

RSPO

Roundtable on Sustainable Palm Oil

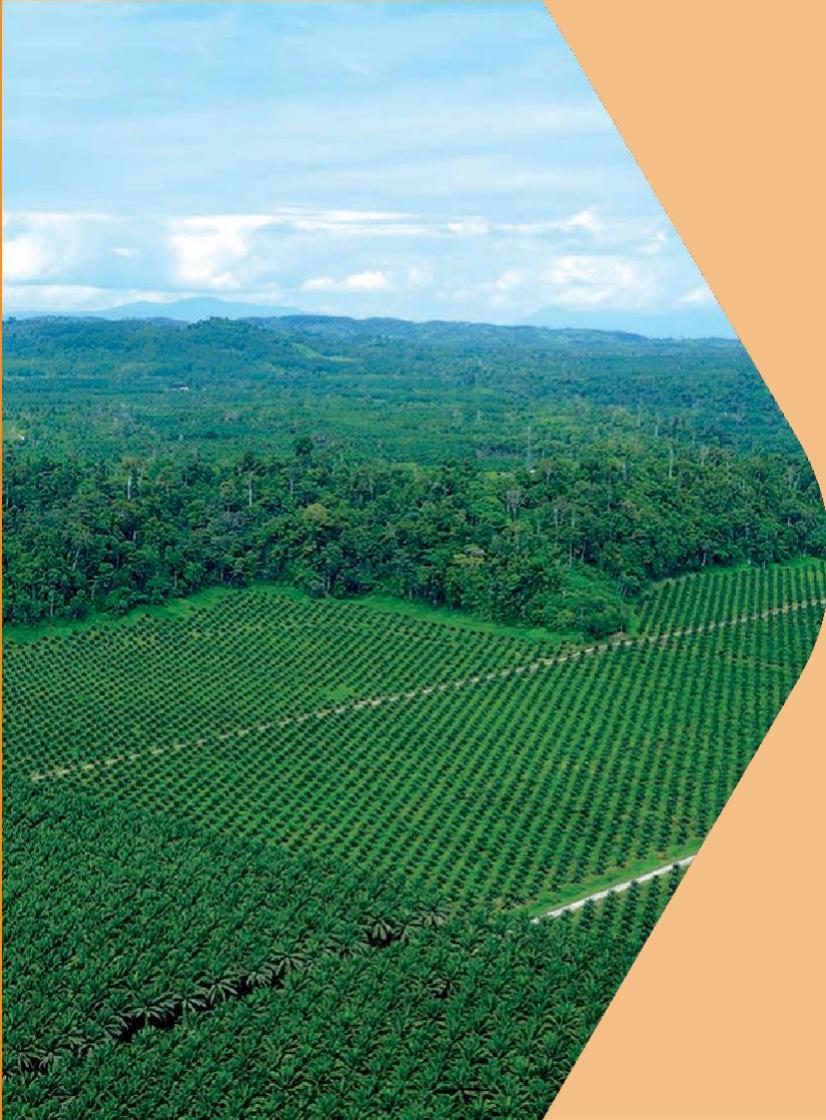


NATIONAL INTERPRETATION (NI) OF THE RSPO PRINCIPLES AND CRITERIA 2018 FOR HONDURAS

for the Production of
Sustainable Palm Oil

Developed by the National Working Group through the
National Interpretation process and endorsed by the RSPO
Board of Governors on the 10th June 2021





PREAMBLE

Sustainable palm oil production comprises legal, economically viable, environmentally appropriate and socially beneficial management and operations. This is delivered through the application of the following set of The RSPO Principles and Criteria (P&C), and the accompanying Indicators and Guidance.

The first set of Principles and Criteria, Indicators and Guidance (RSPO P&C 2007) had been applied since November 2007. These had been subject to trial implementation from November 2005 to November 2007 and, in a number of countries, to a subsequent process of National Interpretation (NI). After five years of application by RSPO members, the RSPO P&C 2007 was reviewed in 2012–2013, leading to the RSPO P&C 2013. After a further five years of application, these were reviewed and revised in 2017–2018 by the RSPO Principles and Criteria Review Task Force.

The objective of each review and revision is to improve the relevance and effectiveness of the P&C for RSPO members, towards achieving the shared vision and mission of making sustainable palm oil the norm. More specifically, the most recent revision sought to align the P&C with the RSPO Theory of Change (ToC) and to increase accessibility by making them more relevant and practical.

The review process went beyond ISEAL best practices, including two public consultation periods of sixty days each and seventeen physical consultation workshops in ten countries around the world, as well as six physical Task Force meetings. This process resulted in the production of the revised and restructured RSPO Principles and Criteria for Sustainable Palm Oil Production 2018 (RSPO P&C 2018).

In line with ISEAL best practices, this document (RSPO P&C 2018) will be completely reviewed once again after five years, following adoption by the General Assembly (GA) of the RSPO.

The RSPO and its members recognise, support and commit to following the United Nations *Universal Declaration of Human Rights* [<http://www.un.org/en/documents/udhr>] and the International Labour Organization (ILO)'s *Declaration on Fundamental Principles and Rights at Work* [<http://www.ilo.org/declaration/lang-en/index.htm>].

This document defines Indicators for each Criterion and further Guidance where useful. Indicators are specific pieces of objective evidence that must be in place to demonstrate or verify that the Criterion is being met (i.e., they constitute the normative part of the standard together with the Principles, Criteria and definitions). Guidance consists of useful information to help the unit of certification and auditor understand what the Criterion and/or Indicators mean in practice, to indicate good practice, and practices that should be followed. Guidance constitutes the informative part of the standard.

The RSPO Independent Smallholder Standard was approved in November 2019.

This RSPO P&C 2018 has come into effect after adoption by the RSPO 15th General Assembly (GA15) on 15 November 2018. As stated in Section 9 of the RSPO Standard Operating Procedures (SOP) for Standard Setting, National Interpretations (NIs) must be revised to be fully consistent with the RSPO P&C 2018 within 12 months of the date of

adoption (i.e., by 15 November 2019). Certificate holders must be fully compliant with the new version of an NI within one year of endorsement by the Board of Governors (BoG).

In countries where NIs are not updated by 15 November 2019, P&C 2018 will be effective until the NI has been updated.

In countries without NIs and/or in cases where members have conducted a Local Interpretation applicable to their own operations, P&C 2018 is effective immediately after adoption (15 November 2018) and shall be used for any new certification activities after the adoption date.

Existing certified entities can continue to be certified after the date of adoption and before the completion of any relevant NI, by conducting a maximum of one further Annual Surveillance Assessment (ASA) against P&C 2013 (or their current NI), but shall demonstrate compliance to the new RSPOP&C 2018 at the following ASA.

Criterion 7.12 requires that new land clearing after 15 November 2018 (i.e., adoption of the P&C at GA15) must be preceded by an HCV-HCS assessment. The Task Force recognises that there is an array of scenarios, in which HCV assessments have previously been undertaken and have been approved or are in the process of approval. Annex 5 explains how the new requirements apply in different scenarios of existing and new certifications, with and without new land clearing.

Necessary revisions shall be made to other RSPO normative documents and guidance to ensure consistency with the wording of RSPOP&C 2018 and, in that context, the disclaimer and procedural note for the Supply Chain requirements for mills at the end of Principle 3 shall be noted.

Annex 1 contains the definitions of the technical terms used in this standard. Annex 2 contains the additional generic guidance. Annex 3 provides key international law and conventions applicable to the production of palm oil. Annex 4 provides the necessary details for the implementation procedure for Indicator 2.3.2. Annex 5 describes the transition from HCV to combined HCV-HCS assessments. Annex 6 provides a list of applicable laws in Honduras. Annex 7 establishes basic definitions of different types of smallholder producers in the context of the palm oil sector in Honduras.

This document identifies critical (C) Indicators proposed by the RSPO Principles and Criteria Review Task Force and endorsed by the RSPO BoG on 12 October - 2018.

The English version of this document shall always prevail in case of any discrepancy or inconsistency between the English version and other translated versions.

IMPORTANT NOTE: When you see the  symbol in the Criteria, please refer to additional guidance in Annex 2.

NATIONAL INTERPRETATION OF THE RSPO P&C FOR HONDURAS

With the aim of implementing the RSPO P&C 2018 by adapting it to the country's legal and regulatory framework for the sustainable production of palm oil in Honduras, the **Fundación Solidaridad Latinoamericana (Solidaridad)** highlighted the importance and reasons for having an NI of the Standard for the country, thus facilitating the process. With the experience of the development of the 2013 RSPO NI for Honduras, carried out in 2014, the palm sector extended its trust in Solidaridad to facilitate and lead the process in a transparent and neutral manner.

In 2019, the Honduran palm oil sector approved the work plan and the budget through dialogue sessions, assemblies and by consensus, which were also submitted and approved by the RSPO Latin America (LATAM) executive office, which ratified Solidaridad to occupy the Technical Secretariat and communicated such to the palm oil sector in October 2019. In 2020, following the RSPO Terms of Reference (ToR), and after carrying out a mapping of actors at the national level, the Technical Secretariat made calls to interested parties to integrate the National Interpretation Working Group (NIWG).

The NIWG integrated the participation of 26 civil society, non-governmental, environmental and social organizations, including the Ministry of Agriculture and Livestock (SAG), the Ministry of Environment (MIAMBIENTE), Forest, Wildlife and Protected Areas Conservation Institute (ICF), the Secretary of Labour, National Agrarian Institute (INA), National Federation of Palm Producer and Extractor Associations of Honduras (FENAPALMAH), Association of Oil Palm Industries of Honduras (AIPAH), relevant experts (RSPO and HVC-HCS

auditors, conservationists), Honduran Social Sector of the Economy Council (COHDESSE), and marketers of palm oil and derivatives.

The NI Technical Secretariat has been facilitated by Solidaridad under the technical supervision of RSPO LATAM.

The NIWG members were informed about the corresponding process and Code of Ethics, sending a letter of acceptance with the appointment of the holder and alternate. At the same time, the Technical Secretariat and Solidaridad work team identified the national legal framework and ratified international treaties applicable to relevant environmental, social and productive issues. In compliance with the ToR for NIs of the RSPO Standard, the NIWG was formed in a balanced manner and with representation from all sectors.

Considering the current national health emergency situation in Honduras due to the COVID-19 pandemic, it was necessary to adapt the work plan, as well as promote interactive methods by holding online meetings, via webinar through the digital platform of the Mesoamerican Alliance for Sustainable Palm Programme (MAPA) (<https://en.mapa-solidaridad.org/interpretacion-nacional-rspo-hondur>) led by Solidaridad. Relevant RSPO reference documents and the virtual meeting schedule were posted on this platform to support the process.

The president of the NWG was democratically elected from a list of candidates by members who were informed of the process and their roles. To improve the efficiency of discussions, the NIWG was divided into working subgroups, according to the impact areas of the Theory of Change of the RSPO Standard: 1) Prosperity, 2) People and 3) Planet. The participation of the NIWG members has been assiduous, harmonious, respectful and consistent with the established code of conduct.

The RSPO 2018 NI process was launched on 7 May 2020 via webinar with the participation of the Executive Director of RSPO LATAM and was attended by 54 participants (72% men, 28% women). The NIWG and the subgroups have been holding a series of successful sessions every two weeks on a continuous basis, as well as special weekly meetings to review content and adopt the legal and regulatory framework. All of the work was completed virtually due to the pandemic restrictions imposed by the Honduran government. The minutes of each session were recorded and documented. The structure, scope, objectives of the *RSPO Independent Smallholders Standard* (2019) were introduced and explained to each working subgroup.

Sessions were dedicated to the discussion of appropriate definitions of palm oil smallholders, Scheme Smallholders, and Independent Smallholders, depending on the national context and the conditions of the palm oil producers.

To effectively facilitate broad participation during the public consultation period, the RSPO P&C 2018 NI for Honduras was provided in English and Spanish. The facilitation team mapped relevant actors to identify members of the palm oil value chain, palm oil producers and processors, academics, governmental entities and organizations in order to promote participation in the public consultation for the review of the NI P&C and to provide comments through an established format.

To achieve a broader reach via electronic media, the Solidaridad facilitation team established a website for the National Interpretation process (palma.honduras@solidaridadnetwork.org) to improve awareness on the means to participate, and also required NIWG members to post this information on their respective organizations' websites and social media accounts.

To promote the public consultation on social media, the Technical Secretariat and the facilitation team prepared and disseminated five informational videos about the public consultation process and its importance. In addition, announcements promoting participation in the public consultation were published in major Honduran newspapers. Furthermore, virtual forums were developed to share relevant information with grassroots groups, producers, local governments, and local NGOs.

At the end of the public consultation period, all comments were collected for analysis and incorporation into the NI pending the approval of the NIWG. The final draft of the RSPO P&C 2018 NI for Honduras was translated into English for submission and approval by the RSPO Secretariat.

TABLE OF CONTENTS



Preamble		Impact Goal –	
1. Scope.....	8	Planet: Conserved, protected and enhanced ecosystems that provide for the next generation	54
2. RSPO Vision and Theory of Change.....	10	Principle 7: Protect, conserve and enhance ecosystems and the environment	55
3. Outcome Focus	13		
4. Structure of the RSPO P&C	14		
Impact Goal –		Annex 1 –Definitions	67
Prosperity: Competitive, resilient and sustainable sector	18	Annex 2 –Guidance	86
Principle 1: Behave ethically and transparently	19	Annex 3 – Key international laws and conventions applicable to the production of palm oil.....	132
Principle 2: Operate legally and respect rights	20	Annex 4 – Implementation procedure for Indicator 2.3.2	149
Principle 3: Optimise productivity, efficiency, positive impacts and resilience	22	Annex 5 – Transition from HCV to HCV-HCS Assessment	150
Supply chain requirements for mills	25	Annex 6 – Legal framework in Honduras.....	152
Impact Goal –		Annex 7 – Smallholder definitions in the Honduran context.....	165
People: Sustainable livelihoods and poverty reduction	35		
Principle 4: Respect community and human rights and deliver benefits	36		
Principle 5: Support smallholder inclusion	44		
Principle 6: Respect workers’ rights and conditions	47		

Acronym	Meaning
AFI	Accountability Framework Initiative
ALS	Assessor Licensing Scheme
ASA	Annual Surveillance Assessments
ASEAN	Association of Southeast Asian Nations
BHCV WG	Biodiversity&HighConservation ValueWorking Group
BMPs	Best Management Practices
BOD	Biochemical Oxygen Demand
BoG	Board of Governors
CABI	Centre for Agriculture and Biosciences International
CB	Certification Body
CBA	Collective Bargaining Agreement
CBD	Convention on Biological Diversity
CPO	Crude Palm Oil
CSO	Civil Society Organisation
DfID	Department for International Development (UK government)
DLW	Decent Living Wage
EFB	Empty Fruit Bunches
FAO	Food and Agriculture Organisation

Acronym	Meaning
FFB	Fresh Fruit Bunch
FPIC	Free, Prior and Informed Consent
FSC	Forest Stewardship Council
GA	General Assembly
GHG	Greenhouse Gas
GLWC	Global Living Wage Coalition
H&S	Health and Safety
HCS	High Carbon Stock
HCSA	High Carbon Stock Approach
HCV	High Conservation Value
HCVRN	High Conservation Value Resource Network
HFCC	High Forest Cover Country
HFCL	High Forest Cover Landscape
HGU	Hak Guna Usaha
HRC	Human Rights Commission
HRD	Human Rights Defender
ICS	Internal Control System
IDS	Institute of Development Studies
IFC	International Finance Corporation

Acronym	Meaning
IFL	Intact Forest Landscape
ILO	International Labour Organization
IP	Identity Preserved
IPCC	Intergovernmental Panel on Climate Change
IPM	Integrated Pest Management
ISO	International Organization for Standardization
IUCN	International Union for the Conservation of Nature
JCC	Joint Consultative Committee
KBA	Key Biodiversity Area
KPI	Key Performance Indicator
LTA	Lost Time Accident
LUCA	Land Use Change Analysis
MB	Mass Balance
NDJSG	No Deforestation Joint Steering Group
NGO	Non-Governmental Organisation
NI	National Interpretation
OER	Oil Extraction Rate
QMS	Quality Management System
P&C	RSPO Principles and Criteria (i.e., this document)

Acronym	Meaning
PK	Palm Kernel
PLWG	Peatland Working Group
PO	Palm Oil
POME	Palm Oil Mill Effluent
PPE	Personal Protective Equipment
RaCP	Remediation and Compensation Procedure
REDD	Reducing Emissions from Deforestation and Forest Degradation
RSPO	Roundtable on Sustainable Palm Oil
RTE	Rare, Threatened or Endangered
SCCS	RSPO Supply Chain Certification Standard
SDG	Sustainable Development Goal
SEIA	Social and Environmental Impact Assessment
SHIG	Smallholder Interim Group
SLAPP	Strategic Lawsuits against Public Participation
SOP	Standard Operating Procedure
ToC	Theory of Change
UN	United Nations

1. SCOPE

The RSPO Principles and Criteria (RSPO P&C) are applicable for sustainable palm oil production worldwide. The RSPO P&C cover the most significant environmental and social impacts of palm oil production and the immediate inputs to production, such as seed, chemicals and water, and social impacts related to on-farm labour and community relations.

The RSPO P&C apply to all production level companies (i.e., all mills, which do not fall under the definition of independent mill as outlined in the RSPO SCC standard); and to all growers, who do not meet the definition of Independent Smallholder or the applicability requirements as outlined in the *RSPO Independent Smallholder Standard* (2019), and therefore cannot apply the RSPO Smallholder Standard. These are referred to as the unit of certification throughout this document.

The unit of certification is responsible for the certification of related Scheme Smallholders and out growers within three years of obtaining its own certificate (see section 4.1.3 in the RSPO Certification Systems 2017). Guidance for implementation of the RSPO P&C 2018 for Scheme Smallholders and out growers will be developed.

The RSPO P&C apply to existing plantings, as well as planning, siting, development, expansion and new plantings.

Where RSPO standards differ from local laws, the higher/stricter of the two shall always prevail and NIs are required to develop a list of applicable laws (see section 9 in the RSPO SOP for Standard Setting 2017).

Compliance with the RSPO P&C and all requirements as outlined in associated documents is required in order for certification to be awarded. Any non-conformities may result in suspension or loss of certification (see section 4.9 in RSPO Certification Systems 2017). 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 (i.e., Annex 2 Guidance) provides guidance on the implementation of Indicators, but is not normative, nor can non-conformities be raised against this section.

Team	Explanation	RSPO Standard Setting document	Category
Principle	Fundamental statements about a desired outcome	A fundamental statement about a desired outcome, often providing greater detail about the objectives.	Normative
Criteria	What implementation of the Principle looks like – the preconditions or means of judging whether or not a Principle has been fulfilled	The conditions that need to be met in order to fulfil a Principle. Criteria add meaning and operationality to a Principle without themselves being direct measures of performance.	Normative
Indicator	Variable to measure the implementation (positive or negative)	The measurable states, which allow the assessment of whether or not associated Criteria, are being met. Indicators convey a single, meaningful message or piece of information.	Normative
Guidance	Additional information that assists with the understanding, implementation and auditing of the requirement (i.e. the Indicator)	Guidance consists of useful information to help the unit of certification and auditor understand what the Criterion and/or Indicators mean in practice, to indicate good practice, and practices that should be followed.	Informative
Procedural Note	Exceptional measure to allow mention of pending developments	A note in the standard only to be used where a methodology or element of the standard is still under development to clarify terms, conditions and procedures prior to the said methodology or element being finalised.	Informative

Role of Definitions

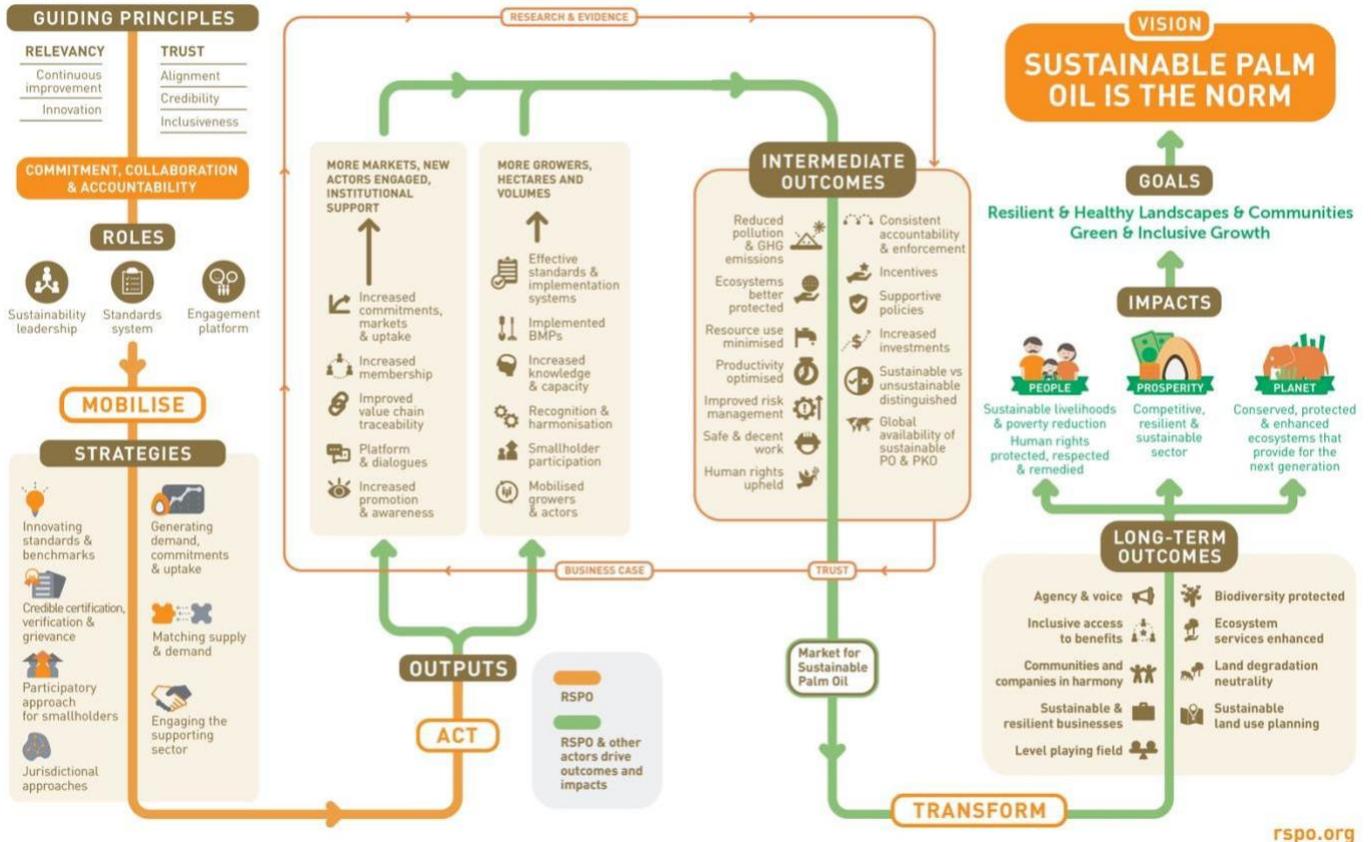
Throughout the standard, some terms carry a specific RSPO definition, which is provided in Annex 1 – Definitions section of this standard. These definitions are binding elements of Criteria and Indicators

2. RSPO VISION AND THEORY OF CHANGE



The RSPO Theory of Change (ToC) is a roadmap that demonstrates how RSPO will achieve its vision of making sustainable palm oil the norm. With the support of its members, partners and other actors, RSPO will implement key strategies and activities to trigger the transformation of the palm oil sector. These strategies are intended to bring about direct outputs in the form of increased adoption of the RSPO standards, greater transparency and inclusivity in the RSPO system, increased market uptake of sustainable palm oil, and an improved enabling environment. Over time, these outputs will lead to outcomes that are expected to improve the quality of life of oil palm farmers, create a more prosperous palm oil industry, and enable us to better conserve our planet and its resources. When the ToC is fully realised, it delivers change where it matters most – on the ground; a space where oil palm, the environment, and local communities can co-exist in harmony. It also provides a framework to monitor, evaluate and report on the effects of applying the RSPO P&C. More details on the RSPO ToC are available here: <https://rspo.org/about/impacts/theory-of-change>.

