



COMMUNITY OUTREACH & ENGAGEMENT PROGRAMME IN EDO STATE, NIGERIA

CAPACITY BUILDING EXERCISE

MODULE 2: GRIEVANCE/DISPUTE RESOLUTION MECHANISM (ENGLISH VERSION)

September 2023 – February 2024



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MODULE 2: GRIEVANCE/DISPUTE RESOLUTION MECHANISM (ENGLISH VERSION)

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Training Program



MODULE 2: RSPO GRIEVANCE/DISPUTE RESOLUTION MECHANISM		
Time		
09:00 AM	Registration of Participants	40 Minutes
09:40 AM	<u>Session 1</u> Introduction	40 Minutes
10:20 AM	<u>Session 2</u> -RSPO Grievance /Dispute Resolution Mechanism - Question & Answer	1 Hour
11:20 AM	Closing Remark	30 Minutes
11:50 AM	Lunch	1 Hour
12:50 PM	Departure	

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SESSION 1



INTRODUCTION

Overview of the Roundtable on Sustainable Palm Oil (RSPO)/

Community Outreach and Engagement Programme (COEP) Capacity Building in Edo State, Nigeria

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RSPO



What is RSPO?

The Roundtable on Sustainable Palm Oil (RSPO) is a global, multi-stakeholder initiative on sustainable palm oil.

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RSPO was established in 2004 as a not-for-profit, international membership organisation that unites stakeholders from the key sectors of the palm oil industry to promote the growth and use of sustainable palm oil through credible global standards.

When was it formed and by Who?

RSPO founding members include the World WideFund for Nature (WWF), Malaysian Palm Oil Association (MPOA), Unilever, Migros, and AAK.



The development of new plantations has resulted in:

What motivated its formation?



❑ Land ownership conflicts and Accusations of land grab.

❑ Displaced Communities.



❑ Infraction of workers rights and condition.

What motivated its formation? (cont'd)

❑ Forest Conversion: Removal of forest releases carbon into the atmosphere thereby speeding global warming.



❑ Deforestation: changes the vegetation and can lead to soil loss/erosion.



❑ Conversion of HCV's and Biodiversity loss.



Who are members and benefits?

Members of the RSPO represent all stages in the supply chain and the world's largest palm oil producing regions. As members, they have a say in the RSPO's decision-making, shaping efforts to make sustainable palm oil the norm.

Benefits of membership



Vision of RSPO & Theory of Change (ToC)

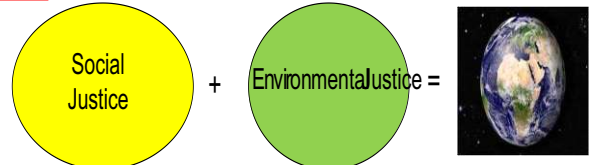


"To transform the markets by making sustainable palm oil the norm".

"ToC is the roadmap that underpins how RSPO intends to achieve its goals and vision of making sustainable palm oil the norm. RSPO ToC defines the guiding principles, roles and strategies in creating an industry-wide ecosystem that supports and accelerates the production and consumption of sustainable palm oil, with the goal of creating a positive impact balance across three pillars: **People, Planet, and Prosperity**.



Why Sustainable Palm Oil?



"What we are doing to the forests of the world is but a mirror reflection of what we are doing to ourselves and to one another."

- Mathara Ghand -

Some Members producing Sustainable Palm Oil in Nigeria



Presco Plc (Edo State)



Biase Plantation Ltd (Cross River State)



Okomu OPC (Edo State)



Siat Nig Ltd (River State)

Mechanisms for producing Sustainable Palm Oil?

Through the application of the RSPO Principles & Criteria

Principles: Are fundamental statements geared towards a desired outcome. It often provide greater detail about the objectives

Criteria: Means of judging whether or not a principle has been fulfilled.

Indicator: Variable to measure the implementation (Positive or Negative)

Structure of the P & C



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Overview of the Community Outreach & Engagement Programme in Edo State, Nigeria

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Overview

- The COEP Capacity Building for identified stakeholders are in two modules.
- Module 1: RSPO Principles and Criteria 2018 [February 2023– July 2023].
- Module 2: RSPO Dispute Resolution and Grievance Mechanism [September 2023 – February 2024].

