> <ul style="list-style-type: none"> • MPOB Code of Good Agricultural Practice for Oil Palm* • MSGAP Part 2: OP [Malaysian Standard Good Agricultural Practice (GAP) Part 2: Oil Palm (<i>Elaeis Guineensis</i> Jacq.)] <p>*MPOB Codes of Practices i.e.</p> <ul style="list-style-type: none"> • Code of Good Nursery Practice for Oil Palm Nurseries • Code of Good Agricultural Practice for the Oil Palm Estates and Small Holdings • Code of Good Milling Practice for Palm Oil Mills
4	4.3	<p>All indicators will apply to current operations, but there are exceptions for long established plantations which may not have records dating back to the time of the decision making.</p> <p>Where there are legal or customary rights over land, the unit of certification should demonstrate that these rights are understood and are not being threatened or reduced. This Criterion should be considered in conjunction with Criterion 4.4, 4.5 and 4.7. Where customary rights areas are unclear these should be established through participatory mapping exercises involving affected parties (including neighbouring communities and local authorities).</p> <p>Further guidance on determining validity on claims over land and natural resources by people living in areas being developed for oil palm plantation is given in Annex 7.</p> <p>This Criterion allows for sales and negotiated agreements to compensate other users for lost benefits and/ or relinquished rights. Negotiated agreements should be non-coercive and entered into voluntarily, carried out prior to new investments or operations, and based on an open sharing of all relevant information. The representation of communities should be transparent and in open communication with other community members.</p> <p>Negotiated agreements should be binding on all parties and enforceable in the courts. Establishing certainty in land negotiations is of long-term benefit for all parties. Companies should be especially careful where they are offered lands acquired from the State by its invoking the national interest (also known as 'eminent domain').</p> <p>Unit of Certification should refer to the RSPO approved FPIC guidance 'Free Prior and Informed Consent Guide for RSPO Members, 2022'. Unit of certification should also refer to the guidance on consultation in Malaysia in Annex 7 of this document.</p>
	4.4	
	4.5	
	4.6	
	4.7	
5	5.1	
	5.2	
6	6.1	<p>Guidance for Indicator 6.1.2 :</p> <p>The unit of certification demonstrates that recruitment selection, hiring, access to training and promotion are based on skills, capabilities, qualities and medical fitness necessary for the jobs available.</p>
	6.2	<p>Guidance for Indicator 6.2.4:</p> <p>The timeline is applicable upon endorsement of P&C 2024 and will not have a retrospective effect.</p>
	6.3	
	6.4	

Annex 5: Guidance

Principle	Criterion	Guidance
	6.5	Guidance for Indicator 6.5.3: Age verification documents include a government recognised photographic identification document, where available. Examples of remediation are: procedures to assist underage workers found to be working; to ensure the children are taken out of the work site, parents/guardians are informed, medical testing to assess physical and mental health is conducted; and the Unit of Certification ensures that the children are enrolled in school.
	6.6	
	6.7	Guidance for Indicator 6.7.4: New mothers are defined as mothers with infants aged 24 months or younger.
	6.8	National regulations governing recruitment fees and related costs include: - MPOA Guideline on Responsible Recruitment, 2021 (voluntary guideline) In the absence of national regulations, the ILO's document "General Principles and Operational Guidelines for Fair Recruitment & Definition of Recruitment Fees and Related Costs" prevails. Guidance for Indicator 6.8.3: The grievance channels (with reference to Cri 2.5) for repayment should be transparent and accessible; however, investigations into repayment disputes should be conducted confidentially. Workers should have access to clear reporting mechanisms to raise concerns about non-payment, delays, or discrepancies. Grievance channels for new recruitment should remain available for ongoing monitoring of ethical recruitment practices.
	6.9	Guidance for Indicator 6.9.3: Refer to Occupational Safety & Health Act 1994
7		<i>Nationally regulated and/or industrial specific controls, measures, best practices, and thresholds.</i>
	7.1	Pesticides Act 1974(Act 149), Pesticides (Highly Toxic Pesticide) Regulation 1996 describes the protocol for handling and use of highly toxic pesticides. Justification of the use of such pesticides will be included in the RSPO public summary audit report.
	7.2	