THEORY OF CHANGE RSPO'S ROADMAP FOR SUSTAINABLE PALM OIL





Effective implementation and more growers' uptake of the P&C lead to the outcomes in intermediate outcomes:

- Resource use minimisation (soil, water, energy), input use reduction – reduced costs
- Reduced pollution (water, air, greenhouse gas (GHG))
- Improved risk management – management plans and assessments
- Ecosystems better protected
- Productivity optimised
- Land and use rights respected
- Safe and decent work for all community members

The process for change at RSPO is characterised by a progression of “**Mobilise, Act and Transform**”. This is the backbone of the RSPO ToC and underpinned by the concept of shared responsibility and accountability for results.

Commitment: All the actors commit to their contribution to transforming markets.

Collaboration: Recognising the need to work together and making that happen: transformation of markets cannot happen without collaboration.

Accountability: Commitment and collaboration are to be fulfilled with a shared responsibility for impact. The expectation of partners and members is that they commit to participate and there is mutual and agreed accountability for results.

3. OUTCOME FOCUS

The core objectives of the 2018 RSPO P&C review include:

- Incorporating elements of impacts
- Making it more relevant and practical, particularly by making it metricised (measurable)
- Incorporating elements of impacts as prescribed by the ToC

It is important to keep in mind that it is simply not feasible or meaningful to propose indicator level, specific measurable outcomes because of many technical and political challenges. From research and experience with other standards these include:

- Attribution – achieving outcomes is based on a wide range of actions and context, often out of the control of the grower (weather, market forces, pests)
- Defining globally relevant outcomes
- Favour larger, more resourced growers potentially demotivating small and medium size growers
- Costs and burden for data reporting systems and management

However, outcome focused P&C can still be achieved, by showing very explicitly the links between the set of Criteria and intended outcomes. Furthermore, a requirement for reporting to RSPO has been included in the Management Principle under Criterion 3.2 for continuous improvement.

This will provide RSPO with information on the results of implementation of the P&C. This requirement refers to a small set of strategic metrics, directly related to the P&C and aligned with the ToC and RSPO organisational Key Performance Indicators (KPIs). The resulting reporting will be anonymised for analysis, marketing and impact assessment.

The selection criteria for these metrics included:

- Value added to growers
- Link to P&C requirements
- Key ToC outcomes
- Those already required for measuring, monitoring and/or reporting

4. STRUCTURE OF THE RSPO P&C

The RSPO P&C are organised into three impact areas according to the RSPO ToC.



Impact Goal PROSPERITY:
Competitive, resilient and sustainable sector

- Principle 1. **Behave ethically and transparently**
- Principle 2. **Operate legally and respect rights**
- Principle 3. **Optimise productivity, efficiency, positive impacts and resilience**



Impact Goal PEOPLE:
Sustainable livelihoods and poverty reduction

- Principle 4. **Respect community and human rights and deliver benefits**
- Principle 5. **Support smallholder inclusion**
- Principle 6. **Respect workers' rights and conditions**



Impact Goal PLANET:
Conserved, protected and enhanced ecosystems that provide for the next generation

- Principle 7. **Protect, conserve and enhance ecosystems and the environment**

Impact Area ToC	Objectives ToC	Principle of Theme
<p>PROSPERITY Impact Goal: Competitive, resilient and sustainable sector</p>	<p>A sustainable, competitive, and resilient palm oil sector ensures long-term viability of the entire supply chain and shared benefits for both private sector as well as the livelihoods of communities where oil palm is grown. Effective planning and management system address economic viability, environmental and social compliance and risk, establishes procedures and systems for ensuring conformance to the RSPO P&C and supports continuous improvement toward sustainable palm oil.</p>	<ol style="list-style-type: none"> 1. Behave ethically and transparently 2. Operate legally and respect rights 3. Optimise productivity, efficiency, positive impacts and resilience
<p>PEOPLE Impact Goal: Sustainable livelihoods and poverty reduction</p>	<p>Human rights protected, respected and remedied. The palm oil sector contributes to reducing poverty and palm oil production is a source of sustainable livelihoods. Human rights are respected. People participate in processes that affect them with shared access and benefits. Everyone engaged in palm oil production has equal opportunities to fulfil their potential in work and community with dignity and equality and in a healthy working and living environment.</p>	<ol style="list-style-type: none"> 4. Respect community and human rights and deliver benefits 5. Support smallholder inclusion 6. Respect workers' rights and conditions
<p>PLANET Impact Goal: Conserved, protected and enhanced ecosystems that provide for the next generation</p>	<p>Impact Goal: Conserved, protected, and enhanced ecosystems that provide for the next generation. Ecosystems and their services are protected, restored, and resilient, including through sustainable consumption and production and sustainable management of natural resources [sustainably manage forests, combat desertification, halt and reverse and degradation, halt biodiversity loss (SDG 15)]. Climate change is addressed through continuous GHG reductions and air and water pollution are controlled</p>	<ol style="list-style-type: none"> 7. Protect, conserve and enhance ecosystems and the environment

Preamble

4. STRUCTURE OF THE RSPOP&C



PROSPERITY

Criteria Topic	2018 P&C Criterion No	2013 P&C Criterion No.
1. Information and public availability	1.1	1.1 / 1.2 / 6.10
Communication and consultation	1.1	6.2
Commitment to ethical conduct	1.2	1.3/6.10
Legal compliance	2.1	2.1/6.10
2. Third party contractors legal	2.2	n.a.
Third party FFB legally sourced	2.3	n.a.
Long-term plan and economic viability	3.1	3.1
	3.2	8.1
3. Continuous Improvement & Reporting	3.3	4.1
Standard Operating Procedures	3.4	5.1 / 6.1 / 7.1
SEIA and Plans	3.5	n.a.
System for managing human resources	3.6	4.7 (part)
Occupational Health and Safety Plan	3.7	4.8



PEOPLE

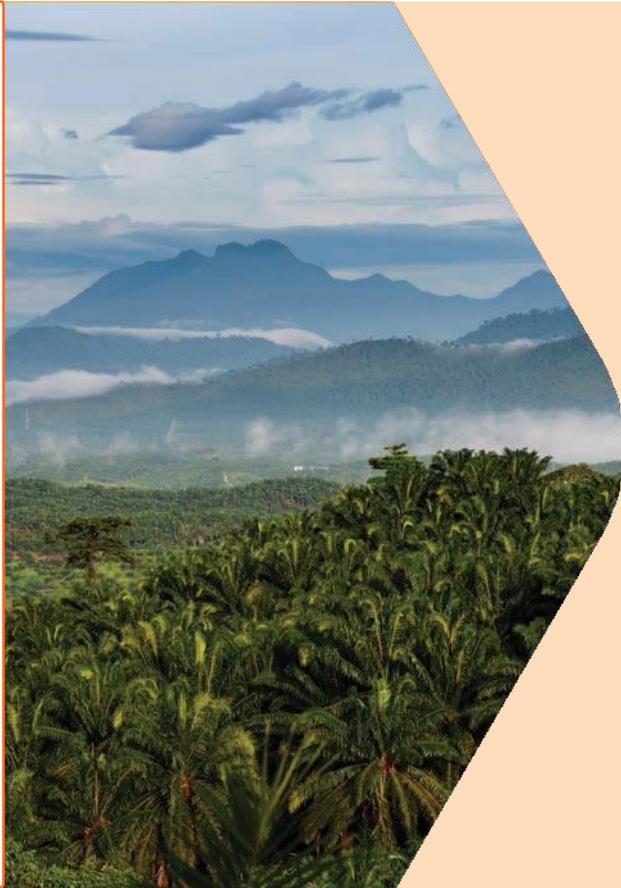
Training	4.1	6.13
4. Human Rights	4.2	6.3
Complaints and Grievances	4.3	6.11 (part)
Contribution to local sustainable development	4.4&4.5	2.3/7.5
Land use & FPIC	4.6&4.7	6.4/7.6
Land Use: Compensation	4.8	2.2
Land Use: Conflict	5.1	6.1
5. Improved SH livelihoods	5.2	6.11 (part)
Pay and working conditions	6.1	6.8
6. No discrimination	6.2	6
Pay and working conditions	6.3	6.6
Freedom of association	6.4	6.7
No child labour	6.5	6.9
No harassment	6.6	6.12
No forced or trafficked labour	6.7	4.7 (part)



PLANET

Safe working environment	7.1	4.5
Effective Integrated Pest Management	7.2	4.6
Pesticide Use	7.3	5.3
Waste management	7.4	4.2/7.2
Soil health fertility	7.5	4.3 & 7.4 (parts)
Soil conservation (erosion and degradation)	7.6	4.3 & 7.2
Soil survey and topographic information	7.7	4.3&7.4 (parts)
Peat	7.8	4.4
Water quality and quantity	7.9	5.4
Energy Use	7.10	5.6/7.8
Pollution and GHGs	7.11	5.5/7.7
Fire	7.12	5.5/7.3
HCV and HCS		

Link to Theory of Change- Intermediate outcomes	
Improved Risk Management	
Improved Risk Management, Cross cutting	
Improved Risk Management, Cross cutting	
Improved Risk Management	
Improved Risk Management	
Improved Risk Management, Safe and Decent work	
Improved Risk Management, Safe and Decent work	
Human rights upheld	
Inclusive access, communities	
Inclusive access, SH	
Inclusive access, SH	
Human rights upheld, safe and decent work	
Human rights upheld, safe and decent work	
Human rights upheld, safe and decent work	
Human rights upheld, safe and decent work	
Human rights upheld, safe and decent work	
Human rights upheld, safe and decent work	
Safe and decent work	
Resource use, pollution, productivity	
Resource use minimised, pollution	
Resource use minimised, pollution	
Productivity optimised, Ecosystems	
Reduced pollution	
Ecosystem protected, Resource use minimised, Reduced pollution	
Pollution, ecosystems	
Resource use, pollution, ecosystems	
Resource use minimised, pollution	
Reduced pollution	
Reduced pollution	
Ecosystems protected	



PROSPERITY: COMPETITIVE, RESILIENT AND SUSTAINABLE SECTOR



Objectives and outcomes

A sustainable, competitive and resilient palm oil sector ensures long-term viability of the entire supply chain and shared benefits for both private sector as well as the livelihoods of communities where oil palm is grown. An effective planning and management system addresses economic viability, environmental and social compliance and risk, establishes procedures and systems for ensuring conformance to the RSPO P&C, and supports continuous improvement toward sustainable palm oil.

Principle 1

Behave ethically and transparently

Principle 2

Operate legally and respect rights

Principle 3

Optimise productivity, efficiency, positive impacts and resilience

Principle 1

BEHAVE ETHICALLY AND TRANSPARENTLY

Drive ethical business behaviour, build trust and transparency with stakeholders to ensure strong and healthy relationships.

Criteria	Indicators	ToC Outcomes
1.1 The unit of certification provides adequate information to relevant stakeholders on environmental, social and legal issues relevant to RSPO Criteria, in appropriate languages and forms to allow for effective participation in decision making. 	1.1.1 (C) Management documents that are specified in the RSPO P&C are made publicly available.	Improved risk management
	1.1.2 Information is provided in appropriate languages and accessible to relevant stakeholders.	
	1.1.3 (C) Records of requests for information and responses are maintained.	
	1.1.4 (C) Consultation and communication procedures are documented, disclosed, implemented, made available, and explained to all relevant stakeholders by a nominated management official.	
	1.1.5 There is a current list of contact and details of stakeholders and their nominated representatives.	
1.2 The unit of certification commits to ethical conduct in all business operations and transactions. 	1.2.1 A policy for ethical conduct is in place and implemented in all business operations and transactions, including recruitment and contracts.	Improved risk management
	1.2.2 A system is in place to monitor compliance and the implementation of the policy and overall ethical business practice.	

Principle 2

OPERATE LEGALLY AND RESPECT RIGHTS

Implement legal requirements as the basic principles of operation in any jurisdiction.

Criteria	Indicators	ToC Outcomes
<p>2.1 There is compliance with all applicable local, national, and ratified international laws and regulations.</p> <p></p>	<p>2.1.1 (C) The unit of certification complies with applicable legal requirements.</p> <p>2.1.2 A documented system for ensuring legal compliance is in place. This system has a means to track changes to the law and also includes listing and evidence of legal due diligence of all contracted third parties, recruitment agencies, service providers and labour contractors.</p> <p>2.1.3 Legal or authorised boundaries are clearly demarcated and visibly maintained, and there is no planting beyond these legal or authorised boundaries.</p>	<p>Improved risk management</p>
<p>2.2 All contractors providing operational services and supplying labour, and Fresh Fruit Bunch (FFB) suppliers, comply with legal requirements.</p> <p></p>	<p>2.2.1 A list of contracted parties is maintained</p> <p>2.2.2 All contracts, including those for FFB supply, contain specific clauses on meeting applicable legal requirements, and this can be demonstrated by the third party.</p> <p>2.2.3 All contracts, including those for FFB supply, contain clauses disallowing child, forced and trafficked labour. Where young workers are employed, the contracts include a clause for their protection.</p>	

Criteria	Indicators	ToC Outcomes
<p>2.3 All FFB supplies from outside the unit of certification are from legal sources.</p>	<p>2.3.1 For all directly sourced FFB, the mill requires:</p> <ul style="list-style-type: none"> • Information on geo-location of FFB origins • Proof of the ownership status or the right/claim to the land by the grower/smallholder • Where applicable, valid planting/operating/trading license, or is part of a cooperative which allows the buying and selling of FFB. <p>2.3.2 For all indirectly sourced FFB, the unit of certification obtained from the collection centers, agents or other intermediaries, the evidence as listed in Indicator 2.3.1.</p> <p>PROCEDURAL NOTE: For Implementation Procedure for 2.3.2 refer to Annex 4.</p>	<p>Improved risk management</p>

Principle 3

OPTIMISE PRODUCTIVITY, EFFICIENCY, POSITIVE IMPACTS AND RESILIENCE

Implement plans, procedures and systems for continuous improvement

Criteria	Indicators	ToC Outcomes
<p>3.1 There is an implemented management plan for the unit of certification that aims to achieve long-term economic and financial viability.</p> <p></p>	<p>3.1.1 (C) A business or management plan (minimum three years) is documented that includes, where applicable, a jointly developed business case for Scheme Smallholders.</p> <p>3.1.2 An annual replanting programme projected for a minimum of five years with yearly review, is available.</p> <p>3.1.3 The unit of certification holds management reviews at planned intervals appropriate to the scale and nature of the activities undertaken.</p>	<p>Improved risk management; Productivity optimised</p>
<p>3.2 The unit of certification regularly monitors and reviews their economic, social and environmental performance and develops and implements action plans that allow demonstrable continuous improvement in key operations.</p> <p></p>	<p>3.2.1 (C) The action plan for continuous improvement is implemented, based on consideration of the main social and environmental impacts and opportunities of the unit of certification.</p> <p>3.2.2 As part of the monitoring and continuous improvement process, annual reports are submitted to the RSPO Secretariat using the RSPO metrics template.</p>	

Criteria	Indicators	ToC Outcomes
3.3  Operating procedures are appropriately documented, consistently implemented and monitored.	3.3.1 (C) Standard Operating Procedures (SOPs) for the unit of certification are in place. 3.3.2 A mechanism to check consistent implementation of procedures is in place. 3.3.3 Records of monitoring and any actions taken are maintained and available.	Improved risk management
3.4  A comprehensive Social and Environmental Impact Assessment (SEIA) is undertaken prior to new plantings or operations, and a social and environmental management and monitoring plan is implemented and regularly updated in ongoing operations.	3.4.1 (C) In new plantings or operations including mills, an independent SEIA, undertaken through a participatory methodology involving the affected stakeholders, and including the impacts of any smallholder/out grower scheme is documented. 3.4.2 For the unit of certification, a SEIA is available and social and environmental management and monitoring plans have been developed with participation of affected stakeholders. 3.4.3 (C) The social and environmental management and monitoring plan is implemented, reviewed and updated regularly in a participatory way.	Improved risk management; Human rights upheld

Principle 3

OPTIMISE PRODUCTIVITY, EFFICIENCY, POSITIVE IMPACTS AND RESILIENCE

Criteria	Indicators	ToC Outcomes
3.5 A system for managing human resources is in place.	3.5.1 Employment procedures for recruitment, selection, hiring, promotion, retirement and termination are documented and made available to the workers and their representatives. 3.5.2 Employment procedures are implemented and records are maintained.	Improved risk management; Safe and decent work
3.6 An occupational health and safety (H&S) plan is documented, effectively communicated and implemented. 	3.6.1 (C) All operations are risk assessed to identify H&S issues. Mitigation plans and procedures are documented and implemented. 3.6.2 (C) The effectiveness of the H&S plan to address health and safety risks to people is monitored.	
3.7 All staff, workers, Scheme Smallholders, out growers, and contract workers are appropriately trained. 	3.7.1 (C) A documented programme that provides training is in place, which is accessible to all staff, workers, Scheme Smallholders and out growers, taking into account gender-specific needs, and which covers applicable aspects of the RSPOP&C, in a form they understand, and which includes assessments of training. 3.7.2 Records of training are maintained, where appropriate on an individual basis. 3.7.3 Appropriate training is provided for personnel carrying out the tasks critical to the effective implementation of the Supply Chain Certification Standard (SCCS). Training is specific and relevant to the task(s) performed.	Improved risk management; Safe and decent work

SUPPLY CHAIN REQUIREMENTS FOR MILLS



This chapter was endorsed by the RSPO Board of Governors on 1 February 2020

The following section stipulates the requirements for mills which are identified as complying with the Identity Preserved (IP) Module and Mass Balance (MB) Module.

For independent mills, that are only required to obtain RSPO Supply Chain Certification, Compliance with modules A and/or C of the Supply Chain Certification Standard will be required. All definitions in The Supply Chain Certification Standard apply.

As per RSPO Principles and Criteria, all requirements are classified as Critical Indicators.

SUPPLY CHAIN REQUIREMENTS FOR MILLS

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills	3.8.1 Identity Preserved Module A mill is deemed to be Identity Preserved (IP) if the FFB processed by the mill are sourced from plantations/estates that are certified against the RSPO Principles and Criteria (RSPOP&C), or against the Group Certification scheme. Certification for CPO mills is necessary to verify the volumes and sources of certified FFB entering the mill, the implementation of any processing controls (for example, if physical separation is used), and volume sales of RSPO certified products. If a mill processes certified and uncertified FFB without physically separating them, then only the Mass Balance Module is applicable.	Improved risk management
	3.8.2 Mass Balance Module 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 be taking delivery of FFB from uncertified growers, in addition to those from its own and a third party certified supply base. In that scenario, the mill can claim only the volume of oil palm products produced from processing of the certified FFB as MB.	Improved risk management

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	3.8.3 The estimated tonnage of CPO and PK products that could potentially be produced by the certified mill shall be recorded by the certification body (CB) in the public summary of the P&C certification report. This figure represents the total volume of certified oil palm products (CPO and PK) that the certified mill is allowed to deliver in a year. The actual tonnage produced shall then be recorded in each subsequent annual surveillance report.	Improved risk management
	3.8.4 The mill shall also meet all registration and reporting requirements for the appropriate supply chain through the RSPO IT platform.	Improved risk management
	3.8.5 Documented procedures The mill shall have written procedures and/or work instructions or equivalent to ensure the implementation of all elements of the applicable supply chain model specified. This shall include at minimum the following: a) Complete and up to date procedures covering the implementation of all elements of the supply chain model requirements. b) Complete and up to date records and reports that demonstrate compliance with the supply chain model requirements (including training records).	Improved risk management

SUPPLY CHAIN REQUIREMENTS FOR MILLS

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	<ul style="list-style-type: none"> c) Identification of the role of the person having overall responsibility for and authority over the implementation of these requirements and compliance with all applicable requirements. This person shall be able to demonstrate awareness of the mill's procedures for the implementation of this standard. d) The mill shall have documented procedures for receiving and processing certified and non-certified FFBs including ensuring no contamination in the IP mill. 	
	<p>3.8.6 Internal Audit</p> <ul style="list-style-type: none"> i) The mill shall have a written procedure to conduct an annual internal audit to determine whether the mill; <ul style="list-style-type: none"> (a) conforms to the requirements in the RSPO Supply Chain requirements for mills and the RSPO Rules on Market Communications and Claims. (b) effectively implements and maintains the standard requirements within its organisation. ii) Any non-conformities found as part of the internal audit shall be issued and required corrective action. The outcomes of the internal audits and all actions taken to correct non-conformities shall be subject to management review at least annually. The mill shall maintain the internal audit records and reports. 	Improved risk management

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	3.8.7 Purchasing and Goods in <ul style="list-style-type: none"> i) The mill shall verify and document the tonnage and sources of certified and the tonnage of non-certified FFBs received. ii) The mill shall inform the CB immediately if there is a projected overproduction of certified volume. iii) The mill shall have a mechanism in place for handling of non-conforming FFB and/or documents 	Improved risk management
	3.8.8 Sales and Goods Out <p>The supplying mill shall ensure that the following minimum information for RSPO certified products is made available in document form. The information shall be complete and can be presented either on a single document or across a range of documents issued for RSPO certified oil palm products (for example, delivery notes, shipping documents and specification documentation):</p> <ul style="list-style-type: none"> a) The name and address of the buyer; b) The name and address of the seller; c) The loading or shipment/delivery date; d) The date on which the documents were issued; e) RSPO certificate number; f) A description of the product, including the applicable supply chain model (Identity Preserved or Mass Balance or the approved abbreviations); 	Improved risk management

SUPPLY CHAIN REQUIREMENTS FOR MILLS

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	<ul style="list-style-type: none"> g) The quantity of the products delivered; h) Any related transport documentation; i) A unique identification number. 	
	<p>3.8.9 Outsourcing Activities</p> <ul style="list-style-type: none"> (i) The mill shall not outsource its milling activities. In cases where the mill outsources activities to independent third parties (e.g. subcontractors for storage, transport or other outsourced activities), the mill holding the certificate shall ensure that the independent third party complies with relevant requirements of this RSPO Supply Chain Certification. 	Improved risk management

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	(ii) The mill shall ensure the following: <ul style="list-style-type: none"> a) The mill has legal ownership of all input material to be included in outsourced processes b) The mill has an agreement or contract covering the outsourced process with each contract or through a signed and enforceable agreement with the contractor. The onus is on the mill to ensure that the certification body (CB) has access to the outsourcing contractor or operation if an audit is deemed necessary. c) The mill has a documented control system with explicit procedures for the outsourced process which is communicated to the relevant contractor. (d) The mill shall furthermore ensure (e.g. through contractual arrangements) that independent third parties engaged provide relevant access for duly accredited CBs to their respective operations, systems, and all information, when this is announced in advance. 	
	3.8.10 The mill shall record the names and contact details of all contractors used for the physical handling of RSPO certified oil palm products.	Improved risk management
	3.8.11 The mill shall inform its CB in advance prior to conduct of its next audit of the names and contact details of any new contractor used for the physical handling of RSPO certified oil palm products.	Improved risk management

SUPPLY CHAIN REQUIREMENTS FOR MILLS

Criteria	Indicators	ToC Outcomes
3.8	<p data-bbox="185 272 400 361">Supply Chain Requirements for Mills (Continued)</p> <p data-bbox="456 272 687 300">3.8.12 Record keeping</p> <ul style="list-style-type: none"> <li data-bbox="520 333 1150 417">i) The mill shall maintain accurate, complete, up-to-date and accessible records and reports covering all aspects of this RSPO Supply Chain Certification Standard requirements. <li data-bbox="520 417 1150 535">ii) Retention times for all records and reports shall be a minimum of two (2) years and shall comply with relevant legal and regulatory requirements and be able to confirm the certified status of raw materials or products held in stock. <li data-bbox="520 535 1150 619">iii) For the Identity Preserved Module, the mill shall record and balance all receipts of RSPO certified FFB and deliveries of RSPO certified CPO and PK on a real-time basis. <li data-bbox="520 619 1150 972">iv) For the Mass Balance Module, the mill: <ul style="list-style-type: none"> <li data-bbox="568 652 1150 736">a) Shall record and balance all receipts of RSPO certified FFB and deliveries of RSPO certified CPO and PK on a real-time basis and / or three-month basis. <li data-bbox="568 736 1150 820">b) All volumes of certified CPO and PK that are delivered are deducted from the material accounting system according to conversion ratios stated by RSPO. <li data-bbox="568 820 1150 972">c) The mill can only deliver Mass Balance sales from a positive stock. Positive stock can include products ordered for delivery within three (3) months. However, a mill is allowed to sell short (i.e. products can be sold before they are in stock.) 	<p data-bbox="1190 272 1489 300">Improved risk management</p>

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	3.8.13 Extraction Rate The oil extraction rate (OER) and the kernel extraction rate(KER) shall be applied to provide a reliable estimate of the amount of certified CPO and PK from the associated inputs. The mill shall determine and set their own extraction rates based upon past experience, documented and applied consistently.	Improved risk management
	3.8.14 Extraction rates shall be updated periodically to ensure accuracy against actual performance or industry average if appropriate.	Improved risk management
	3.8.15 Processing For the Identity Preserved Module, the mill shall assure and verify through documented procedures and record keeping that the RSPO certified oil palm product is kept separated from non-certified oil palm products, including during transport and storage to strive for 100% separation.	Improved risk management

SUPPLY CHAIN REQUIREMENTS FOR MILLS

Criteria	Indicators	ToC Outcomes
3.8 Supply Chain Requirements for Mills (Continued)	3.8.16 Registration of Transactions <ul style="list-style-type: none"> i) Shipping Announcement in the RSPO IT platform shall be carried out by the mills when RSPO certified products are sold as certified to refineries, crushers, and traders not more than three months after dispatch with the dispatch date being the Bill of Lading or the dispatch documentation date. ii) Remove: RSPO certified volumes sold under different schemes or as conventional, or in case of underproduction, loss or damage shall be removed in the RSPO IT platform. 	Improved risk management
	3.8.17 Claims <p>The mill shall only make claims regarding the production of RSPO certified oil that are in compliance with the RSPO Rules on Market Communications and Claims.</p>	Improved risk management

PEOPLE: SUSTAINABLE LIVELIHOODS AND POVERTY REDUCTION



Objectives and outcomes

Human rights protected, respected and remedied. The palm oil sector contributes to reducing poverty and palm oil production is a source of a sustainable livelihoods. Human rights are respected. People participate in processes that affect them with shared access and benefits. Everyone engaged in palm oil production has equal opportunities to fulfil their potential in work and community with dignity and equality, and in a healthy working and living environment.