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Overview Cont'd

- The Capacity Building focused but not limited to stakeholders around RSPO member companies in six local government areas of Edo State;
1. Ovia Southwest.
 2. Ovia Northeast.
 3. Uhumwonde.
 4. Ikpoba Okha.
 5. Orhionmwon.
 6. Owan West.

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- The Stakeholders were profiled to include representatives from
 1. Local communities including; {Elders, Women, Youth, CBO, Oil Palm Smallholder Farmers}.
 2. Government Agencies.
 3. Oil Palm Grower.
 4. NGOs {Environmental & Social}.
 5. Civil Society Organizations.
 6. Media
 7. Financial Institution.

Overview Cont'd

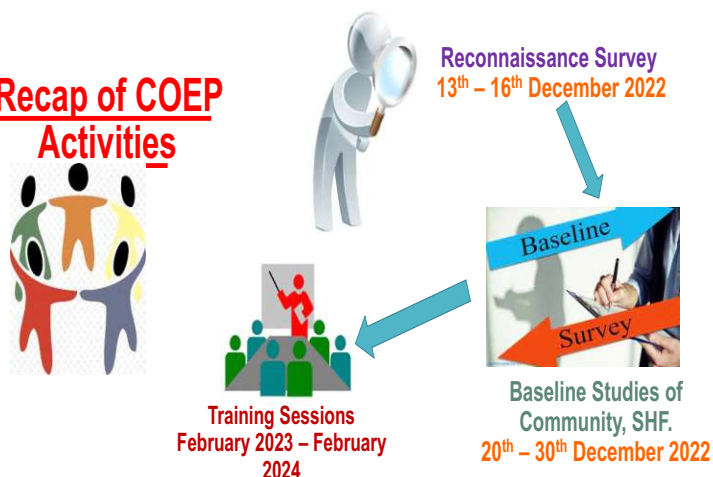
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- About 400 stakeholder representatives were successfully trained on module 1.
- FDS as the IMO will continue with module 2 of the capacity building following the same line of engagement.
- It is our expectation that the outreach will not end at the training venue, however materials shared, and knowledge acquired will be disseminated by trainees to achieve a wider outreach.

Overview Cont'd

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Recap of COEP Activities



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We Are Here

Training on



- Module 2: RSPO Dispute Resolution & Grievance Mechanism



September 2023 – February 2024

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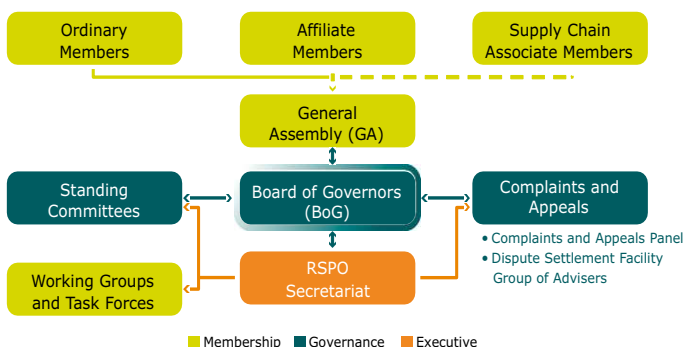
SESSION 2

RSPO Grievance/Dispute Resolution Mechanisms

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ORGANISATION STRUCTURE

RSPO members come from various backgrounds, including plantation companies, processors and traders, financial institutions, and environmental and social NGOs, from countries that produce or use palm oil. The RSPO is managed by a Board of Governors (BoG), comprising 16 members, designated by the General Assembly for 2 years. The BoG is supported by advisors and four Standing Committees.



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Outline

- 1 RSPO Complaints System
 - Purpose of the Complaints System
 - Mechanisms under the RSPO Complaints System
 - Possible Measures/ Sanctions by the Complaints Panel
2. Questions/Clarifications
3. References
4. Acronyms/Abbreviations

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RSPO Complaints System



- The Complaints System is a fair, transparent and impartial process to duly handle and address complaints against RSPO members. It is not intended as a replacement for legal requirements and mechanisms in force.