Annex 5: Guidance

Principle	Criterion	Guidance
		<p>Replanting on sloping land must be in compliance with Malaysian Standard Good Agricultural Practices (MS GAP) Part 2: Oil Palm</p> <p>Prior to replanting, Unit of certification to prepare a map to show slope of terrains and identify contiguous areas of steep terrain (greater than 25 degrees) larger than 25 Ha within the estate/ unit of certification. These individual, contiguous areas greater than 25 Ha should not be replanted. There is no restriction for replanting other areas.</p>  <p>** E: estate; v: replanting allowed; X :replanting not allowed</p> <p>For Sarawak, steep slopes above 25 degrees are considered high risk erosion areas and cannot undergo replanting unless approved by the Natural Resources and Environment Board (NREB).</p> <p>For Sabah, slopes 25 degrees and steeper are considered high risk erosion areas and cannot undergo replanting unless approved by the Environmental Protection Department (EPD).</p> <p>Slope determination methodology (slope analysis) should be based on average slope using topographic maps and/or topographical surveys. Techniques that minimise soil erosion are well-known and should be adopted, wherever appropriate. These may include practices such as:</p> <ol style="list-style-type: none"> 1. Expediting establishment of ground cover upon completion of land preparation for new replant. 2. Maximizing palm biomass retention/ recycling. 3. Maintaining good non-competitive ground covers in mature areas. 4. Encouraging the establishment/regeneration of non-competitive vegetation to avoid bare ground. 5. Construction of conservation terraces for slopes >15o 6. Advocating proper frond heap stacking such as contour/L-shaped stacking. For straight line planting and stacking along the terrace edges for terrace planting. 7. Appropriate road design and regular maintenance. 8. Diversion of water runoff from the field roads into terraces or silt pits. 9. Construction of stop bunds to retain water within the terrace. 10. Maintaining and restoring riparian areas in order to minimize erosion of stream and river banks. <p>For those areas of steep slopes above 25 degrees but not replanted, natural regeneration or restoration of the area should follow.</p>
	7.3	
	7.4	

Annex 5: Guidance

Principle	Criterion	Guidance																
	7.5	<p>The water management plan should include:</p> <ul style="list-style-type: none"> • Consideration of relevant stakeholders, their water use, and water resource availability. • Taking account of the efficiency of use and renewability of sources. • Ensuring that the use and management of water by the unit of certification does not result in adverse impacts on other users within the catchment area, including local communities and customary water users. • Aiming to ensure local communities, workers and their families have access to adequate, clean water for drinking, cooking, bathing and cleaning purposes. • Avoiding contamination of surface and ground water through runoff of soil, nutrients or chemicals, or as a result of inadequate disposal of waste including POME. <p>- Aim to ensure that the plantation activities do not cause adverse impacts to the water sources of local communities, workers and their families.</p> <p>- No construction of bunds/weirs/dams across the main rivers or waterways passing through an estate.</p> <p>- Outgoing water into main natural waterways should be monitored at a frequency that reflects the estates and mills current activities which may have negative impacts (Cross reference to Cri 3.3).</p> <p>- Monitoring rainfall data for proper water management.</p> <p>- Water drainage into protected areas is avoided wherever possible. Appropriate mitigating measures will be implemented following consultation with relevant stakeholders.</p> <p>Requirement for discharge of mill effluent and monitoring frequency are set in the respective mill's license issued by the Department of Environment (DOE).</p>																
		<p>Guidance for Indicator 7.5.3</p> <p>Irrigation Areas Act 1953 (Revised 1989)</p> <ul style="list-style-type: none"> •Garis Panduan Pembangunan Melibatkan Sungai dan Rizab Sungai, Department of Irrigation and Drainage Malaysia •Environmental Quality (Prescribed Premises) (Crude Palm Oil) Order 1977 																
		<table border="1"> <thead> <tr> <th rowspan="2">Summary of Requirements Related to Width of Rivers River Width (m)</th><th colspan="2">Minimum Width of River Reserve (m)</th></tr> <tr> <th>For Peninsular Malaysia and Sarawak</th><th>Sabah</th></tr> </thead> <tbody> <tr> <td>1-5</td><td>5</td><td rowspan="5">20 (for River Width > 3 metres)</td></tr> <tr> <td>5-10</td><td>10</td></tr> <tr> <td>10-20</td><td>20</td></tr> <tr> <td>20-40</td><td>40</td></tr> <tr> <td>> 40</td><td>50</td></tr> </tbody> </table>	Summary of Requirements Related to Width of Rivers River Width (m)	Minimum Width of River Reserve (m)		For Peninsular Malaysia and Sarawak	Sabah	1-5	5	20 (for River Width > 3 metres)	5-10	10	10-20	20	20-40	40	> 40	50
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		<p>Sabah</p> <ul style="list-style-type: none"> •Drainage & Irrigation Ordinance 1956 (Sabah No.15 of 1956) •Sabah Water Resources Enactment 1998 <p>Sarawak</p> <ul style="list-style-type: none"> •Natural Resources and Environment (Prescribed Activities) Order 1994 (Incorporating all amendments up to May 1997) 																
	7.6																	
	7.7																	