Principle 4

Respect community and human rights and deliver benefits

Principle 5

Support smallholder inclusion

Principle 6

Respect workers' rights and conditions

RESPECT COMMUNITY AND HUMAN RIGHTS AND DELIVER BENEFITS

Respect community rights, provide equal opportunities, maximise benefits from engagement and ensure remediation where needed.

Criteria	Indicators	ToC Outcomes
<p>4.1 The unit of certification respects human rights, which includes respecting the rights of Human Rights Defenders.</p> 	<p>4.1.1 (C) A policy to respect human rights, including prohibiting retaliation against Human Rights Defenders (HRDs), is documented and communicated to all levels of the workforce, operations, supply chain and local communities and prohibits intimidation and harassment by the unit of certification and contracted services, including contracted security forces.</p> <p>4.1.2 The unit of certification does not instigate violence or use any form of harassment, including the use of mercenaries and paramilitaries in their operations.</p>	<p>Human rights upheld</p>
<p>4.2 There is a mutually agreed and documented system for dealing with complaints and grievances, which is implemented and accepted by all affected parties.</p> 	<p>4.2.1 (C) The mutually agreed upon system, open to all affected parties, resolves disputes in an effective, timely and appropriate manner, ensuring anonymity of complainants, HRDs, community spokespersons and whistleblowers, where requested, without risk of reprisal or intimidation and follows the RSPO policy on respect for HRDs.</p> <p>4.2.2 Procedures are in place to ensure that the system is understood by the affected parties, including by illiterate parties.</p> <p>4.2.3 The unit of certification keeps parties to a grievance informed of its progress, including against the agreed timeframe and the outcome is available and communicated to relevant stakeholders.</p>	<p>Human rights upheld</p>

Criteria	Indicators	ToC Outcomes
<p>4.2 There is a mutually agreed and documented system for dealing with complaints and grievances, which is implemented and accepted by all affected parties. (Continued)</p> 	<p>4.2.4 The conflict resolution mechanism 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.</p>	<p>Human rights upheld</p>
<p>4.3 The unit of certification contributes to local sustainable development as agreed by local communities.</p> 	<p>4.3.1 Contributions to community development that are based on the results of consultation with local communities are demonstrated.</p>	<p>Human rights upheld</p>
<p>4.4 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.</p> 	<p>4.4.1 (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.</p>	<p>Human rights upheld</p>

Principle 4

RESPECT COMMUNITY AND HUMAN RIGHTS AND DELIVER BENEFITS

Criteria	Indicators	ToC Outcomes
4.4 Use of the land for oil palm does not diminish the legal, customary or user rights of other users without their FPIC. (Continued)	<p>4.4.2 Copies of documents evidencing agreement-making processes and negotiated agreements detailing the FPIC process are available and include:</p> <ul style="list-style-type: none">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 makingb) 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 takenc) 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>4.4.3 (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>	Human rights upheld

Criteria	Indicators	ToC Outcomes
<p>4.4 Use of the land for oil palm does not diminish the legal, customary or user rights of other users without their FPIC. (Continued)</p> 	<p>4.4.4 All relevant information is available in appropriate forms and languages, including assessments of impacts, proposed benefit sharing, and legal arrangements.</p> <p>4.4.5 (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>4.4.6 There is evidence that implementation of agreements negotiated through FPIC is annually reviewed in consultation with affected parties.</p>	<p>Human rights upheld</p>
<p>4.5 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> 	<p>4.5.1 (C) Documents showing identification and assessment of demonstrable legal, customary and user rights are available.</p> <p>4.5.2 (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.</p>	<p>Human rights upheld</p>

Principle 4

RESPECT COMMUNITY AND HUMAN RIGHTS AND DELIVER BENEFITS

Criteria	Indicators	ToC Outcomes
<p>4.5 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. (Continued)</p> 	<p>4.5.3 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.</p> <p>4.5.4 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.</p> <p>4.5.5 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.</p> <p>4.5.6 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.</p>	<p>Human rights upheld</p>

Criteria	Indicators	ToC Outcomes
4.5	<p>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. (Continued)</p> 	Human rights upheld
4.6	<p>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.</p> 	Human rights upheld

Principle 4

RESPECT COMMUNITY AND HUMAN RIGHTS AND DELIVER BENEFITS

Criteria	Indicators	ToC Outcomes
<p>4.6 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. (Continued)</p> <p></p>	<p>4.6.4 The process and outcomes of any negotiated agreements, compensation and payments are documented, with evidence of the participation of affected parties, and made publicly available to them.</p>	Human rights upheld
<p>4.7 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,</p>	<p>4.7.1 (C) A mutually agreed upon procedure for identifying people entitled to compensation is in place.</p> <p>4.7.1 (C) A mutually agreed upon procedure for calculating and distributing fair compensation (monetary or otherwise) is in place and documented and made available to affected parties.</p> <p>4.7.2 Communities that have lost access and rights to land for plantation expansion are given opportunities to benefit from plantation development.</p>	Human rights upheld

Criteria	Indicators	ToC Outcomes
<p>4.8 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.</p>	<p>4.8.1 Where there are or have been disputes, 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 is available and provided to parties to a dispute, and that any compensation was accepted following a documented process of FPIC.</p> <p>4.8.2 (C) Land conflict is not present in the area of the unit of certification. Where land conflict exists, acceptable conflict resolution processes (see Criteria 4.2 and 4.6) are implemented and accepted by the parties involved. In the case of newly acquired plantations, the unit of certification addresses any unresolved conflict through appropriate conflict resolution mechanisms.</p> <p>4.8.3 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, these claims will be settled using the relevant requirements (Indicators 4.4.2, 4.4.3 and 4.4.4)</p> <p>4.8.4 For any conflict or dispute over the land, the extent of the disputed area is mapped out in a participatory way with involvement of affected parties (including neighbouring communities where applicable).</p>	<p>Human rights upheld</p>

Principle 5

SUPPORT SMALLHOLDER INCLUSION

Include smallholders in RSPO supply chains and improve their livelihoods through fair and transparent partnerships.

Criteria	Indicators	ToC Outcomes
5.1 The unit of certification deals fairly and transparently with all smallholders (Independent and Scheme) and other local businesses.	<p>5.1.1 Current and period prices paid for FFB are publicly available and accessible by smallholders.</p> <p>5.1.2 (C) Evidence is available that the unit of certification regularly explains the FFB pricing to smallholders.</p> <p>5.1.3 (C) Fair pricing, including premium pricing, when applicable, is agreed with smallholders in the supply base and documented.</p> <p>5.1.4 (C) Evidence is available that all parties, including women and independent representative organisations assisting smallholders where requested, are involved in decision-making processes and understand the contracts. These include those involving finance, loans/credits, and repayments through FFB price reductions for replanting and/or other support mechanisms where applicable.</p> <p>5.1.5 Contracts are fair, legal and transparent and have an agreed timeframe.</p> <p>5.1.6 (C) Agreed payments are made in a timely manner and receipts specifying price, weight, deductions and amount paid are given.</p>	Inclusive access to benefits

Criteria	Indicators	ToC Outcomes
5.1 The unit of certification deals fairly and transparently with all smallholders (Independent and Scheme) and other local businesses. (Continued) 	5.1.7 Weighing equipment is verified by an independent third party on a regular basis (this can be government). 5.1.8 The unit of certification supports Independent Smallholders with certification, where applicable, ensuring mutual agreements between the unit of certification and the smallholders on who runs the internal control system (ICS), who holds the certificates, and who holds and sells the certified material. 5.1.9 (C) The unit of certification has a grievance mechanism for smallholders and all grievances raised are dealt with in a timely manner.	Inclusive access to benefits
5.2 The unit of certification supports improved livelihoods of smallholders and their inclusion in sustainable palm oil value chains. 	5.2.1 The unit of certification consults with interested smallholders (irrespective of type) including women or other partners in their supply base to assess their needs for support to improve their livelihoods and their interest in RSPO certification. 5.2.2 The unit of certification develops and implements livelihood improvement programmes, including at least capacity building to enhance productivity, quality, organisational and managerial competencies, and specific elements of RSPO certification (including the RSPO Standard for Independent Smallholder). PROCEDURAL NOTE: There is a specific standard for Independent Smallholders certification approved by RSPO 2019.	Inclusive access to benefits

Principle 5

SUPPORT SMALLHOLDER INCLUSION

Criteria	Indicators	ToC Outcomes
5.2 The unit of certification supports improved livelihoods of smallholders and their inclusion in sustainable palm oil value chains. (Continued) 	5.2.3 Where applicable, the unit of certification provides support to smallholders to promote legality of FFB production. 5.2.4 (C) Evidence exists that the unit of certification trains Scheme Smallholders on pesticide handling. 5.2.5 The unit of certification regularly reviews and publicly reports on the progress of the smallholder support programme.	Inclusive access to benefits

Principle 6

RESPECT WORKERS' RIGHTS AND CONDITIONS

Protect workers' rights and ensure safe and decent working conditions.

Criteria	Indicators	ToC Outcomes
6.1 Any form of discrimination is prohibited. 	<p>6.1.1 (C) A publicly available non-discrimination and equal opportunity policy is implemented in such a way to prevent discrimination based on ethnic origin, caste, national origin, religion, disability, gender, sexual orientation, gender identity, union membership, political affiliation or age.</p> <p>6.1.2. (C) Evidence is provided that workers and groups including local communities, women, and migrant workers have not been discriminated against. Evidence includes migrant workers' non-payment of recruitment fees.</p> <p>6.1.3 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> <p>6.1.4 Pregnancy testing is not conducted as a discriminatory measure and is only permissible when it is legally mandated. Alternative equivalent employment is offered for pregnant women.</p>	Human rights upheld; Safe and decent work

Principle 6

RESPECT WORKERS' RIGHTS AND CONDITIONS

Criteria	Indicators	ToC Outcomes
6.1 Any form of discrimination is prohibited. (Continued) 	6.1.5 (C) A gender committee is in place specifically to raise awareness, identify and address issues of concern, as well as opportunities and improvements for women.	Human rights upheld; Safe and decent work
	6.1.6 There is evidence of equal pay for the same work scope.	
6.2 Pay and conditions for staff and workers and for contract workers always meet at least legal or industry minimum standards and are sufficient to provide decent living wages (DLW). 	6.2.1 (C) Applicable labour laws, union and/or other collective agreements and documentation of pay and conditions are available to the workers in national languages and explained to them in a language they understand.	Human rights upheld; Safe and decent work
	6.2.2 (C) Employment contracts and related documents detailing payments and conditions of employment (e.g. regular working hours, deductions, overtime, sick leave, holiday entitlement, maternity leave, reasons for dismissal, period of notice, etc. in compliance with national legal requirements) and payroll documents give accurate information on compensation for all work performed, including work done by family members.	
	6.2.3 (C) There is evidence of legal compliance for regular working hours, deductions, overtime, sickness, holiday entitlement, maternity leave, reasons for dismissal, period of notice and other legal labour requirements.	

Criteria	Indicators	ToC Outcomes
<p>6.2 Pay and conditions for staff and workers and for contract workers always meet at least legal or industry minimum standards and are sufficient to provide decent living wages (DLW). (Continued)</p> 	<p>6.2.4 (C) The unit of certification provides adequate housing, sanitation facilities, water supplies, medical, educational and welfare amenities to national standards or above, where no such public facilities are available or accessible. National laws, or in their absence the ILO Guidance on Workers' Housing Recommendation No. 115, are used. In the case of acquisitions of non-certified units, a plan is developed detailing the upgrade of infrastructure. A reasonable time (5 years) is allowed to upgrade the infrastructure.</p> <p>6.2.5 The unit of certification makes efforts to improve workers' access to adequate, sufficient and affordable food.</p> <p>6.2.6 ADLW is paid to all workers, including those on piece rate/quotas, for whom the calculation is based on achievable quotas during regular work hours.</p> <p>PROCEDURAL NOTE: The RSPO Labour Task Force have prepared a guidance on the DLW implementation, including details on how to calculate a DLW. The RSPO Secretariat will endeavour to carry out DLW country benchmarks for palm oil producing countries in which RSPO members operate and for which no Global Living Wage Coalition (GLWC) benchmarks exist.</p> <p>6.2.7 Permanent, full-time employment is used for all core work performed by the unit of certification. Casual, temporary and day labour is limited to jobs that are temporary or seasonal.</p>	

Principle 6

RESPECT WORKERS' RIGHTS AND CONDITIONS

Criteria	Indicators	ToC Outcomes
<p>6.3 The unit of certification respects the rights of all personnel to form and join trade unions of their choice and to bargain collectively. Where the right to freedom of association and collective bargaining are restricted under law, the employer facilitates parallel means of independent and free association and bargaining for all such personnel.</p> <p></p>	<p>6.3.1 (C) A published statement recognising freedom of association and right to collective bargaining in national languages is available and is explained to all workers in languages that they understand, and is demonstrably implemented.</p> <p>6.3.2 Minutes of meetings between the unit of certification with trade unions or workers representatives, who are freely elected, are documented in national languages and made available upon request.</p> <p>6.3.3 Management does not interfere with the formation or operation of registered unions/labour organisations or associations, or other freely elected representatives for all workers including migrant and contract workers.</p>	<p>Human rights upheld; Safe and decent work</p>
<p>6.4 Children are not employed or exploited.</p> <p></p>	<p>6.4.1 A formal policy for the protection of children, including prohibition of child labour and remediation is in place, and included into service contracts and supplier agreements.</p> <p>6.4.2 (C) There is evidence that minimum age requirements are met. Personnel files show that all workers are above the national minimum age or above company policy minimum age, whichever is higher. There is a documented age screening verification procedure.</p>	<p>Human rights upheld; Safe and decent work</p>

Criteria	Indicators	ToC Outcomes
6.4 Children are not employed or exploited. (Continued) 	6.4.3 (C) Young persons may be employed only for non-hazardous work, with protective restrictions in place for that work. 6.4.4 The unit of certification demonstrates communication about its 'no child labour' policy and the negative effects of child labour, and promotes child protection to supervisors and other key staff, smallholders, FFB suppliers and communities where workers live.	Human rights upheld; Safe and decent work
6.5 There is no harassment or abuse in the workplace, and reproductive rights are protected. 	6.5.1 (C) A policy to prevent sexual and all other forms of harassment and violence is implemented and communicated to all levels of the workforce. 6.5.2 (C) A policy to protect the reproductive rights of all, especially of women, is implemented and communicated to all levels of the workforce. 6.5.3 Management has assessed the needs of new mothers, in consultation with the new mothers, and actions are taken to address the needs that have been identified. 6.5.4 A grievance mechanism, which respects anonymity and protects complainants where requested, is established, implemented and communicated to all levels of the workforce.	Human rights upheld; Safe and decent work

Principle 6

RESPECT WORKERS' RIGHTS AND CONDITIONS

Criteria	Indicators	ToC Outcomes
6.6 No forms of forced or trafficked labour are used. 	<p>6.6.1 (C) All work is voluntary and the following are prohibited:</p> <ul style="list-style-type: none"> • Retention of identity documents or passports • Payment of recruitment fees • Contract substitution • Involuntary overtime • Lack of freedom of workers to resign • Penalty for termination of employment • Debt bondage • Withholding of wages <p>6.6.2 (C) Where temporary or migrant workers are employed, a specific labour policy and procedures are established and implemented.</p>	Human rights upheld; Safe and decent work
6.7 The unit of certification ensures that the working environment under its control is safe and without undue risk to health.	<p>6.7.1 (C) The responsible person(s) for H&S is identified. There are records of regular meetings between the responsible person(s) and workers. Concerns of all parties about health, safety and welfare are discussed at these meetings, and any issues raised are recorded.</p> <p>6.7.2 Accident and emergency procedures are in place and instructions are clearly understood by all workers. Accident procedures are available in the appropriate language of the workforce. Assigned operatives trained in first aid are present in both field and other operations, and first aid equipment is available at worksites. Records of all accidents are kept and periodically reviewed.</p>	Safe and decent work

Criteria	Indicators	ToC Outcomes
<p>6.7 The unit of certification ensures that the working environment under its control is safe and without undue risk to health. (Continued)</p>	<p>6.7.3 (C) Workers use appropriate personal protective equipment (PPE), which is provided free of charge to all workers at the place of work to cover all potentially hazardous operations, such as pesticide application, machine operations, land preparation, and harvesting. Sanitation facilities for those applying pesticides are available, so that workers can change out of PPE, wash and put on their personal clothing.</p> <p>6.7.4 All workers are provided with medical care and covered by accident insurance. Costs incurred from work-related incidents leading to injury or sickness are covered in accordance with national law or by the unit of certification where national law does not offer protection.</p> <p>6.7.5 Occupational injuries are recorded using Lost Time Accident (LTA) metrics.</p>	<p>Safe and decent work</p>

Impact Goal

PLANET: CONSERVED, PROTECTED AND ENHANCED ECOSYSTEMS THAT PROVIDE FOR THE NEXT GENERATION



Objectives and outcomes

Ecosystems and their services are protected, restored and resilient, supported by sustainable consumption and production, and sustainable management of natural resources (in line with SDG 15 – sustainably manage forests, combat desertification, halt and reverse land degradation, halt biodiversity loss). Climate change is addressed through continuous GHG reductions; air and water pollution are controlled. There is greater resilience in our food and fibre production. The water and air are cleaner, and carbon is drawn out of the air to regenerate soils for current and future generations. Inputs decrease while yields are maintained, or even improved.

Principle 7

Protect, conserve and enhance ecosystems and the environment

Principle 7

PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT

Protect the environment, conserve biodiversity and ensure sustainable management of natural resources.

Criteria	Indicators	ToC Outcomes
7.1 Pests, diseases, weeds and invasive introduced species are effectively managed using appropriate Integrated Pest Management (IPM) techniques. 	7.1.1 (C) IPM plans are implemented and monitored to ensure effective pest control. 7.1.2 Species referenced in the Global Invasive Species Database and CABI.org is not to be used in managed areas, unless plans to prevent and monitor their spread are implemented. 7.1.3 There is no use of fire for pest control unless in exceptional circumstances (i.e. where no other effective methods exist, and with prior approval of government authorities). (For NI to define process.)	Pollution reduced; Resource use minimised; Productivity optimised
7.2 Pesticides are used in ways that do not endanger health of workers, families, communities or the environment. 	7.2.1 (C) Justification of all pesticides used is demonstrated. Selective products and application methods that are specific to the target pest, weed or disease are prioritised. 7.2.2 (C) Records of pesticides use (including active ingredients used and their LD50, area treated, amount of active ingredients applied per ha and number of applications) are provided. 7.2.3 (C) Any use of pesticides is minimised as part of a plan, eliminated where possible, in accordance with IPM plans.	Reduced pollution; Resource use minimised

Principle 7

PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT

Criteria	Indicators	ToC Outcomes
<p>7.2 Pesticides are used in ways that do not endanger health of workers, families, communities or the environment. (Continued)</p>	<p>7.2.4 There is no prophylactic use of pesticides, unless in exceptional circumstances, as identified in national best practice guidelines</p> <p>7.2.5 Pesticides that are categorised as World Health Organisation Class 1A or 1B, or that are listed by the Stockholm or Rotterdam Conventions, and paraquat, are not used, unless in exceptional circumstances, as validated by a due diligence process, or when authorised by government authorities for pest outbreaks.</p> <p>The due diligence refers to:</p> <ul style="list-style-type: none"> a) Judgment of the threat and verify why this is a major threat b) Why there is no other alternative which can be used c) Which process was applied to verify why there is no other less hazardous alternative d) What is the process to limit the negative impacts of the application e) Estimation of the timescale of the application and steps taken to limit application to the specific outbreak 	<p>Reduced pollution; Resource use minimised</p>

Criteria	Indicators	ToC Outcomes
<p>7.2 Pesticides are used in ways that do not endanger health of workers, families, communities or the environment. (Continued)</p> 	<p>7.2.6 Pesticides are only handled, used or applied by persons who have completed the necessary training and are always applied in accordance with the product label. All precautions attached to the products are properly observed, applied, and understood by workers (see Criterion 3.6). Personnel applying pesticides must show evidence of regular updates on the knowledge about the activity they carry out.</p> <p>7.2.7 (C) Storage of all pesticides is in accordance with recognised best practices.</p> <p>7.2.8 All pesticide containers are properly disposed of and/or handled responsibly if used for other purposes.</p> <p>7.2.9 (C) Aerial spraying of pesticides is prohibited, unless in exceptional circumstances where no other viable alternatives are available. This requires prior government authority approval. All relevant information is provided to affected local communities at least 48 hours prior to application of aerial spraying.</p> <p>7.2.10 (C) Specific annual medical surveillance for pesticide operators, and documented action to treat related health conditions, is demonstrated.</p> <p>7.2.11 (C) No work with pesticides is undertaken by persons under the age of 18, pregnant or breastfeeding women or other people that have medical restrictions and they are offered alternative equivalent work.</p>	<p>Reduced pollution; Resource use minimised</p>

Principle 7

PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT

Criteria	Indicators	ToC Outcomes
7.3 Waste is reduced, recycled, reused and disposed of in an environmentally and socially responsible manner. 	<p>7.3.1 A waste management plan which includes reduction, recycling, reusing, and disposal based on toxicity and hazardous characteristics, is documented and implemented.</p> <p>7.3.2 Proper disposal of waste material, according to procedures that are fully understood by workers and managers, is demonstrated.</p> <p>7.3.3 The unit of certification does not use open fire for waste disposal.</p>	Reduced pollution; Resource use minimised
7.4 Practices maintain soil fertility at, or where possible improve soil fertility to, a level that ensures optimal and sustained yield. 	<p>7.4.1 Good agricultural practices, as contained in SOPs, are followed to manage soil fertility to optimise yield and minimise environmental impacts.</p> <p>7.4.2 Periodic tissue and soil sampling is carried out to monitor and manage changes in soil fertility and plant health.</p> <p>7.4.3 A nutrient recycling strategy is in place, which includes the recycling of Empty Fruit Bunches (EFB), Palm Oil Mill Effluent (POME), palm residues and optimal use of inorganic fertilisers.</p> <p>7.4.4 Records of fertiliser inputs are maintained.</p>	Reduced pollution; Resource use minimised; Productivity optimised

Criteria	Indicators	ToC Outcomes
7.5 Practices minimise and control erosion and degradation of soils. 	7.5.1 (C) Maps identifying marginal and fragile soils, including steep terrain, are available.	Ecosystems protected; Reduced pollution; Productivity optimised
	7.5.2 There is no extensive replanting of oil palm on steep terrain.	
	7.5.3 There is no new planting of oil palm on steep terrain.	
7.6 Soil surveys and topographic information are used for site planning in the establishment of new plantings, and the results are incorporated into plans and operations. 	7.6.1 (C) 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, are taken into account in plans and operations.	Ecosystems protected; Resource use minimised; Reduced pollution
	7.6.2 Extensive planting on marginal and fragile soils, is avoided, or, if necessary, done in accordance with the soil management plan for best practices.	
	7.6.3 Soil surveys and topographic information guide the planning of drainage and irrigation systems, roads and other infrastructure.	
7.7 No new planting on peat, regardless of depth after 15 November 2018 and all peatlands are managed responsibly. 	7.7.1 (C) There is no new planting on peat regardless of depth after 15 November 2018 in existing and new development areas.	Ecosystems protected; Reduced pollution; Productivity optimised
	7.7.2 Areas of peat within the managed areas are inventoried, documented and reported (effective from 15 November 2018) to RSPO Secretariat. PROCEDURAL NOTE: Maps and other documentation of peat soils are provided, prepared and shared in line with RSPO Peatland Working Group (PLWG) audit guidance (see Procedural Note for Criterion 7.7.5 below).	

Principle 7

PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT

Criteria	Indicators	ToC Outcomes
7.7 Nonewplantingonpeat, regardless of depth after 15 November 2018 and all peatlands are managed responsibly. (Continued) 	7.7.3 (C) Subsidence of peat is monitored, documented and minimised. 7.7.4 (C) A documented water and ground cover management programme is in place. 7.7.5 (C) For plantations planted on peat, drain ability assessments are conducted following the RSPO Drain ability Assessment Procedure, or other RSPO recognised methods, at least five years prior to replanting. The assessment result is used to set the timeframe for future replanting, as well as for phasing out of oil palm cultivation at least 40 years, or two cycles, whichever is greater, before reaching the natural gravity drain ability limit for peat. When oil palm is phased out, it is replaced with crops suitable for a higher water table (paludiculture) or rehabilitated with natural vegetation. PROCEDURAL NOTE: Full details of the RSPO Drain ability Assessment Guidelines and related concepts and detailed actions are in the manual currently being fine-tuned/tested by the PLWG. A final version should be approved by the PLWG in January 2019 and will include additional guidance on the steps to be followed after the decision not to replant as well as implications for other stakeholders, smallholders, local communities and the unit of certification. It is recommended that a further twelve-month methodology trial period is proposed for all related management units (i.e. those with plantations on peat) to utilise the methodology and provide feedback to the PLWG to enable further refinement of procedure as appropriate before January 2020. Units of certification have the option to defer replanting till after the availability of the revised guidelines. Additional guidance on alternative crops and rehabilitation of natural vegetation will be provided by the PLWG.	Ecosystems protected; Reduced pollution; Productivity optimised

Criteria	Indicators	ToC Outcomes
<p>7.7 No new planting on peat, regardless of depth after 15 November 2018 and all peatlands are managed responsibly. (Continued)</p> 	<p>PROCEDURAL NOTE: PLWG and the Smallholder Interim Group (SHIG) will collaboratively develop guidance for Independent Smallholders (cross links to SHIG and GHG issues).</p> <p>7.7.6 (C) All existing plantings on peat are managed according to the <i>RSPO Manual on Best Management Practices (BMPs) for existing oil palm cultivation on peat</i>, version 2 (2018) and associated audit guidance.</p> <p>7.7.7 (C) All areas of unplanted and set-aside peatlands in the managed area (regardless of depth) are protected as “peatland conservation areas”; new drainage, road building and power lines by the unit of certification on peat soils is prohibited; peatlands are managed in accordance with the <i>RSPO BMPs for Management and Rehabilitation of Natural Vegetation Associated with Oil Palm Cultivation on Peat</i>, version 2 (2018) and associated audit guidance.</p>	<p>Ecosystems protected; Reduced pollution; Productivity optimised</p>
<p>7.8 Practices maintain the quality and availability of surface and groundwater.</p> 	<p>7.8.1 A water management plan is in place and implemented to promote more efficient use and continued availability of water sources and to avoid negative impacts on other users in the catchment. The plan addresses the following:</p> <ul style="list-style-type: none"> a) The unit of certification does not restrict access to clean water or contribute to pollution of water used by communities b) Workers have adequate access to clean water. 	<p>Ecosystems protected; Reduced pollution; Resource use minimised</p>

Principle 7

PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT

Criteria	Indicators	ToC Outcomes
7.8 Practices maintain the quality and availability of surface and groundwater. (Continued) 	7.8.2 (C) Water courses and wetlands are protected, including maintaining and restoring appropriate riparian and other buffer zones in line with <i>RSPO Manual on BMPs for the management and rehabilitation of riparian reserves</i> (April 2017).	Ecosystems protected; Reduced pollution; Resource use minimised
	7.8.3 Mill effluent is treated to be in compliance with national regulations. Discharge quality of mill effluent, especially Biochemical Oxygen Demand (BOD), is regularly monitored.	
	7.8.4 Mill water use per ton of FFB is monitored and recorded.	
7.9 Efficiency of fossil fuel use and the use of renewable energy is optimised. 	7.9.1 A plan for improving efficiency of the use of fossil fuels and to optimise renewable energy is in place, monitored and reported.	Ecosystems protected; Reduced pollution; Resource use minimised
7.10 Plans to reduce pollution and emissions, including greenhouse gases (GHG), are developed, implemented and monitored and new developments are designed to minimise GHG emissions. 	7.10.1 (C) GHG emissions are identified and assessed for the unit of certification. Plans to reduce or minimise them are implemented, monitored through the Palm GHG calculator and publicly reported.	Reduced pollution
	7.10.2 (C) Starting 2014, the carbon stock of the proposed development area and major potential sources of emissions that may result directly from the development are estimated and a plan to minimise them prepared and implemented (following the RSPO GHG Assessment Procedure for New Development).	
	7.10.3 (C) Other significant pollutants are identified and plans to reduce or minimise them implemented and monitored.	

Criteria	Indicators	ToC Outcomes
7.11 Fire is not used for preparing land and is prevented in the managed area. 	7.11.1 (C) Land for new planting or replanting is not prepared by burning. 7.11.2 The unit of certification establishes fire prevention and control measures for the areas directly managed by the unit of certification. 7.11.3 The unit of certification engages with adjacent stakeholders on fire prevention and control measures.	Ecosystems protected; Reduced pollution

PROCEDURAL NOTE for 7.12

The 2018 RSPO P&C include new requirements to ensure the effective contribution of RSPO to halting deforestation. This will be achieved by incorporating the High Carbon Stock Approach (HCSA) Toolkit in the revised standard.

The RSPO ToC also commits RSPO to balancing sustainable livelihoods and poverty reduction with the need to conserve, protect and enhance ecosystems.

High Forest Cover Countries (HFCCs) urgently require economic opportunities that enable communities to choose their own development path, while providing socio-economic benefits and safeguards.

Adapted procedures will be developed to support the sustainable development of palm oil by Indigenous Peoples and local communities with legal or customary rights. These will apply in specific HFCCs, and within those, in High Forest Cover Landscapes (HFCLs).

The development of these procedures will be guided by a No Deforestation Joint Steering Group (NDJSG) of RSPO and HCSA members. In HFCCs, RSPO will work through national and local participatory processes with governments, communities and other stakeholders to develop these procedures. A timeframe for these activities is stipulated in the Terms of Reference for the NDJSG and publicly available.

Principle 7

PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT

Criteria	Indicators	ToC Outcomes Ecosystems protected
<p>7.12 Land clearing does not cause deforestation or damage any area required to protect or enhance High Conservation Values (HCVs) or High Carbon Stock (HCS) forest. HCVs and HCS forests in the managed area are identified and protected or enhanced.</p>	<p>7.12.1 (C) Land clearing since November 2005 has not damaged primary forest or any area required to protect or enhance HCVs. Land clearing since 15 November 2018 has not damaged HCVs or HCS forests.</p> <p>An historic Land Use Change Analysis (LUCA) is conducted prior to any new land clearing, in accordance with the RSPO LUCA guidance document.</p> <p>7.12.2 (C) HCVs, HCS forests and other conservation areas are identified as follows:</p> <ul style="list-style-type: none"> a) For existing plantations with an HCV assessment conducted by an RSPO-approved assessor and no new land clearing after 15 November 2018, the current HCV assessment of those plantations remains valid. b) Any new land clearing (in existing plantations or new plantings) after 15 November 2018 is preceded by an HCV-HCS assessment, using the HCSA Toolkit and the HCV-HCSA Assessment Manual. This will include stakeholder consultation and take into account wider landscape-level considerations. <p>PROCEDURAL NOTE for 7.12.2: For details of transitional measures, refer to Annex 5: RSPO transition from HCV assessments to HCV-HCSA assessments.</p>	

Criteria	Indicators	ToC Outcomes
<p>7.12 Land clearing does not cause deforestation or damage any area required to protect or enhance High Conservation Values (HCVs) or High Carbon Stock (HCS) forest. HCVs and HCS forests in the managed area are identified and protected or enhanced. (Continued)</p> 	<p>7.12.3 (C) In High Forest Cover Landscapes (HFCLs) within HFCCs, a specific procedure will apply for legacy cases and development by Indigenous Peoples and local communities with legal or customary rights, taking into consideration regional and national multi-stakeholder processes. Until this procedure is developed and endorsed, 7.12.2 applies.</p> <p>PROCEDURAL NOTE for 7.12.3: There should be demonstrable benefits to the local community; clear recognition of legal and customary lands based on participatory land use planning; development should be proportional to the needs of the local community; with a balance between conservation and development. This procedure will also cover planting on previous or abandoned agricultural land/plantations. All other P&C requirements apply, including FPIC and HCV requirements.</p> <p>7.12.4 (C) Where HCVs, HCS forests after 15 November 2018, peatland and other conservation areas have been identified, they are protected and/or enhanced. An integrated management plan to protect and/or enhance HCVs, HCS forests, peatland and other conservation areas is developed, implemented and adapted where necessary, and contains monitoring requirements. The integrated management plan is reviewed at least once every five years. The integrated management plan is developed in consultation with relevant stakeholders and includes the directly managed area and any relevant wider landscape level considerations (where these are identified).</p>	<p>Ecosystems protected</p>

Principle 7

PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT

Criteria	Indicators	ToC Outcomes
<p>7.12 Land clearing does not cause deforestation or damage any arearequired to protect or enhance High Conservation Values (HCVs) or High Carbon Stock (HCS) forest. HCVs and HCS forests in the managed area are identified and protected or enhanced. (Continued)</p> 	<p>7.12.5 Where rights of local communities have been identified in HCV areas, HCS forest after 15 November 2018, peatland and other conservation areas, there is no reduction of these rights without evidence of a negotiated agreement, obtained through FPIC, encouraging their involvement in the maintenance and management of these conservation areas.</p> <p>7.12.6 All rare, threatened or endangered (RTE) species are protected, whether or not they are identified in an HCV assessment. A programme to regularly educate the workforce about the status of RTE species is in place. Appropriate disciplinary measures are taken and documented in accordance with company rules and national law if any individual working for the company is found to capture, harm, collect, trade, possess or kill these species.</p> <p>7.12.7 The status of HCVs, HCS forests after 15 November 2018 and other natural ecosystems, peatland conservation areas and RTE species is monitored. Outcomes of this monitoring are fed back into the management plan.</p> <p>7.12.8 (C) Where there has been land clearing without prior HCV assessment since November 2005, or without prior HCV-HCSA assessment since 15 November 2018, the Remediation and Compensation Procedure (RaCP) applies.</p>	<p>Ecosystems protected</p>

ANNEX 1: DEFINITIONS

Term	Definition	Source
Carbon neutrality	<p>Carbon neutrality refers to achieving Net Zero GHG emissions by balancing a measured amount of carbon dioxide equivalent (CO₂e) emissions released with an equivalent amount sequestered or offset.</p> <p>(The term “climate neutral” reflects the broader inclusiveness of other greenhouse gases in addition to carbon dioxide in climate change. The terms are used interchangeably.)</p>	P&C Review 2018
Child	The term child applies to all persons under the age of 18.	ILO Minimum Age Convention, 1973 (138) Worst Forms of Child Labour Convention, 1999 (182)
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” (as per ILO Convention 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>	ILO Minimum Age Convention, 1973 (138)

DEFINITIONS

Term	Definition	Source
Child labour	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. 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.	ILO Minimum Age Convention, 1973 (138)
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 to the Committee examining alleged non-compliance by Qatar of Forced Labour
Contract worker	Contract worker refers to persons engaged in temporary work, or work for a specific period of time. It also refers to workers who are not employed directly by the company, but employed by a contractor or consultant with whom the company has a direct contract.	ILO, Non-Standard Forms of Employment

Term	Definition	Source
Core work	<p>The primary area or activity that a company was founded to do or focuses on its business operations. Core work pertains to work that is essential and desirable to the growth of the organisation.</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>	P&C Review 2018
Debt bondage	The status or condition of debt bondage when their labour, or the labour of a third party under their control, is demanded as repayment of a loan or of money given in advance, and the value of their labour is not applied towards the liquidation of the debtor the length of the service is not limited and/or the nature of the service is not defined.	UN GA Human Rights Council: Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences July 2016.
Decent living wage	The remuneration received by a worker, for work performed on regular hours, in a particular place sufficient to afford a decent standard of living for the worker and their family.	Adapted from GLWC
Deforestation	<p>Loss of natural forest as a result of:</p> <ul style="list-style-type: none"> i) conversion to agriculture or other non-forest land use; ii) conversion to a plantation forest; or iii) severe and sustained degradation. 	Draft Accountability Framework Initiative (AFI) (July 2018). Refer to latest AFI definition
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.	<p>Draft AFI (July 2018).</p> <p>Always refer to latest AFI definition</p>

DEFINITIONS

Term	Definition	Source
Eminent domain and expropriation	Eminent domain is the statutory power of governments to expropriate private property for public use or in the national interest, usually with the payment of compensation according to rates defined by law. Expropriation implies divesting persons of their property without requiring their agreement or consent.	P&C Review 2018
Extensive replanting on steep terrain	Any individual, contiguous planted area on steep terrain (>25 degrees) greater than 25ha within the re-planting area.	P&C 2013, Annex 2, NI Guidance
Facilitation payment	Bribes paid to facilitate routine government action ^[1] . A common example is where a government official is given money or goods to perform (or speed up the performance of) an existing duty ^[2] .	^[1] UK Bribery Act 2010 Guidance ^[2] UK Serious Fraud Office Bribery Act Guidance
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 50ha in size. Work by children is acceptable on family farms, under adult supervision; when not interfering with education programmes; when children are part of the family and when they are not exposed to hazardous working conditions.	P&C 2013
Food security	Food security is achieved when all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life. Four dimensions of food security are commonly identified: food availability, food access, utilisation and stability.	FAO World Food Summit, 1996. See FAO Policy Brief Issue 2, June 2006 for further detail.

Term	Definition	Source
Forced labour	<p>All work or service which is exacted from any person under the menace of any penalty and for which said person has not offered themselves voluntarily.</p> <p>This definition consists of three elements:</p> <ol style="list-style-type: none"> 1. Work or service refers to all types of work occurring in any activity, industry or sector including in the informal economy. 2. Menace of any penalty refers to a wide range of penalties used to compel someone to work. 3. Involuntariness: The terms “offered voluntarily” refer to the free and informed consent of a worker to take a job and his or her freedom to leave at any time. This is not the case for example when an employer or recruiter makes false promises so that a worker takes a job he or she would not otherwise have accepted. 	<p>ILO Forced Labour Definition</p> <p>ILO, Forced Labour Convention, 1930 (29)</p> <p>ILO, Protocol of 2014 to the Forced Labour Convention, 1930 (P029)</p> <p>ILO, Abolition of Forced Labour Convention, 1957 (05)</p> <p>ILO, Forced Labour Recommendation 2014 (203)</p> <p>P&C Review 2018</p>
Fragile soil	<p>A soil that is susceptible to degradation (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. (See also definition for ‘marginal soil’)</p>	<p>UN Women, OSAGI Gender</p>
Gender equal	<p>This refers to the equal rights, responsibilities and opportunities of women and men, and girls and boys.</p>	<p>Mainstreaming-concepts and definitions</p>

Term	Definition	Source
Greenhousegas	Greenhouse gases (GHGs) are those gaseous constituents of the atmosphere, both natural and anthropogenic, that absorb and emit radiation at specific wavelengths within the spectrum of thermal infrared radiation emitted by the Earth's surface, the atmosphere itself, and by clouds.	Intergovernmental Panel on Climate Change (IPCC) Data Distribution Centre
Hazardouswork	<p>GHGs are measured in terms of their global warming potential – the impact a GHG has on the atmosphere expressed in the equivalent amount of carbon dioxide CO₂ (CO₂e). Greenhouse gases regulated by the Kyoto Protocol include: carbon dioxide (CO₂), methane (CH₄), nitrous oxides (N₂O), Hydrofluorocarbons (HFCs), perfluorocarbons (PFC), and sulphur hexafluoride (SF₆).</p> <p>Hazardous work is work performed in hazardous conditions; or “in the most hazardous sectors and occupations, such as agriculture, construction, mining, or ship-breaking, or where working relationships or conditions create particular risks, such as exposure to hazardous agents, such as chemical substances or radiation, or in the informal economy.” (https://www.ilo.org/safework/areasofwork/hazardous-work/lang--en/index.htm)</p> <p>Hazardous work is also defined as “any work which is likely to jeopardize 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/ipec/facts/ILOconventionsonchildlabor/lang--en/index.htm)</p>	Article 3 (d) of ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (182)

Term	Definition	Source
High Carbon Stockforest	Forests that have been identified using the High Carbon Stock Approach (HCSA) Toolkit	HCSA website www.highcarbonstock.org
High Forest Cover Country (HFCC)	Countries defined as having >60% forest cover (based on recent, trusted REDD+ and national data); <1% oil palm cover; a deforestation trajectory that is historically low but 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)	Landscapes having >80% forest cover. Landscapes as defined under HCSA Toolkit (Module 5): “The size of a landscape may be determined by (a) identifying the watershed or the geographical land unit containing a cluster of interacting ecosystems; (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 (c) using a radius of 5 km from the area of interest (for instance, the planned concession).”	HCSA Toolkit (v2)
High Conservation Value (HCV) areas:	<p>The areas necessary to maintain or enhance one or more High Conservation Values (HCVs):</p> <p>HCV1 – 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>	High Conservation Value Resource Network (HCVRN) Common Guidance for Identification of HCVs 2017

DEFINITIONS

Term	Definition	Source
High Conservation Value (HCV) areas: (Continued)	<p>HCV4 – Ecosystem services; Basic ecosystem services in critical situations, including protection of water catchments and control of erosion of vulnerable soils and slopes.</p> <p>HCV5 – 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>HCV6 – 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>	<p>High Conservation Value Resource Network (HCVRN) Common Guidance for Identification of HCVs 2017</p>
Human Rights Defenders	<p>Individuals, groups and associations who promote and protect universally recognized RSPO policy on the human rights and fundamental freedoms of individuals and peoples. This definition includes Environmental HRD, whistleblowers, complainants and community spokespersons. This definition does not include those individuals who commit or propagate violence.</p>	<p>protection of HRD, Whistleblowers, Complainants and Community Spokesmen (endorsed by BoG on 24 Sept 2018)</p>
Independent Smallholder	<p>All smallholder farmers that are not considered to be Scheme Smallholders (see definition for Scheme Smallholders] are considered Independent Smallholder farmers).</p>	<p>Smallholder Interim Group (SHIG)</p>

Term	Definition	Source
Indigenous People	<p>Indigenous Peoples are inheritors and practitioners of unique cultures and ways of relating to people and the environment. They have retained social, cultural, economic and political characteristics that are distinct from those of the dominant societies in which they live. Despite their cultural differences, Indigenous Peoples from around the world have common problems related to the protection of their rights as distinct peoples.</p> <p>Indigenous Peoples have sought recognition of their identities, way of life and their right to traditional lands, territories and natural resources for years, yet throughout history, their rights have always been violated. Indigenous Peoples today, are arguably among the most disadvantaged and vulnerable groups of people in the world. The international community now recognises that special measures are required to protect their rights and maintain their distinct cultures and way of life.</p>	UNDESA, Division for Inclusive Social Development, Indigenous Peoples
In 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 applied in good faith, 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.	ILO Q&As on business and collective bargaining
Integrated Pest Management (IPM)	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 minimise risks to human health and the environment. IPM emphasises the growth of a healthy crop with the least possible disruption to agro-ecosystems and encourages natural pest control mechanisms.	P&C 2013 FAO 2013 http://www.fao.org/agriculture/crops/thematic_sitemap/theme/pests/ipm/en/

Term	Definition	Source
Intimidation and harassment	Intimidation and harassment include loss of income due to/resulting in organisational restrictions, threats of dismissal from employment, restrictions on travel, restrictions to the environment in which the HRDs operate, deliberate obstruction to holding of meetings between HRDs, hostility within the community where HRDs live as claims may be seen to jeopardise the community's honour and culture (this may especially be the case with women HRDs). More serious measures include character assassination of HRDs, discrediting, defamation campaigns, arbitrary use of security forces, surveillance, SLAPP suits (Strategic Lawsuits against Public Participation) due to his or her work and/or in the course of his/her activities, 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&C Review 2018
ISO standards	Standards developed by the International Organisation for Standardisation	P&C 2013 ISO: www.iso.org
Land clearing	Conversion of land from one land use to another. Clearing actively managed oil palm plantations to replant oil palm is not considered land clearing. Within existing certified units, clearing of less than 10 ha is <u>not</u> considered new land clearing.	P&C Review 2018
Landscape	A geographical mosaic composed of interacting ecosystems resulting from the influence of geological, topographical, soil, climatic, biotic and human interactions in a given area.	IUCN https://www.iucn.org/downloads/en_iucn_glossary_definitions.pdf

Term	Definition	Source
Landscape level	The size of a landscape may be determined by (a) identifying the watershed or the geographical land unit containing a cluster of interacting ecosystems; (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 (c) using a radius of 5 km from the area of interest (i.e. planned concession boundaries).	HCV-HCSA Assessment Manual 2017
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 earning activities, including reserves and assets, to offset risks, ease shocks and meet contingencies.</p>	P&C 2013

DEFINITIONS

Term	Definition	Source
Livelihood (continued)	(Compiled from various definitions of livelihoods from Department for International Development (DfID), Institute of Development Studies (IDS) and FAO and academic texts from: http://www.fao.org/docrep/X0051T/X0051t05.htm .)	P&C 2013
Managed area	The land containing oil palm and associated land uses such as infrastructure (e.g. roads), riparian zones and conservation set-asides.	P&C Review 2018
Management documents	Management documents are documented information and evidence to interact with the RSPO P&C. It shall be in the form of manuals, working procedures, reports and records that are subject to be audited and reviewed periodically.	ISO 9001 QMS – https://advisera.com
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 a melioration and resulting productivity is cost effective. (See also definition for 'fragile soil'.)	P&C Review 2018
Migrant worker	A person who migrates from one country to another with a view to being employed otherwise than on his own account and includes any person regularly admitted as a migrant for employment. Migrants are defined as those who cross international boundaries for the purposes of employment, and do not include those workers who move within a country for the purposes of employment.	P&C 2013
Natural ecosystems	All land with natural, native vegetation, including but not limited to native forests, riparian vegetation, natural wetlands, peatlands, grasslands, savannahs, and prairies.	P&C Review 2018
New planting	Planned or proposed planting on land not previously cultivated with oil palm.	NPP 2015
Non-hazardous work	See definition for hazardous work.	