Annex 6 - Supplementary and derivative documents of 2024 RSPO P&C

Supplementary or Derivative document	Reference to Criteria / Indicator	Applicability	Remarks/ Action
RSPO Certification System for P&C and ISH Standards - to be updated	All criteria and indicators	Normative	
RSPO Human Rights Due Diligence (HRDD) Guidance - to be developed	1.3 / 1.3.1	Informative	
RSPO Policy on the Protection of Human Rights Defenders, Whistleblowers, Complainants and Community Spokespersons - to be updated	2.4 / 2.4.1 (C)	Informative	
RSPO New Planting Procedure (NPP) - to be updated	3.3 / 3.3.1 (C); 7.3 / 7.3.3 (C); 7.7 / 7.7.1 (C)	Normative	
RSPO Supply Chain Certification (SCC) Standard	3.5 / all indicators	Normative	
RSPO Rules on Market Communications & Claims	3.5 / 3.5.4 (C), 3.5.12 (C)	Normative	
RSPO Free, Prior and Informed Consent (FPIC) Guide	4.3 / all indicators; 4.4 / all indicators	Informative	
RSPO Guidance on Calculating Prevailing Wages	6.3 / 6.3.1 (C)	Informative	
RSPO Prevailing Wage Calculation Procedure - to be developed	6.3 / 6.3.1 (C)	Normative	Next action, timeline for Interim Measure to be proposed by the LWTF.
RSPO Guidance on Child Rights for Palm Oil Producers	6.5 / 6.5.3 (C)	Informative	
RSPO Guidance for the Repayment of Recruitment Fees and Related Costs - in development	6.8 / 6.8.3 (C)	Informative	Revised in 4-1 Version
RSPO Manual on Best Management Practices (BMPs) for Steep Terrain Conservation and Management - in development	7.3 / 7.3.2 (C)	Informative	
RSPO Best Management Practices (BMPs) for Soil - to be developed	7.3 / 7.3.4 (C)	Informative	
Guidance on Peat Inventory for RSPO reporting	7.4 / 7.4.2	Normative	