Term	Definition	Source
Operations	All activities planned and/or undertaken by the management unit within the boundaries of the palm oil mill and its supply base.	P&C 2013
Other conservation areas	Areas (in addition to HCV, HCS forests and peatland conservation areas) that are required to be conserved by the RSPO P&C (such as riparian areas and steep slopes) and other areas allocated by the unit of certification.	P&C Review 2018
Outgrowers	Farmers, where the sale of FFB is exclusively contracted to the unit of certification. Out growers may be smallholders.	P&C 2013
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.	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. Pesticides are categorised into four main substituents chemicals: herbicides; fungicides; insecticides and bactericides.	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, adapting 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.	P&C 2013
Plantation	The land on which oil palm is grown. (See also definition for 'managed area')	P&C Review 2018

Annex 1

DEFINITIONS

Term	Definition	Source
Prophylactic	A treatment or course of action applied as a preventive measure.	P&C 2013
Rare, threatened or endangered (RTE) species	Species as defined by the High Conservation Value Resource Network (HCVRN).	HCVRN Common Guidance for the Identification of HCVs
Recruitment fees	Recruitment fees pertain to costs and expenses associated with the recruitment and hiring of the worker (i.e. recruiter and agent service fees, documents processing, employer-required skills and medical testing, training, documentation, visa, work permits, transportation from home country to point of entry and return, administrative and overhead costs).	Dhaka Principles and ILO 181.
Restore	Returning degraded or converted areas within a plantation to a semi-natural state.	P&C 2013
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, The Global Compact for Safe, Orderly and Regular Migration.</p> <ol style="list-style-type: none"> 1. 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. 2. Legal rights: rights given to individual(s), entities and others through applicable local, national or ratified international laws and regulations. 	<p>P&C 2013</p> <p>UN Refugees & Migrants, Global Compact for Safe, Orderly and Regular Migration, 2018</p> <p>World Bank Operational Policy 4.10</p> <p>From FSC Principles & Criteria</p>

Term	Definition	Source
Rights (continued)	<p>3. 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.</p> <p>4. 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.</p>	<p>P&C 2013</p> <p>Refugees & Migrants, Global Compact for Safe, Orderly and Regular Migration, 2018</p> <p>World Bank Operational Policy 4.10</p>
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>	<p>From FSC Principles & Criteria</p> <p>Adapted from ILO, A 5 step guide for employers, workers and their representatives on conducting workplace risk assessments, 2014</p>
Scheme Smallholder	<p>Farmers, landowners or their delegates that <u>do not</u> have the:</p> <ul style="list-style-type: none"> • Enforceable decision-making power on the operation of the land and production practices; and/or • Freedom to choose how they utilise their lands, type of crops to plant, and how they manage them (whether and how they organise, manage and finance the land). <p>(See also Smallholder and Independent Smallholder).</p>	<p>SHIG</p>

Term	Definition	Source
Significant pollutant	Chemical or biological substances which have a substantial adverse impact on water, air or land quality including POME, sewage, and other wastewater, sediment, fertiliser, pesticides, fuels and oil, air pollutants, as guided by national regulations and international standards.	P&C Review 2018
Site	A single functional unit of an organisation or a combination of units situated at one locality, which is geographically distinct from other units.	RSPO 2017 SCCS Standard
Smallholder	Farmers growing oil palm, sometimes along with subsistence production of other crops, where the family provides the majority of labour and the farm provides the principal source of income and where the planted area of oil palm is usually below 50 ha in size.	P&C 2013
	Scheme Smallholder: Farmers, landowners or their delegates that <u>do not</u> have the: <ul style="list-style-type: none"> • Enforceable decision-making power on the operation of the land and production practices; and/or • Freedom to choose how they utilise their lands, type of crops to plant, and how they manage them (whether and how they organise, manage and finance the land). 	SHIG
	Independent Smallholder: All smallholder farmers that are not considered to be Scheme Smallholders [see definition for Scheme Smallholders] are considered Independent Smallholder farmers.	SHIG

Term	Definition	Source
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 potential impacts (both direct and indirect) 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.	P&C Review 2018
Stakeholders	An individual or group with a legitimate and/or demonstrable interest in, or who is directly affected by the activities of an organization and the consequences of those activities.	P&C 2013
Steep terrain	Areas above 25 degrees or based on a National Interpretation (NI) process.	P&C 2013 Annex 2 Guidance NI
Trafficked labour	Trafficked labour is a form of exploitation that results from the recruitment, transport, transfer, harbouring, and receipt of individuals to perform labour or services through the use of 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.	The UN Palermo Protocols to Prevent, Suppress and Punish Trafficking in Persons.
Transmigrant	A person who migrates from one part of the country to another with a view to being employed otherwise than on his own account.	P&C 2013
Undue influence	The exertion by a third party of any kind of control such that a person signs a contract or other agreement which, absent the influence of the third party, he would not have signed.	P&C 2013
Unit of certification	The unit of certification shall be the mill and its supply base and shall include both directly managed land (and estates) and Scheme Smallholders and out growers, where estates have been legally established with proportions of lands allocated to each.	RSPO Certification Systems 2017

DEFINITIONS

Term	Definition	Source
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 nonindigenous societies, have returned to a situation of isolation and break the relations of contact that they may have had with those societies. In line with the principle of FPIC, RSPO prohibits oilpalm expansion in these peoples' territories.	Inter-American Commission on Human Rights, Indigenous Peoples in Voluntary Isolation and Initial Contact in the Americas, 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.	P&C Review 2018
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.	UN Water, Water Security Infographic

Term	Definition	Source
Whistleblower	Individuals who are employees or former employees who report on illegal, irregular, dangerous or unethical practices or actions by employers which contravene RSPO Code of Conduct and related 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 HRD, Whistleblowers, Complainants and Community Spokesmen (endorsed by the BoG on 24 September 2018)
Worker	Men and women, migrants, transmigrants, contract workers, casual workers and employees from all levels of the organisation.	P&C Review 2018
Workforce	The total number of workers employed by the management unit either directly or indirectly. This includes contract workers and consultants.	P&C 2013
Young person	Young workers are aged 15, or above the minimum age of employment, but under the age of 18. According to the ILO, "these workers are considered 'children' even where they may legally perform certain jobs."	ILO Minimum Age Convention, 1973 (138), Article 3 ILO Safety and Health in Agriculture Convention, 2001 (184), Article 16

ANNEX 2: GUIDANCE

Principle 1: Behave ethically and transparently

Criterion (new)	Guidance
1.1	<p>1.1.1. 1.1.2. The unit of certification manages the administrative documents relating to environmental, social and other legal issues that are relevant to compliance with RSPO criteria, which should be available to relevant stakeholders as appropriate, in appropriate languages and forms to allow their understanding and effective participation in decision-making. The unit of certification should define the disclosure procedure according to the context of its area of influence.</p> <p>Management documents comprise the results of FPIC processes, SEIAs, Human Rights Policies including a policy on protection of HRDs/whistleblowers, social programmes avoiding or mitigating negative social impact, social programmes advancing livelihoods, figures of gender distribution within all workers categorised by management, administrative staff and workers (both permanent casual workers, piece rate workers), partnership programmes for Independent Smallholders, and programmes for community education and health.</p> <p>1.1.3 Information requests from relevant stakeholders and their responses are documented.</p> <p>1.1.4 The unit of certification should define, document, disclose and implement the consultation and communication procedure to relevant stakeholders</p> <p>The auditors will comment on the adequacy of each of the documents listed in the public summary of the audit assessment report</p> <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, and should be subject to national data protection legislation.</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.

Criterion (new)	Guidance
-----------------	----------

1.1 (Continued)	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. The unit of certification should ensure that sufficient objective evidence exists to demonstrate that the level of measuring and monitoring of the management plan, and information, is appropriate and made available.
-----------------	--

For 1.1.5: **The unit of certification maintains an updated list of relevant stakeholders and their designated representatives.** Applicable data privacy laws should be considered in the gathering, storage, use and distribution and publication of personal information.

The following documents should be available at the unit of certification (but not necessarily limited to) upon request:

- Land titles/user rights (Criterion 4.4)
- Occupational health and safety plans (Criterion 3.6)
- Plans and impact assessments relating to environmental and social impacts (Criterion 3.4)
- HCV & HCS documentation (Criterion 7.12)
- Pollution prevention and reduction plans (Criterion 7.10)
- Details of complaints and grievances (Criterion 4.2)
- Negotiation procedures (Criterion 4.6)
- Continuous improvement plans (Criterion 3.2)
- Public summary of certification assessment report
- Human Rights Policy (Criterion 4.1)

Criterion (new) Guidance

- 1.2 All levels of operations will include subcontractors (i.e., those involved in security).
- The policy should include as a minimum:
- A respect for fair conduct of business
 - A prohibition of all forms of corruption, bribery and fraudulent use of funds and resources
 - A proper disclosure of information in accordance with applicable regulations and accepted industry practices
- The policy should be set within the framework of the UN Convention Against Corruption, in particular Article 12, and any other applicable national laws.
- The policy should cover elements such as: bribery; facilitation payments; guidance and procedure for gifts and hospitality; disclosure of political contributions; guidelines for charitable donations and sponsorships; respect for fair conduct of business; proper disclosure of information in accordance with applicable regulations and accepted industry practices; compliance with existing anti-corruption legislation.
- Commitment to company ethical policies is incorporated in all service contracts.
- There are due diligence procedures in place for the selection and contracting of recruitment agencies and labour intermediaries or suppliers.
- Unethical conduct includes charging fees to workers, recovering cost of recruitment and transportation against workers' wages, receiving gifts and commissions from labour intermediaries or suppliers.

1.2.2 The unit of certification should have a system to monitor compliance and implementation of the ethical conduct policy, including the procedure to report non-compliance.

Principle 2: Operate legally and respect rights

Criterion (new)	Guidance
2.1	<p>The implementation of all legal requirements is an essential baseline requirement for all farmers, regardless of size or location. Relevant legislation includes, but is not limited to: regulations governing land tenure and use rights, labour issues, agricultural practices (i.e. use of agrochemicals), environmental (e.g. general environmental law, the law for forest, protected areas and wildlife and its regulations, and their corresponding regulations), storage, transportation and processing practices and others that apply to the unit of certification in all areas: tax, social and environmental. It also includes legislation on the country's obligations under international conventions or laws (i.e. the Convention on Biological Diversity (CBD), the basic ILO conventions, or the United Nations Guiding Principles on Business and Human Rights). Additionally, if the countries have provisions to respect customary laws, these will be taken into account.</p> <p>Key international laws and conventions are set out in Annex 3.</p> <p>Contradictions and inconsistencies should be identified, and solutions suggested. Evidence should be incorporated as part of implementation of Criterion 2.3.</p> <p>The national regulations related to these Principles and Criteria are found in Annex 6.</p> <p>See Indicator 4.4.1 for requirements on legal ownership or lease and authorised use of customary lands.</p> <p>For Indicator 2.1.2: A 'documented system for ensuring legal compliance' can take the form of a physical or virtual archive of applicable laws, regulations and rules with elements of how these laws are interpreted and followed in the running of the operations.</p>

For this same indicator, each unit of certification may establish the due diligence mechanism with its contracted third parties and define its monitoring system for legal compliance.

The unit of certification documents in a general way, all the applicable local, national and ratified international treaties. The means for identifying this framework can be either internal or external as long as it is executed competently

Evaluation of legal compliance will be performed annually and in accordance with current legislation as necessary.

Annex 2 GUIDANCE

Criterion (new)	Guidance
2.2	<p>Contracted parties include:</p> <ul style="list-style-type: none">• Temporary employment, whereby workers are engaged only for a specific period of time, includes fixed-term, project- or task-based contracts, as well as seasonal or casual work, including day labour• Short-term contracts; renewable contract• Fixed-term, project, or task-based contracts are contractual employment arrangements between one employer and one employee characterised by a limited duration or a pre-specified event to end the contract• Casual work is the engagement of workers on a very short term or on an occasional and intermittent basis, often for a specific number of hours, days or weeks, in return for a wage set by the terms of the daily or periodic work agreement. Casual work is a prominent feature of informal wage employment in low-income developing countries, but it has also emerged more recently in industrialised economies, particularly in jobs associated with the “on-demand” or gig economy”. (https://www.ilo.org/global/topics/non-standard-employment/WCMS_534826/lang--en/index.htm) <p>2.2.2. The unit of certification should establish a monitoring system to ensure compliance with legal requirements. The unit of certification should establish its monitoring system to ensure legal compliance.</p> <p>2.2.3. With respect to hiring youths, it is recommended to follow the provisions of the current Labour Code.</p>

2.3

For consideration of FFB legality, NIs should also consider commonly accepted local practices and customs that are generally accepted to be on a par with legal standing or accepted by authorities (e.g., native courts). For indicator 2.3.1:

- a) Information on the geographical origin of the fruit can be verified with the coordinates of the production areas.
 - b) Each unit of certification may establish the supporting documentation that documents property status or the right to use the land by the producer/smallholder.
-

Principle 3: Optimise productivity, efficiency, positive impacts and resilience

Criterion (new)	Guidance
3.1	<p>Whilst it is recognised that long-term profitability is also affected by factors outside their direct control, top management should be able to demonstrate attention to economic and financial viability through long-term management planning.</p> <p>For plantations on peat, a longer time frame for the projection of the annual replanting programme is needed per Criterion 7.7.</p> <p>The unit of certification should have a system to improve practices in line with new information and techniques. For smallholder schemes, the scheme management should be expected to provide their members with information on significant improvements. This Criterion is not applicable to Independent Smallholders.</p> <p>The business or management plan should contain:</p> <ol style="list-style-type: none">1. Attention to quality of planting materials2. Crop projection = Fresh Fruit Bunches (FFB) yield trends3. Mill extraction rates = Oil Extraction Rate (OER) trends4. Cost of production = cost per tonne of Crude Palm Oil (CPO) trends5. Forecast prices6. Financial indicators <p>Suggested calculation: Trends in 3-year running mean over the last decade (FFB trends may need to allow for low yields during scheduled major replanting efforts).</p> <p>Consideration of smallholders should be inherent in all management planning where applicable (see also Principle 5 for Scheme Smallholders), the content of the business plan may vary from that suggested.</p>

Criterion (new)	Guidance
3.1 (Continued)	<p>Where the specific financial details are not known, an estimate of these amounts, or structures for defining those estimates will be made clear within the contract.</p> <p>Management reviews (Indicator 3.1.3) should include:</p> <ol style="list-style-type: none">1. Results of internal audits2. Customer feedback3. Process performance and product conformity4. Status of preventive and corrective actions5. Follow-up actions from management reviews6. Changes that could affect the management system7. Recommendations for improvement
3.2	<p>For the action plan for continuous improvement, indicators may include but not be limited to:</p> <ol style="list-style-type: none">1. Optimising the yield of the supply base.2. Reduction in use of pesticides (Criterion 7.2)3. Environmental impacts (Criteria 3.4, 7.6 and 7.7)4. Waste reduction (Criterion 7.3)5. Pollution and greenhouse gas (GHG) emissions (Criterion 7.10)6. Impacts on communities, workers and smallholders (Principle 6)7. Integrated management of HCV-HCS, peatland and other conservation areas (Criteria 7.7 and 7.12)8. Early detection, monitoring and control of phytosanitary problems (Criteria 7.1 and 7.2) <p>Where applicable, review should include Scheme Smallholders.</p>

Criterion (new) Guidance

3.2 (Continued)

Where appropriate the review should include smallholder producers.

The unit of certification should have a system to improve practices in line with new information and techniques, and a mechanism for disseminating this information throughout the workforce. For smallholders, there should be systematic guidance and training for continuous improvement.

3.3

The unit of certification should include, in an orderly and organised manner, a process map to identify the critical points, the good practices, and a communication, and monitoring and evaluation system. The mechanisms to check implementation could include documentation of management systems and internal control procedures (see Criterion 2.1).

SOP and documentation for mills should include relevant supply chain requirements (see SCCS section under Principle 3).

The unit of certification, while working with third party suppliers of FFB on traceability and legality, should use the opportunity to distribute suitable information on BMPs.

Consultation of specific manuals for these topics is recommended, whether they are local or regional manuals, such as:

- *Guide to Good Environmental Practices for the Cultivation of Oil Palm in Honduras* (2013). Secretary of Natural Resources and the Environment (SERNA), Secretary of Agriculture and Livestock (SAG), National Federation of Oil Palm Producers of Honduras (FENAPALMAH): https://63face3f-14d2-4546-b480-4598d42fdc59.filesusr.com/ugd/5b245e_62fdde81158c45239a108ecbc6ee3e89.pdf
- Nutritional deficiencies in oil palm cultivation, Solidaridad: <https://isbn.cloud/9789929818705/deficiencias-nutricionales-en-el-cultivo-de-palma-de-aceite/>
- Field Book (notebook for documenting activities and information), Solidaridad (2018)

Criterion (new) Guidance

- 3.4 The terms of reference of the Social and Environmental Impact Assessment (SEIA) should be defined. Ideally, SEIAs should be carried out by accredited independent experts, in order to ensure an objective process. The SEIA should include, but is not limited to:
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 unit of certification boundaries, and any measures for their conservation and/or enhancement
 3. Assessment of potential effects of planned developments on adjacent natural ecosystems, including whether development or expansion is expected to increase pressure on nearby natural ecosystems
 4. Identification of watercourses and wetlands and assessment of potential effects of planned developments on hydrology and land subsidence. 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 and 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 well-being
 10. Assess impacts on employment, employment opportunities or from long-term changes of employment terms
 11. A cost-benefit analysis on social aspects
 12. Assessment of potential social impacts on communities surrounding plantations, including an analysis of potential effects on livelihoods, and differential effects on women versus men, ethnic communities, and migrants versus long-term residents

Criterion (new) Guidance

3.4(Continued)

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 that may impact air quality or generate significant GHG emissions

For smallholder schemes, the scheme management has the responsibility to undertake an impact assessment and to plan and operate in accordance with the results.

Additional information on SEIAs can be found in various external sources such as the HCSA Toolkit Module 3 and the International Finance Corporation (IFC)'s *Guide to Biodiversity for the Private Sector: The Social and Environmental Impact Process*.

Monitoring and management plans should be reviewed internally or externally once every two years.

Criterion (new)	Guidance
3.4 (Continued)	<p>Management documents may comprise social programmes for avoiding or mitigating adverse social impacts including human rights, social programmes advancing community livelihoods and gender equality, partnership programmes for Independent Smallholders, education and health in the communities.</p> <p>Affected stakeholders are able to express their views through their own representative institutions, or freely chosen spokespersons, during the identification of impacts, reviewing findings and plans for mitigation, and monitoring the success of implemented plans.</p> <p>Interested affected stakeholders should be consulted during all stages of the SEIA, based on a prior definition of the area of influence and stakeholder mapping. The unit of certification should document the consultations carried out and ensure that the opinions and perspectives of interested parties are incorporated throughout the process.</p>
3.5	<p>The unit of certification should establish a human resources management system that should consider the guidelines established in the Labour Code, as well as the different policies related to the management of human resources.</p> <p>The human resources management system is aligned with the national regulations on the matter. This system covers the monitoring processes to ensure that contractors or intermediaries implement and document their own human resource management systems.</p> <p>The human resources management system must be articulated along with the labour, human rights, non-discrimination, ethics and other applicable policies.</p>

3.6 Referto National Law/Regulation or ILO Convention 155 for those countries without national Occupational Safety and Health Law/Regulation at a minimum.

The unit of certification should have a policy and an occupational health and safety plan according to the risk analysis with their respective indicators. The plan should also reflect the application of national regulations and the ILO Convention 184 guide. The plan is aligned with the Standard Operating Procedures (SOP) and their respective Key Performance Indicators (KPIs) adjusted to dignified labour.

The occupational health and safety plan should be understood, implemented, and monitored. The plan will include the following elements: risk analysis for all activities, identification, recording and reporting all occupational injuries, internal work regulations, a risk monitoring programme, a prevention and awareness programme, and training programmes. Provide appropriate personal protective equipment.

3.7 **Training content:** Workers should be adequately trained in: the health and environmental risks of pesticide exposure; recognition of acute and long-term exposure symptoms, including the most vulnerable groups (e.g. young workers, pregnant women); ways to minimise exposure to workers and their families; and international and national instruments or regulations that protect worker health.

Training programmes should include productivity and best management practices, and should be appropriate to the scale of the organisation. Programmes should enable all participants to fulfil their work responsibilities in accordance with documented procedure.

Training participants: Training should be given to all units of certification staff and workers including subcontracted workers and female smallholders and plantation workers.

The unit of certification should demonstrate training activities for Scheme Smallholders who provide FFB on a contractual basis.

Annex 2

GUIDANCE

Criterion (new)	Guidance
-----------------	----------

3.7(Continued)	
----------------	--

	Workers on smallholder plots also need adequate training and skills, and this can be achieved through extension activities of the unit of certification that purchases FFB from them by smallholder organisations, or through collaboration with other institutions and organisations.
--	--

For individual scheme smallholder operations, training records should not be required for their workers, but anyone working on the plantations should be adequately trained for the job they perform.

The training programme should include the topics of gender inclusion and environmental considerations in a crosscutting manner (following RSPO P&C). The unit of certification should assign a responsible individual who is capable of implementing and monitoring the training programme.

Principle 4: Respect community and human rights and deliver benefits

Criterion (new)	Guidance
4.1	<p>4.1.1 The unit of certification will have a human rights policy based on: The United Nations <i>Guiding Principles on Business and Human Rights</i> (2011); <i>RSPO Policy on the Protection of Human Rights Defenders, Whistleblowers, Complainants and Community Spokespersons</i> (2018); complainants of irregularities; other complainants and community spokespersons; as well as current national legislation.</p> <p>The unit of certification should implement an appropriate communication procedure according to its context to communicate the human rights policy at all levels of operations and to local communities to ensure compliance. Awareness of the human rights policy should be extended across the different levels of operations, including: service providers or subcontractors (i.e. those involved in security, harvest, post-harvest, fresh fruit suppliers, transportation and other processes related to the operations of the unit of certification).</p> <p>The UN <i>Guiding Principles on Business and Human Rights</i> notes that: “The responsibility of business enterprises to respect human rights refers to internationally recognised human rights – understood, at a minimum, as those expressed in the <i>International Bill of Human Rights</i> and the principles concerning fundamental rights set out in the <i>International Labour Organization’s Declaration on Fundamental Principles and Rights at Work</i>.”</p> <p>The UN <i>Guiding Principles on Business and Human Rights</i> stipulates the responsibility of business enterprises to respect human rights exists independently of nation states’ abilities and/or willingness to fulfil their own human rights obligations and exists over and above compliance with national laws and regulations protecting human rights. (See “The Corporate Responsibility to Respect Human Rights” in the UN <i>Guiding Principles on Business and Human Rights</i>).</p> <p>The RSPO Human Rights Working Group will provide additional guidance to identify, prevent, mitigate and address human rights issues and impacts.</p> <p>The resulting guidance will identify the human rights issues relevant to all RSPO members. Details on requirements to protect the rights of HRDs, complainants, whistleblowers and community spokespersons, are set out in the <i>RSPO Policy on the Protection of Human Rights Defenders, Whistle-blowers, Complainants and Community Spokespersons</i>.</p>

- 4.2 4.2.1. The unit of certification should establish dispute resolution procedures through consensual open agreements with the relevant affected parties, respecting the anonymity of human rights defenders, informants, complainants, and community spokespersons when necessary. See section 2.3 of the *RSPO Policy on the Protection of Human Rights Defenders, Whistleblowers, Complainants and Community Spokespersons* (2018). Dispute resolution procedures should include components established by the RSPO (e.g. response times, legal counsel, communication with interested and potentially affected parties).

The resolution of disputes should be carried out through peaceful and non-violent means that promote people's dignity and respect for human rights.

- 4.2.2. 4.2.3. Regarding the dissemination of complaints and claims handling systems, appropriate means should be considered to facilitate its comprehension, including for illiterate people.

The unit of certification should identify different mechanisms for receiving complaints (e.g. removable boxes, complaint notebook, email, etc.).

Complaints should be dealt with through mechanisms such as Joint Consultative Committees (CCC), with gender representation and, if relevant, with representation of migrant workers. Complaints could be internal (employees) or external

For small independent and system farmers, see current RSPO guidance documents on small independent and system farmers.

- 4.2.4. Independent legal or technical advice could include independent human rights defenders, in mutual agreement of the parties, or with the representation of CONADEH, the UN High Commissioner for Human Rights, and/or the Office of the Prosecutor for Ethnic Groups and Cultural Heritage.

If no mutually agreed upon resolution is reached, complaints can be made through the RSPO complaint system. Consult useful reference texts, such as the guide approved by the Human Rights Commission (HRC)

Refer to helpful texts for guidance, such as the UN HRC endorsed *Guiding Principles on Business and Human Rights: Implementing the UN "Protect, Respect and Remedy" Framework* (2011).

4.3

Contributions to local sustainable development should be based on the results of consultation with local communities and should have long term economic, social and/or environmental benefits. Such consultation should be based on the principles of transparency, openness and participation, and should encourage communities to identify their own priorities and needs, including the different needs of men, women and minority/vulnerable groups. The unit of certification may also seek partnerships from non-governmental organisations (NGOs) and civil society and implement solutions to address these issues as part of their contributions to sustainable development.

Criterion (new) Guidance

4.3 (Continued)

Contributions to the communities will be according to the economic capacity of the unit of certification, prioritised according to community proposals expressed in the consultation.

The unit of certification should consult communities with which it has relationships and via representative organisations about development contributions.

After prioritising needs, potential contributions by companies should be presented to communities.

Such agreements should contemplate the actions to be taken from the beginning to the completion of projects, and encourage communities to actively participate in sustainable development projects.

Examples of contributions to local sustainable development may be, but are not limited to:

- a) Poverty reduction
- b) Access to health and wellbeing
- c) Access to quality education
- d) Access to clean water and sanitation
- e) Conservation or restoration of natural resources
- f) Gender equality programmes
- g) Support/enhancement/secure food and water security

Where candidates for employment are of equal merit, preference should always be given to members of local communities. Positive discrimination should not be recognised as conflicting with Criterion 6.1.

4.4 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, in particular for compliance with Indicators 4.4.2 and 4.4.3.

The unit of certification should demonstrate that legal or customary rights over land, rights are understood and are not being threatened or reduced. This Criterion should be considered in conjunction with Criterion 4.5, 4.6 and 4.7. Where customary rights areas are unclear these should be established through participatory mapping exercises involving affected parties and include neighbouring communities and local authorities).

Consultation of the *Free, Prior and Informed Consent Guide for RSPO Members* (2015) the protocols of Indigenous Peoples (e.g. Bio-cultural Protocol of the Miskitu Indigenous People) and other appropriate consultation protocols with potentially affected communities are recommended. This criterion allows negotiated agreements to be reached in order to compensate other users for the loss of benefits and/or the waiver of their rights. Agreements should be negotiated without coercion and signed on a voluntary basis, made before undertaking new investments or operations and be based on an open exchange in which all relevant information is shared. The representation of the communities should be transparent and with open communication with other members of the community.

Relevant legal arrangements may include, but are not limited to, negotiated benefit sharing agreements, joint operations agreements, legal representation on boards of directors, prior land-use restrictions, co-management agreements, small producer contracts, rental and leasing agreements, royalty payments, or the implications of land acquisition and permits for community tenure, use, and access rights to land.

Annex 2

GUIDANCE

Criterion (new) Guidance

4.4 (Continued)

4.4.1. and 4.4.2. The unit of certification should demonstrate documented legal right to the land, as the case may be:

- a) Private property title or full ownership title endorsed by the competent authorities (Property Institute, National Agrarian Institute [INA])
- b) Full ownership: legal document issued by the municipality on communal land as well as also endorsed by INA.
- c) Usufruct document endorsed by ICF

If there are legal or customary rights to the land, the unit of certification should demonstrate to the parties involved that these rights are respected and that they are not threatened or limited. Lease agreements should also demonstrate legal ownership, tenure or land use.

4.4.3. Topographic plans will be prepared on an adequate scale according to the deed. 4.4.4. See Criterion 1.1

4.4.5. See Criterion 1.1.5

4.5 The unit of certification can, through compliance with RSPO criteria demonstrate its commitment to support the UN Sustainable Development Goals (especially SDGs 2, 6 and 15).

The unit of certification should support the implementation of existing national strategies regarding food and water security, and not contradict them by any of its business activities.

The unit of certification should recognise national and/or international natural disaster risk assessments, strategies and maps in the management plan/strategies for the managed areas in question. The unit of certification should inform suppliers and communities in the concerned region about natural risks and provide support in case of strong adverse natural and artificial disasters.

This activity should be integrated with the participative SEIA required by Criterion 3.4.

Within the FPIC process, measures to balance potential negative impacts on food and water security for local communities should be discussed and agreed upon by the unit of certification and the local communities. These measures and their proposed implementation features (what, how, how long, recipients, threats and opportunities to implementation) are documented as part of the resource management planning.

Criterion (new) Guidance

4.5 (Continued)

In cases where the availability, access, quality and stability of food and water is negatively affected by the planned operations, mitigation and relief measures should be agreed upon.

Where applicable, in communities resettled in accordance with FPIC, the unit of certification should monitor the food and water security situation through a screening process and, for example, through continuous dialogue, to ensure local food and water security.

Efforts should be made to consider population dynamics. The set of measures **should** be reviewed regularly (proposed biannually) to reflect on changes in needs and capacities and the resources available.

The unit of certification should not restrict access to markets for local communities through its operations.

The unit of certification should assess water catchments in order to identify key water risks or shared challenges (see HCV 4). The unit of certification should regularly monitor their operations' impacts on **local** water availability and quality.

Where new plantings are considered to be acceptable, management plans and operations should **preserve** sacred sites.

Agreements with Indigenous Peoples, local communities and other stakeholders should be **reached** without coercion or other undue influence (see Guidance for Criterion 4.4). Relevant stakeholders include those affected by or concerned with the new plantings.

Customary and user rights will be demonstrated through participatory mapping involving **respective users** as part of the FPIC process.

FPIC is a guiding principle and should be applied to all RSPO members throughout the supply chain. Refer to the *Free, Prior and Informed Consent Guide for RSPO Members (2015)*.

Criterion (new)	Guidance
4.6	<p>Where there is a conflict on the conditions of land use as per the land title, the unit of certification should provide documented evidence that necessary action has been taken to resolve the conflict with relevant parties.</p> <p>A mechanism should be in place to resolve any conflict (criteria 4.2 and 4.6). Documented evidence could include a recorded history of the conflict, summons, agendas discussed, signatures of participants, minutes, and agreements.</p> <p>Where operations overlap with other rights holders, the unit of certification should resolve the issue with the appropriate authorities, consistent with Criteria 4.2 and 4.6.</p> <p>In negotiated agreements, consider the presence of appropriate legal witnesses.</p>
4.7	<p>In the event that, during the course of the FPIC process it has been identified that compensation is necessary, it is essential to have all documentation supporting the negotiation process and the compensation agreement reached, with the respective calculation methodology.</p> <p>The unit of certification should seek compensation alternatives considering the priorities of the person or persons affected.</p> <p>Compensation can be of a different form, but always in a mutually agreed manner. If compensation for land is required within the agreement, the value will be calculated based on the market values in the area.</p>
4.8	<p>In the event that the unit of certification establishes a documented compensation procedure, it will maintain and comply with the agreed resolutions.</p>

Principle 5: Support smallholder inclusion

Criterion (new)	Guidance
	<p>5.1 The unit of certification should have a system agreed upon by both parties for calculating prices based on FFB production costs plus a percentage of contingencies and profits.</p> <p>Other elements to set the fair price include:</p> <ol style="list-style-type: none">1. Costs incurred by smallholders where applicable (e.g. fertiliser, seeds, pesticides, transport of FFB, land-use permits, land-ownership fees, land preparation, labour costs and other costs related to FFB production);2. Unexpected and unpredictable environmental and climate related risk costs including the occurrence of new pests for which treatment is not yet available, climate change effects or extreme weather conditions.3. International prices (Rotterdam)4. Production seasonality <p>Source: <i>Guiding Principles for Responsible Contract Farming</i> (FAO, 2012): http://www.fao.org/3/i2858s/i2858s.pdf</p> <p>Transactions with smallholders should consider issues such as the role of intermediaries, transportation and storage of FFB, quality, and grading. The need to recycle the nutrients in FFB (see Criterion 7.5) should also be considered; where it is not practicable for smallholders to recycle such waste, compensation for the value of the nutrients exported can be made through the FFB price.</p> <p>Smallholders should have access to the grievance procedure under Criterion 4.2 if they consider that they are not receiving a fair price for FFB, whether or not intermediaries are involved.</p>

If the unit of certification requires smallholders to modify practices in order to meet RSPOP&C, consideration should be given to the costs of such changes, and the possibility of advance payments for FFB can be considered.

5.1 (Continued)

The unit of certification should maintain fair and transparent contracts or documented agreements with all the smallholder farmers that supply FFBs, indicating:

- Producer name
- **Location of the farm**
- **Production area (ha)**
- Estimation of FFBs to be delivered
- Timeline for delivery of FFBs

The contract or agreement should also include a description of how the price of FFBs is calculated in relation to the international price of crude palm oil, and small independent farmers should be informed when these are modified.

Contracts or agreements will include clauses that indicate agreed payments, forms of payment (transfers, in cash, check, etc.), and indicating payment timeline.

Contracts or agreements should describe communication mechanism (i.e. verbal, written, online, etc.) between the producer and the extraction mill, including the complaint or claim mechanism with its respective resolution process.

In the contract or agreement there should be a clause indicating the need for legal compliance and prohibiting child and forced labour. When required and the producer requests it, the extraction mill will provide benefits such as inputs, fertilisers, seedlings, other inputs, etc., which may be paid against delivered fruit and for which special agreements will be defined where the quotas that the producer will pay according to delivery of the fruit should be well documented.

The extraction mill should provide payment slips for the fruit received that indicate weight, price, any deductions and total amount to be paid, with the respective name, identity number and code that identifies the producer.

5.1 (Continued)

In concordance with fair and transparent prices policy, the extraction mills will keep the scales calibrated to guarantee that the weights are reliable and records of such verifications will be kept. Collection centres should validate their scales with weights from calibrated scales.

The mill may support smallholders farmers in the certification process at the request of Independent Smallholder farmer groups, and by mutual agreement. The extraction mill may serve as group manager or group advisor as long as there is mutual agreement. See *RSPO Independent Smallholder Standard* (2019).

If the unit of certification requires smallholders to modify their practices in order to meet the RSPO Principles and Criteria, the costs of such changes and the possibility of making advance payments for FFBs should be considered.

Annex 2

GUIDANCE

Criterion (new)	Guidance
5.2	<p>Consultation of the RSPO Independent Smallholder Standard (2019) is recommended.</p> <p>Consultations may include collection centres or other parties such as representative organisations, where applicable. In particular for Scheme Smallholders, support programmes are based on long-term relationships. When the unit of certification assesses the eligibility for requested support by Independent Smallholders, the following factors can be taken into account and should be explained to and understood by the smallholders:</p> <ul style="list-style-type: none">• Expected continued supply of FFB to the mill• Readiness of smallholders to implement the improvement programmes <p>Specific elements on RSPO certification may include:</p> <ul style="list-style-type: none">• Awareness of RSPO• H&S training• FPIC• HCV <p>The delivery of the support services can include, but is not limited to cooperatives, agents, collection centres and representative organisations.</p> <p>It is recommended that development of a technical assistance programme include the elements identified through consultation with smallholder farmers about how to improve their livelihoods.</p>

Principle 6: Respect workers' rights and conditions

Criterion (new)	Guidance
6.1	<p>The non-discrimination policy is public and meets non-discrimination requirements, and is applied to all workers, regardless of their contractual status, including out growers.</p> <p>Examples of compliance can be appropriate documentation (e.g. job vacancies postings, job descriptions, performance evaluations, promotions, etc.), and/or information obtained via interviews with relevant stakeholders such as affected groups, which may include women, local communities, foreign and migrant workers, etc.</p> <p>Notwithstanding national legislation and regulation, medical conditions should not be the basis for discrimination.</p> <p>The grievance procedures detailed in Criterion 4.2 apply. Positive discrimination to provide employment and benefits to specific communities is acceptable as part of negotiated agreements.</p> <p>Examples of evidence for Indicator 6.1.2 could include contracts between employers and contractors; contracts between workers and contractors; clear internal policy documents and recruitment procedures; or confirmation by workers and contractors that no recruitment fees are charged.</p> <p>Foreign and migrant workers should not be required to pay anything that a local worker is not required to pay, unless mandated by law. A worker should not be selected for employment on the basis of their capacity to pay these or other fees.</p> <p>Contractors should comply with national legislation, as well as human rights and non-discrimination policies.</p>

6.1 (Continued) 6.1.4. Female employees who become pregnant are offered alternative equivalent employment, without affecting their salary, benefits or conditions. Pregnant women enjoy labour rights supported by national laws (see Labour Code; Equal Opportunities for Women Law) as well as those established in the agreements of the International Labour Organization.

6.1.5. The Gender Committee should be formed in a participatory, consultative manner and its regulations or operating procedures should be in accordance with all operations. The Gender Committee has a management plan and documented evidence of its activities and will seek opportunities to promote gender inclusion by developing capacities of women.

6.2

Elements in the calculation of a decent standard of living should include food, water, housing, [electricity](#), education, healthcare, transport, clothing and other essential needs, including provision for unexpected effects, in accordance with the GLWC methodology.

The list of essential needs (that will be considered for the non-food, non-housing element), and the costs/values associated with these elements, will be provided by the RSPO. (See *RSPO Guidance for the Implementation of a Decent Living Wage*, 2019.)

Criterion (new) Guidance

6.2 (Continued)

Where a GLWC living wage standard, or one that fulfils the basic requirements of the RSPO-endorsed living wage methodology, has been established in the country or region of operation, this should be used as a benchmark.

Where there are industry-established benchmarks of living wage, these can be used as a basis, as long as the elements of the DLW definition or their equivalencies have been considered.

For countries where no living wage standard is established, the RSPO-endorsed benchmark should be followed, until such time that a GLWC-developed benchmark for the country is in place (see Procedural Note in Indicator 6.2.6).

Among the provisional measures is that the unit of certification will comply with the legal framework by paying the minimum or basic salary and estimate the prevailing salary following the *RSPO Guidance on Calculating Prevailing Wages* (2019). For living wage implementation, see the *RSPO Guidance for the Implementation of a Decent Living Wage* (2019).

A written policy, committing to payment of a living wage should be in place.

The implementation plan should have specific targets, and a phased-implementation process should be in place, including the following:

- An assessment is conducted to determine prevailing wages and in-kind benefits already being provided to workers
- There is a plan that demonstrates annual progress on the implementation of living wages
- Where a minimum wage, based on equivalent basket of goods, is stipulated in Collective Bargaining Agreements (CBAs), this should be used as the foundation for the gradual implementation of the living wage payment
- The unit of certification may choose to implement the living wage payment in a specific section as a pilot project; the pilot will then be evaluated and adapted before an eventual scale-up of the living wage implementation

Without disrupting the wage distribution, employers can provide more or better in-kind benefits to increase the living standards of their workers, as long as it is agreed upon by trade union/worker representatives.

In cases where a contractor operates as a worker recruiting agency, they should be trained in RSPO requirements, the labour code and compliance.

Criterion (new) Guidance

6.3 The unit of certification, in accordance with ILO Conventions 87 and 98 and the provisions of the current Labour Code, should respect the rights of employees and workers, to partner and bargain collectively, including migrant, transmigrant and subcontracted workers.

In cases when workers elect representatives as an alternative to formal unions, to negotiate with the management or administration of the unit of certification, their rights to organise should be respected as indicated in the aforementioned agreements and current regulations.

Such workers' organisations or associations should be legally registered with the Ministry of Labour.

Collective bargaining is encouraged to include terms and conditions relevant to workers' rights, but also to the workers and families' rights to access health care, education, nutritious food, safety/protection equipment, energy, and could include a clear mechanism of grievances and remediation.

Foreign workers should be encouraged to join unions. Where the right to freedom of association and collective bargaining are restricted under law, the unit of certification publishes a statement that facilitates parallel means of independent and free association and bargaining for all such personnel.

The unit of certification should document and make public its statement regarding respect for the association and collective bargaining rights of employees, workers (including migrants), and contractors.

Criterion (new) Guidance

6.4

The unit of certification will have a policy for the protection of children and the prohibition of child labour. This policy will be extended and explained to suppliers.

Service contracts and supplier agreements refer to those entered into and influenced by the unit of certification, and not to agreements that cover established infrastructure services, such as telephone or electricity.

The unit of certification should clearly define the minimum age of workers, together with the hours of work. Only workers who are older than the mandatory minimum age at which they can abandon their education in the country, may be employed, according to current labour regulations. The minimum age of workers will not be lower than that established in national regulations. According to ILO Convention 138, minors under the age of 18 should not do any dangerous work.

Violations of applicable laws on family farms is prohibited when the farm either directly or is contracted by another entity to do business with the unit of certification. Agricultural work is only accepted when it is for the family's own consumption.

Child labour does not happen only under employers, and children do not have to be in a working relationship with a third party for it to be considered child labour and suffer its consequences.

Annex 2

GUIDANCE

Criterion (new)	Guidance
6.4 (Continued)	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 that children are removed from work sites, parents/guardians are informed, medical testing to assess physical and mental health is conducted; and the unit of certification ensures that children are enrolled in school.
6.5	<p>There should be a clear policy developed in consultation with staff and workers, contract workers and other relevant stakeholders and make publicly available in understandable language.</p> <p>These policies should include the education of women and awareness building among all members of the workforce. There should be programmes planned on particular issues faced by women, such as violence and sexual harassment in the workplace. The Gender Committee should include representatives from all areas of the workforce and address issues such as: training on women's rights training; counselling for women affected by violence; and day care provided by the unit of certification.</p> <p>Women who are breastfeeding may not perform tasks related to fumigation or the use of agrochemicals, respecting the legal framework on breastfeeding.</p> <p>The unit of certification should have a procedure for addressing sexual harassment or violence complaints, and differentiate it from the existing system for filing complaints, considering current regulations. For 6.5.3: The Gender Committee can support the assessment.</p> <p>The unit of certification should provide adequate space and paid breaks for breastfeeding mothers to breastfeed or express and store breast milk in privacy. The unit of certification should allow breastfeeding according to the current applicable law 6.5.4. The Complaints and Grievances procedures (see Criterion 4.2) should include and inform the workforce regarding safeguards and anonymity (if desired) of complainants.</p>

Criterion (new) Guidance

6.6

Migrant workers should be legalised, and a separate employment agreement should be drawn up to meet immigration requirements for foreign workers and international standards. Any deductions made should not jeopardize a DLW, should conform to the law, and be authorised by the worker.

According to the current regulatory framework, the unit of certification will respect agreed contract conditions.

Workers should enter into employment voluntarily and freely, without the threat of a penalty, and should have the freedom to terminate employment without penalty given reasonable notice or as per agreement. This is in accordance with ILO Conventions: 29, Forced Labour Convention (1930); P029, 2014 Protocol of the Forced Labour Convention; 105, Abolition of Forced Labour Convention (1957); and 203, Forced Labour Recommendation (2014).

The specific labour policy should include:

- Statement of the non-discriminatory practices
- No contract substitution
- Post-arrival orientation programme focused especially on language, safety, labour laws, cultural practices, etc.
- Decent housing to be provided in accordance with national law or in its absence ILO Recommendation 115
- Fees related to the recruitment and hiring of migrant workers

6.7

The unit of certification should perform a risk assessment for all productive areas with emergency plans and train personnel for their implementation. Emergency plans will focus on occupational health and safety; and preventative medical activities. The risk assessment should be carried out with the participation of the workforce.

It is mandatory to provide employees with Personal Protective Equipment (PPE) free of charge. It is also the employer's responsibility to supervise the correct use of PPE. (See complement to Criterion 3.6.)

The unit of certification commits to providing a safe, risk-free environment to all its employees and workers regardless of their status or condition.

All employees will be aware of the Occupational Health and Safety Plan and training programmes for the respective Key Performance Indicators. This plan is to be adjusted periodically.

In its safety plan the unit of certification should comply with preventive measures and workplace accidents according to its operations, contemplate aspects related to prevention, health, emergency response and first aid according to the legal framework of the country.

6.7.5 In order to reduce the causes that may affect the workforce performance due to workplace accidents and occupational diseases, the unit of certification should identify their prevention and measure for their control.

- Keep monthly statistics on workplace accidents, the number of people affected, and hours lost due to disability and accidents in order to determine the loss of productivity due to reported accidents.

Principle 7: Protect, conserve and enhance ecosystems and the environment

Criterion (new)	Guidance
-----------------	----------

7.1

7.1.1 The unit of certification should prioritise and apply recognised IPM techniques that use cultural, biological, mechanical and physical methods to minimise the use of chemical products, giving priority to biological, mechanical and/or cultural control.

The practices described in the *RSPO Manual on Best Management Practices (BMPs) for the Management and Rehabilitation of Riparian Reserves* (2017) which provides guidance on Criterion 7.8, are recommended.

Consultation of the *Guide to Good Environmental Practices for the Cultivation of Oil Palm in Honduras* (SERNA, SAG, FENAPALMAH; 2013) is also suggested.

7.1.2 To the extent possible, native species should be used for biological control. Due diligence is recommended to prevent the use of invasive species. Regarding the appropriate use of biological control agents, consult the National Agricultural Health Service (SENASA).

7.1.3 In specific cases when the use of fire is justified for the control of pests or diseases, there should be evidence of prior approval of controlled burning in the manner specified by the competent authorities.

7.2

The RSPO has identified some examples of alternatives to pesticide and herbicide use, which include those listed in the *Roundtable for Sustainable Palm Oil (RSPO) Research Project on Integrated Weed Management Strategies for Oil Palm* (CABI, 2011).

Due to problems in the accuracy of measurement, monitoring of pesticide toxicity is not applicable to Independent Smallholders.

The justification should consider less harmful alternatives and IPM. Justification of the use of such pesticides will be included in the public summary report. Measures to avoid the development of resistance (such as pesticide rotations) should be applied.

Due diligence is understood as the process through which enterprises should identify, assess, mitigate, prevent and account for how they verify the emergency use of pesticides that are categorised by the World Health Organization as Class 1A or 1B, or that are listed by either the Stockholm or Rotterdam conventions, and paraquat, which are banned from use by RSPO, except in very specific situations. The nature and extent of due diligence will be affected by factors such as the size of the area where the pesticides should be applied, the context and location of the application, the nature of products or services, and the severity of actual and potential adverse impacts which will be caused by the use of the highly hazardous pesticides.

Criterion (new) Guidance

7.2 (Continued)

The due diligence should refer to:

- a) Value judgment of the threat and verification of why this is determined to be a major threat
- b) Why there is no other alternative that can be used
- c) Which process was applied to verify that there is not a less hazardous alternative
- d) What process will be applied to limit the negative impacts of the applications
- e) Estimation of the timescale of the application and which steps are taken to limit the application to a singularity.

7.2.6, 7.2.8 Following the guidelines established by the *Regulation on the Registration, Use and Control of Pesticides and Related Substances Agreement No. 642-98 (SAG-SENASA)* for the proper handling of pesticide containers is recommended.

7.2.7 Recognised best practices include: storage of all pesticides as prescribed in the *FAO International Code of Conduct on the Distribution and Use of Pesticides (2013)* and its guidelines and supplemented by relevant industry guidelines in support of the International Code (see Annex 3).

7.2.9. In exceptional cases when aerial fumigation is required, the unit of certification will make sure that the respective service providers meet the requirements established by the competent authority.

7.3

The waste management and disposal plan should include measures for:

- Improving the efficiency of resource utilization and recycling potential wastes as nutrients or converting them into value-added products (e.g., livestock feed).
- Appropriate management and disposal of hazardous chemicals and their containers. Surplus chemical containers should be reused, recycled or disposed of in an environmentally and socially responsible way using best available practices with the understanding that they should not be reused for domestic use (e.g., returned to the vendor or cleaned using a triple wash method), in such a way that there is no risk of contamination of water sources or risk to human health. The manufacturer's disposal instructions should be carefully followed.

Where there are no options for non-toxic and non-hazardous domestic waste collection by local government services, landfills may be required as a solution for disposal.

Where landfills are used, appropriate guidelines should be followed, which includes being:

- Restricted to household waste, where inorganic waste is minimised
- Located away from water sources, people and communities, and outside conservation areas
- Proper covering of waste, with clear demarcation and signage to avoid disturbance.

The integral management of solid waste regulations (Executive Agreement 1567-2010) should be consulted for proper waste management guidelines.

Annex 2

GUIDANCE

Criterion (new)	Guidance
7.4	<p>Long-term soil fertility depends on maintaining the structure, organic matter content, nutrient status and microbiological health of the soil. Nutrient efficiency should take into account plantation age of the plantations and soil conditions. Integrated nutrition management programmes will be based on foliar (annual) and soil analysis (maximum of 5 years) in order to ensure the application of nutrients required by crops.</p> <p>The nutrient recycling strategy should include the use of biomass by-products as soil treatments (i.e. by incorporating leaves from pruning and harvesting, empty fruit bunches, composting and application of extraction mill effluents) or for energy production and should strive to minimise the use of inorganic fertilisers.</p>
7.5	<p>Techniques that minimise soil erosion are well known and should be adopted, where appropriate. These should include practices such as ground cover management, biomass recycling, terracing, and natural regeneration or restoration instead of replanting.</p> <p>Soils analyses results should be used to elaborate soil maps.</p> <p>The maximum acceptable slope for sowing is 30% (16.70°), where the soil is for agricultural purposes (Forestry, Protected Areas and Wildlife Law, Decree 98-2007).</p>
7.6	<p>These activities can be linked to the SEIA (see Criterion 3.4) but need not be performed by independent experts.</p> <p>Soil suitability maps or soil surveys should be appropriate to the scale of operation and should include information on soil types, topography, hydrology, rooting depth, moisture availability, stoniness and fertility to ensure long-term sustainability of the development.</p> <p>The results of the soil analysis of the areas where new plantations will be established should be considered. Soils requiring appropriate practices should be identified (see criteria 7.6 and 7.7). This information should be used to plan planting programmes, etc.</p>

7.6 (Continued)

Measures should be planned to minimise erosion through appropriate use of heavy machinery, terracing on slopes, appropriate road construction, rapid establishment of cover, protection of riverbanks, etc.