Annex 6 - Supplementary and derivative documents of 2024 RSPO P&C

Supplementary or Derivative document	Reference to Criteria / Indicator	Applicability	Remarks/ Action
RSPO Peat Inventory Template	7.4 / 7.4.2	Normative	
RSPO Peat Audit Guidance	7.4 / 7.4.2, 7.4.3 (C), 7.4.4 (C), 7.4.5	Informative	
RSPO Manual on BMPs for Management and Rehabilitation of Peatlands	7.4 / 7.4.1 (C), 7.4.3 (C), 7.4.4 (C), 7.4.5, 7.4.6 (C), 7.4.7 (C)	Informative	
RSPO Manual on BMP's for Existing Oil Palm Cultivation on Peat	7.4 / 7.4.3 (C), 7.4.4 (C),	Informative	
RSPO Drainability Assessment Procedure	7.4 / 7.4.6 (C), 7.4.7 (C), 7.4.5	Normative	
RSPO Manual on BMPs for the Management and Rehabilitation of Riparian Reserves	7.5 / 7.5.3 (C)	Informative	
RSPO PalmGHG Calculator Manual - to be updated	7.6 / 7.6.1 (C), 7.6.2 (C)	Normative	
RSPO GHG Assessment Procedure for New Development	7.6 / 7.6.3 (C)	Normative	
RSPO Guidance for Land Use Change Analysis (LUCA)	7.7 / 7.7.1 (C), 7.7.2 (C)	Normative	
Interpretation of Indicator 7.7.1 (C) - to be updated based on Annex 5 of 2018 RSPO P&C (for validity)	7.7 / 7.7.1 (C)	Normative	
RSPO Remediation and Compensation Procedure (RaCP) - Version 2 in development	7.7 / 7.7.2 (C)	Normative	
RSPO Guidance on Changes in HCV Conditions and Status - to be developed	7.7/ 7.7.4 (C)	Informative	

Annex 7: Guidance Notes For Determining Validity Of Claims Over Land And Natural Resources By People Living In Areas Being Developed For Oil Palm Plantation

(Informative)

PREAMBLE:

The main purpose of this Guidance is to assist plantation managers to determine which claims of customary or user rights that affect plantations are valid, and which are not. Although consultation to address customary and user rights in existing plantations is required by RSPO, the precise details presented in this Annex are to be regarded as guidelines and not as the only way to address the issues, this guidance can also be used in the context of the RSPO New Planting Procedure. Only once this has been determined, can progress be made on addressing customary and user rights that have been made in plantations. This Guidance takes the view that the definitions of “customary rights” used in current legislation do not cover all valid claims.

Accordingly, this Guidance suggests a procedure that may be followed to determine valid claims, and also suggests some possible approaches to resolve valid claims.

This Guidance may be used in conjunction with addressing the following RSPO Criteria which touch on customary and user rights in plantations: 4.3, 4.5 and 4.5. The Guidance may also be relevant to some other Criteria, notably 1.1, 4.1 and 4.2, as well as 4.4 (customary and user rights in new plantations). The Guidance aims to be fair to all parties involved.

DESCRIPTION OF CUSTOMARY AND USER RIGHTS:

For the purpose of RSPO, “customary” and “user right” claims include but are not limited to those listed in the relevant State or national legislation, and in addition cover the following types of claims:

- Water catchment areas (where land within a plantation unit represents part of a water catchment that flows into land occupied by an indigenous community). regeneration of natural vegetation, and the same fields are used again years later, after weeds have been suppressed by woody plants and natural fertility soil has recovered. Known by a variety of names including shifting or rotational agriculture, and nomulok (Sabah). The regenerating farms are known by a variety of names such as ko-umoh (Sabah) and temuda (Sarawak).
- Old settlements (where signs exist of past occupation, known locally by various names including tambawai, pogun)
- Land included in the traditional tenure system of nomadic people
- Areas traditionally used for hunting and harvesting of forest products
- Orchard gardens of a mix of fruit trees, usually visited only for weeding and fruit harvesting; known as (dusun/kebun, Tumoh)

CRITERIA FOR CLAIMS OF CUSTOMARY AND USER RIGHTS:

Customary and user rights claims will be potentially accepted for investigation only if the claimants fulfil all three of the following criteria:

- Citizen of Malaysia or persons meeting the criteria to be a Malaysian Citizen by registration; the persons involved, or their parents, grand-parents or great-grand-parents, were born within Malaysia before Malaysia Day (16 September 1963); member of an ethnic group indigenous to the State within which they are claiming rights (refer to Article 160 of the Federal Constitution for Orang Asli ("Aborigine") in Peninsular Malaysia, Article 161A(6)(b) for Sabah; Article 161(A) for Sarawak).
- Their lineage must be provable, that is: the individuals making claims must be able to demonstrate a geographical, historical and cultural connection to the specific area over which their claim is made.
- Claimants must demonstrate that they maintain either regular, or periodic, or seasonal, or repeated or intermittent use of the land area over which the claims are made.