Areas located within the plantation perimeters that are considered unsuitable for long-term oil palm cultivation should be delineated in plans and included in operations for conservation or rehabilitation as appropriate (see Criteria 7.6 and 7.7) with their respective management plans.

See *New Planting Procedure* approved by the RSPO Governing Board on 20 November, 2015.

Assessing soil suitability is also important for smallholders, who provide the unit of certification with FFB, particularly where there are significant numbers operating in a particular location.

Information should be collected on soil suitability by the unit of certification if planning to purchase FFB from potential developments of Independent Smallholders in a particular location. The unit of certification should assess this information and provide information to Independent Smallholders on soil suitability, and/or in conjunction with relevant government/public institutions and other organisations (including NGOs) and provide information in order to assist Independent Smallholders to grow oil palm sustainably.

Criterion (new)	Guidance
-----------------	----------

7.7	<p>The unit of certification is encouraged to map the peatlands within the supply base to enable monitoring and promotion of BMPs.</p> <p>For Indicator 7.7.3: For existing plantings on peat, the water table should be maintained at an average of 50 cm (between 40 cm and 60 cm) below ground surface unless required to be higher by national regulations, measured with groundwater piezometer readings, or an average of 60 cm (between 50 cm and 70 cm) below ground surface as measured in water collection drains, through a network of appropriate water control structures (e.g. weirs, sandbags, etc.) infields, and water gates at the discharge points of main drains.</p> <p>For Indicator 7.7.3: Monitoring of subsidence should be undertaken in all drained peat areas in the plantation including areas adjacent to plantations where water tables may be impacted by drainage associated with the plantation. See <i>RSPO New Plantations Procedure</i> approved by the RSPO BoG on 20 November 2015.</p>
7.8	<p>The water management plan should include:</p> <ul style="list-style-type: none">• Consideration of relevant stakeholders, their water use and conservation, and water resource availability considering the state of the watershed and of the water sources• 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, that workers have access to adequate, clean water for drinking, cooking, bathing and cleaning purposes, in the case of housing provided by the unit of certification• 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

Criterion (new)	Guidance
7.8 (Continued)	<p>Refer to the <i>RSPO Manual on Best Management Practices (BMPs) for the Management and Rehabilitation of Riparian Reserves</i> (2017).</p> <p>Where national regulations do not specify mill effluent requirements or discharge quality, these should be defined in the NI.</p>
7.9	<p>Renewable energy use per tonne of CPO or palm product in the mill should be monitored and reported.</p> <p>Direct fossil fuel use per tonne of CPO or FFB should be monitored.</p> <p>Energy efficiency should be taken into account in the construction or upgrading of all operations. The unit of certification should assess the direct energy use of their operations, including fuel and electricity, and energy efficiency of its operations.</p> <p>This should include estimation of fuel use by on-site contract workers, including all transport and machinery operations.</p> <p>The feasibility of collecting and using biogas should be studied where relevant.</p>
7.10	<p>The unit of certification should only establish new plantings on mineral soils, in low carbon stock areas, and cultivated areas (including rubber and tree crops), which the current users are willing to develop into oil palm. Following the guidelines of the <i>RSPO New Plantings Procedures</i> (2015) is recommended.</p> <p>Plans prepared by the unit of certification should specify actions to be taken to reduce GHG emissions including, for example, adopting low-emission management practices for both mills (e.g. better management of POME, efficient boilers, etc.) and plantations (e.g., optimal fertiliser use, energy efficient transportation, good water management, restoration of peatlands and conservation areas). Reference can be made to the <i>RSPO Compilation of Best Management Practices to Reduce Total Emissions from Palm Oil Production</i> (2018). This Criterion covers plantations, mill operations, roads and other infrastructure including access and perimeter canals and roads.</p> <p>It is recommended to articulate or link 7.10.3 with the SEIA (3.4).</p>

7.11

In the case of oil palm cultivation, the use of fire should not be allowed as an acceptable practice in preparing the soil for palm planting, due to its negative effect on organic matter content, the destruction of soil flora and fauna, as well as the emission of greenhouse gases.

The unit of certification should have a plan for fire prevention and control measures, aligned with the competent entities. It could also conduct fire prevention training programmes with neighbouring stakeholders.

Criterion (new) Guidance

7.12

For any clearing for the establishment of new plantations, the guidelines of the *RSPO New Plantings Procedures* (2015) must be followed.

For Indicator 7.12.2

HCV assessments conducted as part of integrated HCV-HCS assessments, should follow the HCVRN procedures, using HCVRN ALS approved assessors for HCV assessments for new plantings, in line with the current version of the Common Guidance on HCV Identification provided by the HCVRN or national HCV toolkits.

NIs of the globally-applicable HCV definitions may be used to assist with implementation of the HCVA. The globally-applicable HCV definitions provided in the Common Guidance take precedence in any cases where a conflict is perceived with a NI.

Where landscape level HCV and/or HCS maps have been developed, these should be taken into account in project planning, whether or not such maps form part of government land-use plans.

Further guidance for implementation of wider landscape-level considerations and other natural ecosystems will be developed by the BHCV WG. This will include reference to Key Biodiversity Areas (KBAs), which are identified under a global standard (IUCN 2016) and the National System of Protected Areas and Wildlife of Honduras (SINAPH) and should be identified through an HCV assessment.

For Indicator 7.12.4

Refer to relevant guidance documents on RSPO and HCVRN websites.

The integrated management plan should be developed in collaboration with other stakeholders active in that landscape before and during the project implementation. It should be adaptive to changes in HCVs. Evidence of attempted collaboration efforts should be documented and available. Such collaborative plans and areas should include but are not limited to:

- Identifying, protecting and/or enhancing forest connectivity important for biodiversity, ecosystem services, or watershed protection
- Minimising hydrological impacts to the landscape related to or arising from drainage systems and access roads or canals linked to the plantation

Criterion (new)	Guidance
-----------------	----------

- | | |
|------------------|--|
| 7.12 (Continued) | <ul style="list-style-type: none">• Ensuring that any legal requirements relating to the protection of species or habitats are met• Avoiding damage to and deterioration of HCV habitats, for example by ensuring that HCV areas are connected, corridors are conserved, and buffer zones around HCV areas are created• Protecting and managing other conservation areas including watercourses and wetlands, peatlands, riparian zones, and steep slopes• Controlling any illegal or inappropriate hunting, fishing or collecting activities, and encroachment• Developing responsible measures to resolve human-wildlife conflicts |
|------------------|--|

For Indicator 7.12.5

Decisions will be made in consultation with the affected communities.

Areas required by affected communities to meet their basic needs, taking into account potential positive and negative changes in livelihoods resulting from proposed operations, should be identified in consultation with the communities and incorporated into HCV and HCS assessments and management plans.

The unit of certification should consider a variety of land management and tenure options to secure HCV management areas in ways that also secure local peoples' rights and livelihoods. Some areas are best allocated to community management and secured through customary or legal tenures; in other cases, co-management options may be considered.

Where communities are asked to relinquish rights so that HCVs can be protected or enhanced by the companies or state agencies, then great care needs to be taken to ensure that communities retain access to adequate land and resources to secure their basic needs; all such relinquishment of rights must be subjected to their FPIC.

For Indicator 7.12.7

Refer to HCVRN *Common Guidance for the Management and Monitoring of HCV* (2018).

ANNEX 3: KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Ethical Business Conduct	1.1 1.2 2	United Nations Convention against Corruption (2000)			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
	1.2 2.1 2.2	Private Employment Agencies Convention 181 (1997)				Covers protection for workers who are employed through third party and/or private employment agencies
Respect for Human Rights	4.1 4.2		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

Annex 3

KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Respect for Human Rights	4 5 6			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
	4 5 6	Core International Human Rights Treaties: - International Covenant on Civil and Political Rights (ICCPR) - International Covenant on Economic, Social and Cultural Rights (ICESCR) - International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)			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.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Respect for Human Rights	4 5 6	<ul style="list-style-type: none"> - 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) 				
Just Land Acquisition	4	ILO Convention 169 on Indigenous and Tribal Peoples (1989)			Arts. 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
	4		UN Declaration on the Rights of Indigenous Peoples (2007)		Arts. 25–26	Right to distinctive relationship with land; and the right to own, use, develop and control their lands, territories and other resources

KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	4	UN Convention on Biological Diversity (1992)			Art. 10(c)	Protect and encourage customary use of biological resources in accordance with traditional practices
Public Participation of Affective Communities	4.5 4.5			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 emphasise 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.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Fair Representation and Participation of Indigenous and Tribal People	4.2 4.4 4.5 4.6	ILO Convention 169 on Indigenous and Tribal Peoples (1989)			Arts. 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)
	4.4-4.8		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.
	4.4 4.5 4.7		UN Declaration on the Rights of Indigenous Peoples (2007)		Arts. 10, 11(2), 19, 28(1), 29(2) and 32(2)	Right to FPIC to any project affecting their lands as expressed through their own representative institutions
	4.4 4.5 4.7	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 a 'best practice' standard by bodies such as World Commission on Dams, Extractive Industries Review, Forest Stewardship Council, UNDP, CBD, IUCN, and WWF)

Annex 3

KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
No Forced Labour	2.2	ILO Convention 29 Forced Labour (1930)	2014 Protocol to the Forced Labour Convention (1930)		Art. 5	No concession to companies shall involve any form of forced or compulsory labour
	6.6					
	6.6				Arts. 1, 2 and 4	Provides the measures which should be taken for the avoidance of forced or compulsory labour
	6.6	ILO Convention 105 Abolition of Forced Labour (1957)			Art. 1	Prohibits use of any form of forced or compulsory labour
Protection of Children	6.4	ILO Convention 138 Minimum Age (1973)			Arts. 1–9	Abolition of child labour and definition of national minimum age for labour not less than 15-18 years (depending on occupation)
	6.4	ILO Convention 182 Worst Forms of Child Labour (1999)			Arts. 1–7	Abolition of child slavery, debt bondage, trafficking and procurement for prostitution; suitable methods to monitor and enforce compliance
	6.4	Minimum Age (Agriculture) Convention 10 (1921)			Arts. 1–2	Applicable to children under the age of 14 outside the hours of attendance in school

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.4	Convention on the Rights of the Child (CRC) (1989)			Art. 32	Right of children to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with a child's education, or to be harmful to their health or physical, mental, spiritual, moral or social development
	6.4 6.5		UN Declaration on the Rights of Indigenous Peoples (2007)		Arts. 17(2), 21 and 22(2)	No exploitation or exposure to hazard or discrimination against indigenous women and children
Freedom of Association and Collective Bargaining	6.3	ILO Convention 87 Freedom of Association and Protection of Right to Organise (1948)			Arts. 2–11	Freedom to join organisations, federations and confederations of their own choosing; with freely chosen constitutions and rules; and measures to protect the right to organise
	6.3	ILO Convention 98 Right to Organise and Collective Bargaining (1949)			Arts. 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
	6.3	ILO Convention 141 Rural Workers' Organisations (1975)			Arts. 2–3	Right of tenants, sharecroppers and smallholders to organise; freedom from association; and freedom from interference and coercion

KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.3	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
	6.3	Collective Bargaining Convention 154 (1981)			Arts. 1–3	Workers' representatives 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.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Non-discrimination and Equal Remuneration	6.1	ILO Convention 100 Equal Remuneration (1951)			Arts. 1–3	Equal remuneration for men and women for work of equal value
	6.1	ILO Convention 111 Discrimination (Employment and Occupation) (1958)			Arts. 1–2	Equality of opportunity and treatment in respect to employment and occupation; and prohibition of discrimination on the basis of race, colour, sex, religion, political opinion, national extraction or social origin
	6.1		UN Declaration on the Rights of Indigenous Peoples (2007)		Arts. 2, 8(e), 9, 15(2), 16(1), 21(2), 22, 24(1), 29(1) and 46(3)	Prohibits discrimination based on origin or identity; freedom to express identity based on custom; with special attention to and full protection of rights of indigenous women
	6.1	ILO Convention 156 Workers with Family Responsibility (1981)			Arts. 1–5 and 7–10	Prohibits 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

Annex 3

KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	2.2	ILO Convention on Private Employment Agencies 181 (1997)			Arts. 1, 2, and 4–12	Concerns the protection of workers which are employed with the intention of making the services of these workers available to third parties
	6.1	ILO Convention on Vocational Rehabilitation and Employment (Disabled Persons) 59 (1983)			Arts. 1–4	Vocational rehabilitation to enable a disabled person to secure, retain, and advance in suitable employment, and thereby to further such person's integration or reintegration into society
	6.1	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;

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Elimination of Harassment and Abuse in the Workplace	6.5	Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)			General Recommendation 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
Just Employment of Migrants	2.2 6.6					Provision of information; elimination of obstacles to travel; healthcare provision; non-discrimination in employment; accommodation, social security and remuneration; no forced repatriation of legal migrant workers; and repatriation of savings
	6.6	ILO Convention 143 Migrant Workers (1975) (Supplementary Provisions)			Arts. 1–12	Respect basic human rights; protection of illegal migrants from abusive employment; no trafficking in illegal migrants; and fair treatment of migrant labour

KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	2.2 6.6	Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)			Arts. 11, 21, 25 and 26	Prevention of slavery; forced and compulsory labour; no confiscation of identity documents; conditions of work and contractual terms; and freedom of association and right to join trade unions
Protection of Plantation Workers	6.1	ILO Convention 97 Migration for Employment (1949)			Arts. 5–91	Protection of recruited workers' family members' rights during recruitment and transport; fair employment contracts; abolition of penal sanctions; fair wages and work conditions; 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; and decent housing and medical care
	6.2	ILO Convention 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 coalition combination as industrial workers

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6	ILO Convention on Plantations 110 (1958)			Arts. 1, 2, 5, 7, 8, 11 and 12–15	Rights of workers and their families (including migrant workers) who have been recruited to work on plantations
Working Hours and Vacation	6.2	ILO Convention 101 Holidays with Pay (1952) (Agriculture)			Arts. 1, 3, 5, and 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
	6.2	ILO Convention 47 Forty-Hour Week (1935)			Art. 1	Requires that members adopt 40-hour work weeks in a manner such that standards of living are not reduced as a consequence
Protection of Women's Rights to Work	6.1	Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (1979)			Art. 11	Right to free choice of profession and employment; right to promotion, job security and all benefits and conditions of service; 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 to work of equal value, as well as equal treatment in the evaluation of work quality

Annex 3

KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.1	Maternity Protection Convention 183 (2000)			Art. 9	Prohibition from requiring a pregnancy test or a certificate of such when a woman applies for employment, except where required by national laws or regulations in respect to work
	6.5 6.7	Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (1979)			Art. 11(f)	The right to protection of health and safe working conditions, including the safeguarding of reproductive function
	6.5	Maternity Protection Convention 183 (2000)			Art. 10	A woman shall be provided with the right to one or more daily breaks or a daily reduction of work hours to breastfeed her child These breaks or the reduction of daily work hours shall be counted as working time and remunerated accordingly
Protection of Tenants and Sharecroppers	4.2			ILO Recommendation 132 Tenants and Sharecroppers (1968)	Arts. 4–8	Fair rent; adequate payment for crops; provisions for well-being; organisation; fair contracts; and procedures for the settlement of disputes

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Protection of Smallholders	5	ILO Convention 117 Social Policy (Basic Aims and Standards) (1962)			Art. 4	Alienation with due regard to customary rights; assistance to form cooperatives; tenancy arrangements to secure highest possible living standards
Health and Safety	3.6 6.7	ILO Convention 184 Safety and Health in Agriculture (2001)			Arts. 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; and coverage against occupational health and disease
	3.6 6.7	ILO Convention 139 on Occupational Cancer (1974)				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
	3.6 6.7	ILO Convention 38 on Invalidity Insurance (Agriculture) (1933)			Arts. 1–6, 13, 17, 20 and 23	Maintenance of a scheme for disability insurance for workers

Annex 3

KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.1 6.2	Convention 183 on Maternity Protection (2000)			Arts. 2–4	Maternity protection and benefits
Control or Eliminate the use of Dangerous Chemicals and Pesticides	7.2	Stockholm Convention on Persistent Organic Pollutants (2001)			Arts. 1–5	Prohibit and/or eliminate production and use of chemicals listed in Annex A (e.g. aldrin, chlordane PCB); restrict production and use of chemicals in Annex B (e.g. DDT); reduce or eliminate releases of chemicals listed in Annex C (e.g. hexachlorobenzene)
	7.2	Rotterdam Convention on Prior and Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (1998)			Arts. 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)		Arts. 21(1), 23, 24 and 29(3)	Improvement of livelihood and sanitation, health and housing, participate in health delivery; maintain traditional health systems; effective monitoring of health
		ILO Convention 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

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
		ILO Convention 170 on Chemical Convention (1990)			Art. 2(c), and Part IV	Measures to prevent or reduce the incidences of chemically induced illness and injuries at work; and identifies the roles and responsibilities of employers in the context of chemical identification, transfer, exposure, operational control, disposal, information dissemination and training
Right to Food	6.2	International Covenant on Economic, Social and Culture Rights (ICESCR) (1966)			Art. 11	Right to adequate standard of living, including right to food
Environmental Protection	3.4	UN Convention on Biological Diversity (1992)			Art. 14	Environmental impact assessment of proposed projects that are likely to have significant adverse effects on biological diversity to avoid or minimise such effects and, where appropriate, allow for public participation in such procedures
Conservation of Biodiversity		UN Convention on Biological Diversity (1992)			Arts. 1–18	Conservation of biological diversity and the sustainable use of its components
GHG Emissions	7.10				Arts. 1–4	Aimed at stabilising atmospheric concentrations of greenhouse gases to avoid “dangerous anthropogenic interference, including in agricultural sector



ANNEX 4: IMPLEMENTATION PROCEDURE FOR INDICATOR 2.3.2

Where the unit of certification has smallholder suppliers, for existing RSPO certified mills, the time requirement to fulfil this criterion for all their smallholder suppliers is three years from (15 November 2018). For mills that are not yet certified/mills going for first year of certification, the time requirement is three years from initial point of certification for their smallholder suppliers.

ANNEX 5: TRANSITION FROM HCV TO HCV–HCS ASSESSMENT

Criterion 7.12 requires that new land clearing after 15 November 2018 (i.e., Adoption of the P&C at GA15) preceded by an HCV-HCS assessment. The Task Force recognises that there is an array of scenarios, in which HCV assessments have previously been undertaken and have been approved or are in the process of approval. This Annex shows how the new requirements apply in different scenarios of existing and new certifications, with and without new land clearing.

- 1 The date for first published list of RSPO-approved HCV assessors.

NO NEW LAND CLEARING SCENARIOS:

- Existing certified plantations, with valid HCV assessment approved before 15 November 2018.

- o Going for recertification → HCV assessment is acceptable
- o Replanting → HCV assessment is acceptable

- Existing plantations, not yet certified at 15 November 2018, going for initial certification

- o Without existing ALS approved HCV Assessment → New combined HCV-HCS required
- o With valid ALS approved HCV assessment → ALS approved assessment acceptable
 - Where certification is pending, as of 15 November 2018, because it has been held up by RACP or HGU processes, previous approved HCV assessment (RSPO and ALS approved), if they are not older than January 2009¹, will be accepted.
- o HCV assessment submitted to ALS but pending approval before 15 November 2018
 - If passes ALS process, then the approved HCV assessment is acceptable;
 - If fails ALS process, new combined HCV-HCS assessment required
- o Replanting → ALS approved HCV is acceptable

ANNEX 5: TRANSITION FROM HCV TO HCV-HCS ASSESSMENT

NEW LAND CLEARING SCENARIOS:

- In new plantations and in existing uncertified units, land clearing after 15 November 2018 or without existing HCV assessment
 - New combined HCV-HCS required
 - HCV assessment conducted, but not yet submitted to ALS before 15 November 2018
 - New combined HCV-HCS required
 - HCV Assessment submitted to ALS but pending approval before 15 November 2018
 - If passes ALS process, then the approved HCV assessment is acceptable;
 - If fails ALS process, new combined HCV-HCS assessment required
 - NPP initiated by 15 November 2018 and HCV assessment conducted and passes ALS before 15 November 2018
 - ALS Approved HCV assessment is acceptable

- In existing certified plantations (certified before 15 November 2018), with land clearing after 15 November 2018 → New combined HCV-HCS required
 - If area to be cleared is exclusively pasture, infrastructure, agriculture or monocrop tree plantations which have not been abandoned for more than three years
 - Valid HCV assessment + LUCA to demonstrate that no clearing of native vegetation occurred without prior HCV assessment is acceptable.

ANNEX 6: LEGAL FRAMEWORK IN HONDURAS

Below is a list of the main legal requirements related to the RSPOP&C for the production of sustainable palm oil based on current regulations in Honduras. This is not an exhaustive compilation of the Honduran legal framework and was developed to guide oil palm growers and mills with regard to the main legal requirements associated with the RSPO standard.

Principle 1 TRANSPARENT AND ETHICAL BEHAVIOUR

Criterion 1.1 The unit of certification provides adequate information to interested parties, relevant to environmental, social and legal aspects, relevant to the RSPO Criteria, in appropriate languages and forms to allow effective participation in decision-making.

Themes	Regulation/Legislation
General	Constitution of the Republic: for health, safety and environmental purposes, Arts. 59-64 on declarations, 127-141 about work, 142-144 on social security, 145-150 on health, Art. 128 numeral 10); Country Vision: Objective 1, Goal 1.5, Objective 2, Target 2.3, Target 2.5, Objective 3, Target 3.1, Targets 3.3, 3.6, 3.7, Objective 4, Target 4.1; Consumer Protection Law, Legislative Decree 24-2008; Organic Law of the National Commissioner of Human Rights; Municipalities Law, Legislative Decree 134-90; Law to Stimulate Production, Competitiveness and Support for Human Development
Labour	Labour Code; General Regulation of Preventive Measures for Labour Accidents and Occupational Diseases
Health	Health Code
Property	Property Law; Regulation of the Property Law; Forced Expropriation Law, Legislative Decree 113-14; Land Allocation Regulations in Agrarian Reform
Taxation	Administrative Simplification Law; National Tax Registry, Decree 102; Strengthening the Tax Administration Law
Environmental	Regulation of the National System of Environmental Impact Assessment, Executive Agreement 189-2009 (December 31, 2009); General Environmental Law, Decree 104-93 (June 30, 1993); Regulation of Environmental Audits, Agreement 887-2009 (January 15, 2010)

	Regulation of the National Registry of Environmental Services Providers, Agreement 826-2009 (January 15, 2010); Agreement 1714-2010, Environmental Categorisation Table
Criterion 1.2 The unit of certification is committed to ethical conduct in all business operations and transactions.	
Anti-corruption	National Anticorruption Council Law; Law of Transparency and Access to Public Information; Special Law Against Money Laundering
Principle 2 LEGAL OPERATIONS AND RESPECT FOR RIGHTS	
Criterion 2.1 There is compliance with all ratified local, national and international laws and regulations.	
Property	Civil Code, Book II; Property Law, 82-2004; Territorial Regulation Law, Legislative Decree 180-2003; Regulation of the Territorial Ordinance Law; Municipalities Law
Agrarian Reform	Modernisation and Development of the Agricultural Sector Law, Agrarian Reform Law, Legislative Decree 170-1974;
Environmental	General Environmental Law; Forestry Law
Criterion 2.2 All contractors that provide operational services and labour, as well as suppliers of Fresh Fruit Bunches (FFB), comply with legal requirements.	
Labour	Labour Code, Decree 189-59 (July 15, 1959); Minimum Wage Law, Decree 103 (June 31, 1971); Ministerial Agreement Secretariat of Labour 001-2012; Social Security Law, Decree 140-1959; Income Tax Law, Decree No. 394-2005; Tax Equity Law, Legislative Decree 51-2003; Hourly Employment Law, Decree 230-2010; Regulations of the National Hourly Employment Programme; Seventh Day and Thirteenth Month in the Concept of Aguinaldo Law, Legislative Decree 112; Regulation of the Fourteenth Month of Salary in the Concept of Social Compensation; Regulation of the Minimum Wage Commissions; Regulations for the Payment of the Educational Bonus
Principle 3 OPTIMISE PRODUCTIVITY, EFFICIENCY, POSITIVE IMPACTS AND RESILIENCE	
Criterion 3.1 There is a management plan in place for the unit of certification that seeks to achieve long-term economic and financial viability.	
Commercial	Stimulate Production, Competitiveness and Support for Human Development Law, Decree 131-98 (April 20, 1998);

Modernisation and Development of the Agricultural Sector Law, Legislative Decree 194-2002;
 Financial Balance and Social Protection Law;
 Regulation of the Fourteenth Month of Salary in Concept of Social Compensation;
 Sales Tax Law, Decree 24-63;
 Tax Equity Law, Legislative Decree 51-2003;
 Consumer Protection Law, Legislative Decree 24-2008;
 Anti Evasion Measures in Income Tax Law, Legislative Decree 96-2012;
 Promotion and Development of Competitiveness of Micro and Medium Enterprises Law,
 Legislative Decree 135-200;
 Regulation of the Promotion and Development of Competitiveness of Micro and Medium
 Enterprises Law;
 Commercial Code, Legislative Decree 73-1950;
 Regulation of the Income Tax Law;
 Regulation of the Financial Balance and Social Protection Law;
 Regulation of the Tax Equity Law; Regulation of the Population Security Law

Criterion 3.2 The unit of certification regularly monitors and reviews its economic, social and environmental performance and develops and implements action plans that allow demonstrating continuous improvement in key operations.