Customary and user rights claims will be potentially accepted for investigation only if the claimants fulfil all three of the following criteria:

- Citizen of Malaysia or persons meeting the criteria to be a Malaysian Citizen by registration; the persons involved, or their parents, grand-parents or great-grand-parents, were born within Malaysia before Malaysia Day (16 September 1963); member of an ethnic group indigenous to the State within which they are claiming rights (refer to Article 160 of the Federal Constitution for Orang Asli ("Aborigine") in Peninsular Malaysia, Article 161A(6)(b) for Sabah; Article 161(A) for Sarawak).
- Their lineage must be provable, that is: the individuals making claims must be able to demonstrate a geographical, historical and cultural connection to the specific area over which their claim is made.
- Claimants must demonstrate that they maintain either regular, or periodic, or seasonal, or repeated or intermittent use of the land area over which the claims are made.

PROCEDURE:

- The initial on us to investigate claims of customary or user rights lies with the company which holds title to the land over which the claims are made.
- The company will initiate a process, or support any existing formal, equitable and mutually agreeable existing process, to investigate the claims.
- The company will make an initial listing of persons who may have or appear to have valid claims. The listing will include, at minimum, the following details of each individual making a claim: name, Mykad or birth certificate number if available, usual place of residence, and summary details of their claims, stressing that recording of claims does not necessarily indicate acceptance of any claim.
- The listing will be presented to two authorities, (a) the District Officer of the District within which the claims are being made (who may delegate follow-up to the most relevant district-level government officer), and to (b) the senior native chief of the district or sub-district or community within which the claims are being made (Batin in Peninsular Malaysia; Ketua Daerah in Sabah; Temenggong in Sarawak).
- One designated person from each of these two authorities (State governmental and indigenous community) will be the two contact persons for subsequent follow-up by the company.
- All steps, information and conclusions of the procedure must be documented.
- Both authorities will be requested to form an ad hoc joint committee or joint working group to investigate the claims.
- The joint committee or working group may include relevant representatives of native communities, such as penghulu, ketua kampung, ketua anak negeri, pamanca and members of the village security and development committees.
- The work of the committee or working group and the interests of the claimants and/or the plantation may be assisted or guided by a relevant independent third party that is mutually agreed on.
- Participatory mapping of the areas claimed will be done as an important basis for identifying and settling valid claims. Key tasks of the committee or working group include to: (a) distinguish between claims which are valid and which are not valid, according to the criteria outlined above in this Guidance, and (b) identify the details of the claims which are valid.
- Claimants will be notified by the company of the initiation of the procedure, and will be advised that all steps, information and conclusions of the procedure must be documented if claims are to be accepted and resolved. The results of the investigations may be used by the committee or working group to suggest an appropriate resolution. Alternatively, if the committee or working group is unable or unwilling to suggest a means to resolution, the resolution will have to be made between the company and the claimants.

ADDITIONAL NOTES:

Court decisions (including – where relevant- native court, district court, high court, federal court and court of appeal) relating to claims of customary or user rights shall be taken into cognisance when following this guidance.

Hunting

(a) Hunting of wild animals for non-commercial purposes may be recognised as a user right, but must accord with current legislation, (b) human safety and security take precedence over individual hunting right claims, (c) where appropriate, valid claimants or their community leaders are encouraged to liaise with State Wildlife Department or relevant authorities to develop an agreed (sustainable) hunting system.

New plantings claims

Companies about to embark on new plantings where there may be customary or user rights claims are advised to proactively call for claims to be made, stating that claims should be made of local announcement, and that only valid claims will be accepted for resolution.