Environmental

General Environmental Law;
 Regulation for the Integral Management of Solid Waste;
 General Water Law;
 Regulation for the Control of Emissions generated by Fixed Sources;
 General Regulation of Preventive Measures;
 Accidents and Occupational Diseases

Criterion 3.3 Operational procedures are properly documented and consistently implemented and monitored.

Productivity

Good Environmental Practices Guide for the Production of Biodiesel from African Palm Oil;
 Guide to Good Agricultural Practices in the Cultivation of Palm;
 Regulation for the Environmentally Sound Management of Equipment and Waste with
 Polychlorinated Biphenyls;
 Oil Palm Production Manual (November 19, 2014);
 Note: within the framework of the process of the National Interpretation of the RSPOP&C for
 Honduras, the publication of the agreement SAG 813 2014, of the Oil Palm Production
 Manual, was identified, which has not been published and is not known to the technical
 committee. This will be reviewed by growers and processors once it becomes public
 knowledge.

Criterion 3.4 An exhaustive Social and Environmental Impact Assessment (SEIA) is carried out before new plantations or operations are carried out, and a social and environmental management and monitoring plan is implemented, which is periodically updated in ongoing operations.

Environmental

General Environmental Law, Decree 104-93 (June 30, 1993) and its regulations;
 Regulation of the National System of Environmental Impact Assessment, Executive Agreement 189-2009 (December 31, 2009);
 Forestry, Protected Areas and Wildlife Law, Decree 98-2007 (February 26, 2011);
 Environmental Audits Regulation, Agreement No. 887-2009 (January 15, 2010);
 Regulation of the National Registry of Environmental Services Providers, Agreement 826-2009 (January 15, 2010);
 Environmental Categorization Table, Agreement 1714-2010;
 Delegation of Licensing in Municipalities, Decree 181-2007;
 Publication of the Mitigation Measures Contract, Decree 1152-2002;
 Technical-Administrative Standard for the Development of Management of Protected Areas;
 Framework Law for the Drinking Water and Sanitation Sector;
 Decrees of Declarations of Protected Areas and Management Plans

Criterion 3.5 There is a human resources management system.

General

Constitution of the Republic of Honduras

Labour

Labour Code, Decree 189-59 (July 15, 1959);
 Minimum Wage Law, Decree 103 (June 31, 1971);
 Ministerial Agreement Secretariat of Labour 001-2012;
 Social Security Law, Decree 140-1959;
 Income Tax Law, Decree 394-2005; Tax
 Equity Law, Legislative Decree 51-2003;
 Hourly Employment Law, Decree 230-2010;
 Regulations of the National Hourly Employment Programme;
 Seventh Day and Thirteenth Month in the Concept of Bonus Law, Legislative Decree 112;
 Regulation of the Fourteenth Month of Salary in Concept of Social Compensation;
 Regulation of the Minimum Wage Commissions;
 Regulations for the Payment of the Educational Bonus

Criterion 3.6 There is a documented occupational health and safety plan, which is effectively communicated and implemented.

Health and Security

Labour Code, Decree 189-59 (July 15, 1959);
 General Regulations for Preventive Measures for Work Accidents and Occupational Diseases, Executive Agreement No. STSS (June 28, 2004). Arts. 1-471;
 Health Code, Decree 65-91 (26 August 1991);
 Firefighters of the Republic Law, Legislative Decree 294-93

	National Risk Management System Law (SINAGER), Legislative Decree 151-2009; Social Security Law Law for the Regulation of the Sale of Agricultural Products with Different Degrees of Toxicity, Decree 56-2014
Criterion 3.7 All staff, workers, small system farmers, external contract growers and contractors are properly trained.	
Health and Security	General Regulations for Preventive Measures for Work Accidents and Occupational Diseases - Executive Agreement No. STSS (June 28, 2004). Special Law on Environmental Education and Communication, Legislative Decree 158-2009; Labour Code
Principle 4: RESPECT FOR THE COMMUNITY AND HUMAN RIGHTS AND PROVISION OF BENEFITS	
Criterion 4.1 The unit of certification respects human rights, which includes respect for the rights of Human Rights Defenders.	
Rights Protection	Constitution of the Republic of Honduras; Protection Law for Human Rights Defenders, Journalists, Social Communicators and Justice Operators; Equal Opportunities for Women Law; Equity and Integral Development for People with Disabilities Law; Comprehensive Law for the Protection of the Elderly and Retirees Police and Social Coexistence Law; Regulation for the Control of Security Services, (January 2010); Law on the Control of Firearms, Ammunition, Explosives and Related Materials, Decree 101-2018
Criterion 4.2 There is a mutually agreed and documented system for handling complaints and claims, which is implemented and accepted by all affected parties.	
Framework Law	Constitution of the Republic; Health Code, Decree 65-91; General Environmental Law; Labour Code, Decree 189-59 (July 15, 1959)
Criterion 4.3 The unit of certification contributes to local sustainable development as agreed by local communities.	
Environmental	General Environmental Law and its Regulation
Social	Honduran Institute of Professional Training (INFOP) Law, Decree Law 10-72
Economic	Law for the Promotion of Public-Private Partnerships Legislative Decree 143-2010; General Regulations of the Promotion of Public-Private Partnerships Law

	Promotion and Development of Competitiveness of Micro and Medium Enterprises Law, Legislative Decree 135-2008; Regulation of the Promotion and Development of the Competitiveness of Micro and Medium Enterprises Law
Criterion 4.4 The use of the land for oil palm crops does not diminish the legal, customary or use rights of other users without their Free, Prior and Informed Consent.	
Right of Ownership	Property Law, 82-2004; Regulation of the Property Law; Agrarian Reform Law, Legislative Decree 170-1974
Criterion 4.5 No new plantations are established on the lands of local populations where it can be demonstrated that legal, customary or use rights exist, without their FPIC. This is achieved through a documented system that allows these and other stakeholders to express their views through their own institutions that represent them.	
Right of ownership and right of use	Property Law, Decree 82-2005 (June 15, 2004-0810); Organic Law of the Honduran Institute of Anthropology and History, Decree 118-1968; National Risk Management System Law; Agrarian Reform Law, Decree 170; Constitutional Article 346 of Honduras
Criterion 4.6 Any negotiation related to compensation for loss of legal, customary or use rights is handled through a documented system that allows indigenous peoples, local communities and other interested parties to express their opinions through their own representative institutions.	
Environmental	Forestry Law, Protected Areas and Wildlife Decree 98-2007;
Social	Organic Law of the Honduran Institute of Anthropology and History, Decree 118-1968; Customary Law; Equal Opportunities Law, Decree 34-2000;
Economic	Legislative Decree 51-2011; Promotion and Protection of Investments Law
Criterion 4.7 When it can be shown that local peoples have legal, customary or use rights, these are compensated for any agreed land acquisitions and waiver of their rights, subject to their FPIC and negotiated agreements.	
Right of Ownership	Property Law, Decree 82-2005 (June 15, 2005)
Criterion 4.8 The right to use the land is demonstrated and is not legitimately contested by local communities who can demonstrate that they have customary or legal rights of use.	
Right of ownership and right of use	Property Law, 82-2004; Modernisation and Development of the Agricultural Sector Law; Territorial Regulation Law, Legislative Decree 180-2003; Regulation of the Territorial Ordinance Law; Agrarian Reform Law, Legislative Decree 170-1974; Civil Code, Book II International Regulations; United Nations Declaration on the Rights of Indigenous Populations

United Nations Convention on Biological Diversity (1992);
ILO Convention 169 on Indigenous and Tribal Peoples in Independent Countries;
ILO Recommendation 132 on Tenants and Sharecroppers (1968)

Principle 5: Principle 5: SUPPORTING THE INCLUSION OF SMALLHOLDERS

Criterion 5.1 The unit of certification unit deals fairly and transparently with all small producers (independent and scheme) and other local businesses .

Environmental

Regulation of the National System of Environmental Impact Assessment, Executive Agreement 189-2009 (December 31, 2009);
General Environmental Law, Decree 104-93 (June 30, 1993);
Regulation of Environmental Audits, Agreement 887-2009 (January 15, 2010);
Regulation of the National Registry of Environmental Service Providers, Agreement 826-2009 (January 15, 2010);
Publication of the Mitigation Measures Contract, Decree 1152-2002;
National Risk Management System Law (SINAGER), Legislative Decree 151-2009;

Municipal

Municipalities Law, Legislative Decree 134-90;
Delegation of Licensing in the Municipalities, Decree 181-2007

Labour

Labour Code, Decree 189-59 (July 15, 1959);
Constitution of the Republic
Health Code, Decree 65-91

Criterion 5.2 The unit of certification supports the improvement of the livelihoods of small producers and their inclusion in the value chains of sustainable palm oil.

Environmental

General Environmental Law
Municipalities Law, Legislative Decree 134-90;

Social

Honduran Institute of Professional Training (INFOP) Law, Decree 10-72

Economic

Promotion of Public-Private Partnerships Law, Legislative Decree 143-2010;
Promotion and Development of Competitiveness of Micro and Medium Enterprises Law, Legislative Decree 135-2008;
Regulation of the Promotion and Development of Competitiveness of Micro and Medium Enterprises Law;
General Regulation of the Promotion of Public-Private Partnerships Law

Principle 6: RESPECT FOR LABOR RIGHTS AND CONDITIONS

Criterion 6.1 Any form of discrimination is prohibited.

Rights, equity, equal opportunities	National Regulations Equal Opportunities for Women Law, Decree 34-2000; Special Law on HIV/AIDS, Legislative Decree 147-99; Promotion of Jobs for Handicapped People Law, Legislative Decree 17-91; Public Ministry Law, Decree 228-93; National Policy for Women. II Plan for Gender Equality and Equity of Honduras 2010- 2022 (II PIEGH); Equity and Comprehensive Development for People with Disabilities Law, Decree 160-2005
Criterion 6.2 The remuneration and working conditions of contractors' staff and workers always meet at least minimum legal or industry standards and are sufficient to provide a living wage (SD).	
Labour	Labour Code, Decree 189-59 (July 15, 1959); Minimum Wage Law, Decree 103 (June 31, 1971); Ministerial Agreement Secretariat of Labour 001-2012; Social Security Law, Decree 140-1959; Income Tax Law, Decree 394-2005; Tax Equity Law, Legislative Decree 51-2003; Hourly Employment Law, Decree 230-2010; Regulation of the National Hourly Employment Programme; Seventh Day and Thirteenth Month in the Concept of Bonus Law, Legislative Decree 112; Regulation of the Fourteenth Month of Salary in Concept of Social Compensation Law; Regulation of the Minimum Wage Commissions; Regulation for the Payment of the Educational Bonus
Criterion 6.3 The unit of certification respects the rights of all staff to create and join unions of their choice and to bargain collectively. If the right to freedom of association and collective bargaining is restricted by law, the employer provides parallel means of free and independent association and bargaining for all staff.	
Freedom of Association	Constitution of the Republic; Labour Code, Decree 189-59 (July 15, 1959)
Criterion 6.4 Children are not employed or exploited.	
Children's Rights	Framework Law for the Comprehensive Development of Youth, Decree 2060-2005; Basic Education Law, Decree 262-2011; Childhood and Adolescence Code, Decree 73-96; Labour Code, Decree 189-59 (July 15, 1959); Family Code, Decree 76-84
Criterion 6.5 There is no harassment or abuse in the workplace and reproductive rights are protected.	
Women's Rights	Equal Opportunities for Women Law, Decree 34-2000; Family Code, Decree 76-84; Childhood and Adolescence Code, Decree 73-96

	Health Code, Decree 65-91 (August 26, 1991); National Policy for Women. II Plan for Gender Equality and Equity of Honduras 2010-2022 (II PIEGH); Code of Public Servant Ethical Conduct, Decree 36-2006
Criterion 6.6 No form of forced labour or trafficking is used.	
Labour	Labour Code Decree 189-59 (July 15, 1959); Law Against Trafficking in Persons, Decree 59-2012; Family Code, Decree 76-84; Childhood and Adolescence Code Promotion of Jobs for the Handicapped Law, Decree 17-91; Hourly Employment Law; Employment Generation Law, Agreement STSS-607-2014; Equal Opportunities for Women Act
Criterion 6.7 The unit of certification guarantees that the work environment under its control is safe and without undue risks to health.	
Occupational health and safety	Labour Code, Decree 189-59 (July 15, 1959); General Regulations for Preventive Measures for Work Accidents and Occupational Diseases, Executive Agreement No. STSS (June 28, 2004), Arts. 1-471; Health Code, Decree 65-91 (26 August 1991); Firefighters of the Republic Law, Legislative Decree 294-93; National Risk Management System (SINAGER) Law, Legislative Decree 151-2009; Social Security Law; Regulation of the Sale of Agricultural Products with Different Degrees of Toxicity Law, Decree 56-2014
Principle 7: CONSERVED, PROTECTED AND ENHANCED ECOSYSTEMS FOR THE NEXT GENERATION	
Criterion 7.1 Introduced pests, diseases, weeds, and invasive species are effectively managed using appropriate Integrated Pest Management (IPM) techniques.	
Integrated Pest Management	Phytozoosanitary Law, Decree 157-94; International Health Regulations Regulation of Diagnosis, Surveillance and Phytosanitary Campaigns; Regulation for the Sanitary Control of Products, Services and Establishment of Sanitary Interest; Regulation on the Registration, Use and Control of Fertilisers and Raw Materials; Regulation for the Inspection and Safety of Fruits, Fresh and Processed Vegetables; Health Code, Decree 65-91 (August 26, 1991)

Criterion 7.2 Pesticides are used in ways that do not endanger the health of workers, families, communities, or the environment.

<p>Use of pesticides</p>	<p>Regulation on the Registration, Use and Control of Pesticides and Related Substances; Agreement for the Creation of the Interinstitutional Commission on Pesticides, Ministerial Agreement SAG 642-98 (September 12, 1998); General Regulations for Preventive Measures for Work Accidents and Occupational Diseases, Executive Agreement No. STSS (June 28, 2004), Arts. 1-471; General Environmental Law, Decree 104-93 (June 30, 1993); General Regulation of the Environmental Law, Agreement 109-93 (February 6, 1994); Health Code, Decree 65-91 (August 26, 1991); Labour Code, Decree 189-59 (July 15, 1959); Traffic Law, Legislative Decree 205-2005 (January 3, 2006); Regulation of Agricultural Quarantine, Agreement 1618-97 (September 26, 2001); Regulation of Fees for Services Provided by the General Directorate of the National Agricultural Health Service (SENASA); General Regulation of the National Service of Agricultural Health (SENASA); Pesticide Residues in Food, Agreement 103-02 SAG; International Health Regulations; General Regulation of Environmental Health; Regulation on the Registration, Use and Control of Fertilisers and Raw Materials, SAG Agreement 012-2007</p>
---------------------------------	--

Criterion 7.3 Waste is reduced, recycled, reused and disposed of in an environmentally and socially responsible way.

<p>Waste Management</p>	<p>Regulation for the Integral Management of Solid Waste, Executive Agreement 1567-2010 (February 22, 2011); Regulation for the Sanitary Control of Products, Services and Establishment of Sanitary Interest; General Regulation of the Irrigation Districts; Technical Standard for the Discharge of Wastewater to Receiving Bodies and Sanitary Sewers; Phytosanitary Law, Decree 157-94; Regulation on the Registration, Use and Control of Pesticides and Related Substances</p>
--------------------------------	---

Criterion 7.4 The practices maintain soil fertility, or where possible improve it to a level that ensures optimal and sustained yield.

	<p>General Environmental Law, Decree 104-93 (June 30, 1993); Good Environmental Practices for the Production of Biodiesel from African Palm Oil Guide; Regulation on the Registration, Use and Control of Fertilisers and Raw Materials; General Water Law</p>
--	--

Soil Fertility	Technical Standards for Wastewater Discharges to Receiving Bodies and Sewers; Sanitary Regulation for the Environmentally Sound Management of Equipment and Waste with Polychlorinated Biphenyls
Criterion 7.5 The practices minimise and control erosion and soil degradation.	
Management of fragile soil and slopes	General Environmental Law, Decree 104-93 (June 30, 1993); General Regulation of the Environmental Law, Agreement 109-93 (February 6, 1994); Regulation for the Integral Management of Solid Waste, Agreement 103-02 SAG; Territorial Regulation Law, Legislative Decree 180-2003; Regulation of the Territorial Ordinance Law; Forestry, Protected Areas and Wildlife Law
Criterion 7.6 Soil studies and topographic information are used to plan the establishment of new crops, and the results are incorporated in to plans and operations.	
Soil Management	General Environmental Law, Decree 104-93 (June 30, 1993); General Regulation of the Environmental Law, Agreement 109-93 (February 6, 1994); Regulation for the Integral Management of Solid Waste; Territorial Regulation Law, Legislative Decree 180-2003; Regulation of the Territorial Organisation Law; Forestry, Protected Areas and Wildlife Law; Regulation for the Environmentally Sound Management of Equipment and Waste with Polychlorinated Biphenyls
Criterion 7.8 The practices maintain the quality and availability of surface and groundwater.	
Water Use	Constitution of the Republic of Honduras, Decree 171 (January 20, 1982); General Environmental Law, Decree 104-93 (June 30, 1993); General Regulation of the Environmental Law, Agreement 109-93 (February 6, 1994); Health Code, Decree 65-91 (26 August 1991); General Environmental Health Regulations, Agreement 0094 (June 20, 1998); Forestry, Protected Areas and Wildlife Law, Decree 98-2007 (February 26, 2008); General Regulation of the Forestry, Protected Areas and Wildlife Law, Agreement 031-2010 (October 16, 2010); Technical Standard for the Quality of Drinking Water, Agreement 084-95 of July 31, 1991 (October 4, 1995); General Water Law, Legislative Decree 181-2009 (December 14, 2009); Framework Law of the Potable Water and Sanitation Sector, Agreement 118-2003 (October 8, 2003);

	Regulation of the Framework Law of the Potable Water and Sanitation Sector, Agreement 006 (May 8, 2004); Regulation of the Water Administration Boards
Criterion 7.9 Efficiency in the use of fossil energy and the use of renewable energy is optimised.	
Energy Use	General Environmental Law and its Regulations Incandescent to Fluorescent Light Substitution Law, Decree 112-2007 (December 13, 2007); Promotion of Electric Power Generation with Renewable Resources Law, Decree 70-2007 (October 2, 2007); Regulation of the Framework Law of the Electricity Subsector, Agreement 934-97 (April 12, 1999); Regulation for the Installation and Operation of Service Stations, Fuel Tanks for Own Consumption and Alternative or Substitute Products, Legislative Decree 85-98; Hydrocarbons Law, Decree 194-84; Production and Consumption of Biofuels Law; Law to Promote the Generation of Electricity with Natural Resources; General Electric Industry Law
Criterion 7.10 Plans are developed, implemented and monitored to reduce pollution and emissions, such as greenhouse gas (GHG), and new techniques are designed to minimise GHG emissions.	
Pollution Reduction	Regulations for the Regulation of Pollutant Gas and Smoke Emissions from Motor Vehicles, Agreement 719-1999 (October 11, 1999); General Regulation for the Control of Emissions Generated by Fixed Sources, Executive Agreement 1566-2010 (February 22, 2011); General Regulation on the Use of Substances that Deplete the Ozone Layer; General Environmental Law, Decree 104-93 (June 30, 1993); General Regulation of the Environmental Law, Agreement 109-93 (February 6, 1994); Health Code, Decree 65-91 (August 26, 1991); General Environmental Health Regulations, Agreement 0094 (June 20, 1998); Biofuels Law and its regulations; Contribution planned and determined at the national level NDC
Criterion 7.11 Fire is not used to prepare the land and is prevented in the area under management.	
Soil Preparation	Forestry, Protected Areas and Wildlife Law, Decree 98-2007 (February 26, 2011); General Regulation of the Forestry, Protected Areas and Wildlife Law, Decree 031-2010; General Environmental Law, Decree 104-93 (June 30, 1993)

Criterion 7.12 Land clearance does not cause deforestation or damage any areas necessary to protect or enhance High Conservation Value (HCV) or High Carbon Reserves (ARC) forests. In the management area, HCVs and HCS forests are identified, protected or improved.

Conservation Areas

General Environmental Law and its regulations;
Forestry, Protected Areas and Wildlife Law, Decree 98-2007 (February 26, 2011);
General Regulation of the Forest, Protected Areas and Wildlife Law, Executive Agreement 031-2010;
Territorial Regulation Law, Legislative Decree 180-2003;
Regulation of the Territorial Regulation Law;
Technical-Administrative Standard for the Development of Management of Protected Areas;
Municipalities Law;
Technical Standard for the Discharge of Wastewater to Receiving Bodies and Sanitary Sewers;
Fishing Law 154;
All protected area decrees and respective management plans of these areas

ANNEX 7: SMALLHOLDER DEFINITIONS IN THE HONDURAN CONTEXT

The following definitions have been proposed based on the realities of palm oil sector in Honduras:

Term	Definition
Smallholder Farmer	Producers of different levels of schooling who cultivate oil palm on their own the land as well as other subsistence or occasional market crops and livestock production whose families provide most of the labour and the farm constitutes the main source of household income and where the area planted with oil palm is normally less than or equal to 50 hectares.
System or Scheme Smallholder Farmer	Proprietary farmers who have enforceable decision-making power over the use of their land, type of crops to be planted, and production practices, except for the management of oil palm cultivation, for which they receive technical assistance, inputs and in some cases financial support, training, etc. from a company with a mill, or from their own organisation who has a mill. These farmers may be organised through different legal entities (peasant associative companies, peasant companies of the agrarian reform, cooperatives and producer associations)
Independent Smallholder Farmer	Proprietary farmers who have enforceable decision-making power over the use of their land, type of crops and production practices including the management of oil palm cultivation. They receive technical assistance from their own organisation, producer federation, technicians, and occasionally from technicians from the mill they sell their harvest to or from government technicians. These farmers may be organised through different legal entities (peasant associative companies, peasant companies of the agrarian reform, cooperatives and producer associations)
Intermediary fruit traders	<p>Individuals or independent producers who trade fresh fruit directly with producers paying via cash or bank transfers. Due to the volume of fruit, they can be classified into three levels:</p> <ol style="list-style-type: none"> 1. Traders that directly transport and deliver producer's fruit to mills, may operate in different municipalities or localities and offer fruit to different mills. 2. Traders buy fresh fruit from other intermediaries and that transfer it to collection centres. 3. Traders look and buy fresh fruit to small producers, transporting it from remote places and delivering to mills, and that may operate with independent, mill or private bank provided capital.

The RSPO is an international non-profit organisation formed in 2004 with the objective to promote the growth and use of sustainable oil palm products through credible global standards and engagement of stakeholders.

www.rspo.org



Roundtable on Sustainable Palm Oil

Unit 13A-1, Level 13A, Menara Etiqa,
No 3, Jalan Bangsar Utama 1,
59000 Kuala Lumpur

T +603 2302 1500

F +603 2302 1543

Other Offices:

Jakarta, Indonesia
London, United Kingdom
Beijing, China
Bogota, Colombia
New York, USA
Zoetermeer, Netherlands

 rspo@rspo.org

 www.rspo.org