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- Provides a framework and mechanism for RSPO to address complaints against any RSPO member.
- Protects RSPO's integrity.



- Ensures that any alleged breaches of specific RSPO Key Documents, including the RSPO Statutes, By-laws, Code of Conduct, Principles & Criteria for Sustainable Palm Oil Production, and Certification System, amongst others, are fairly, impartially and transparently resolved.

Who can lodge a complaint?

- Any stakeholder: -
 - Individuals
 - NGOs
 - Workers Unions
 - Communities
- RSPO Members

Complaint against whom?

- RSPO Members

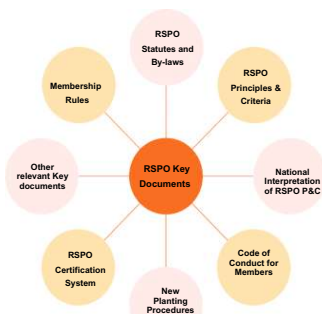


1. RSPO Complaints and Appeal Procedure (CAP).
2. RSPO Dispute Settlement Facility (DSF).

- Alternative dispute resolution methods available under the CAP include Bilateral Engagement or Mediation through the DSF Mechanism.

- The RSPO CAP outline the necessary steps for handling complaints and appeals, guided by the principles of accessibility, efficiency, impartiality, accountability and independence.

- The RSPO Complaints and Appeals Procedures complement legal mechanisms, providing an alternative channel to address violations of RSPO's standards, procedures, and codes, as established in its Key Documents.



Confidentiality

- Transparency should be the rule, confidentiality, the exception .
- Some information can be kept confidential if the complainant is fearful of any repercussions of making a complaint .
- Information should be presented in a neutral way, preventing judgement or favouring any of the parties .



Bilateral Engagement: is a general descriptor for any process by which the Parties to a Complaint attempt to resolve their differences through direct discussions (i.e. without involving a third party as mediator). Bilateral engagement may involve, but is not limited to, accessing a company's own complaints handling procedures as a means of attempting to resolve the complaint."



What is DSF

DSF stands for Dispute Settlement Facility

It is an in-house service under the RSPO that supports

- 1 Member Companies (Growers)
- 2 Local Communities
- 3 Stakeholders

When **at least one party** is an RSPO member, DSF may **facilitate** the use of **mediation** or **other forms of assistance** in the relationship or process, to resolve palm oil dispute.



DSF aims to support parties in conflict to reach fair and lasting resolutions that allows members to comply with RSPO policies and standards.

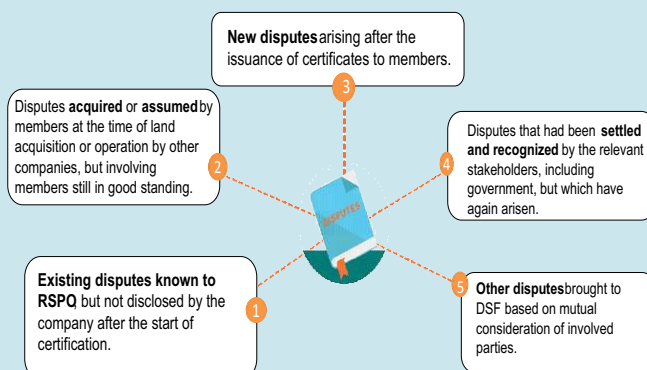


POLICIES

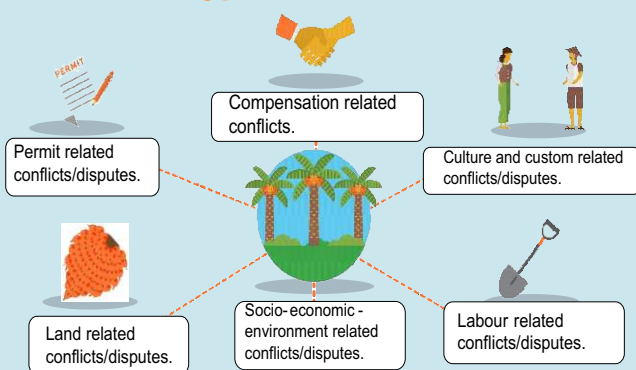


STANDARDS

Different Types of Dispute

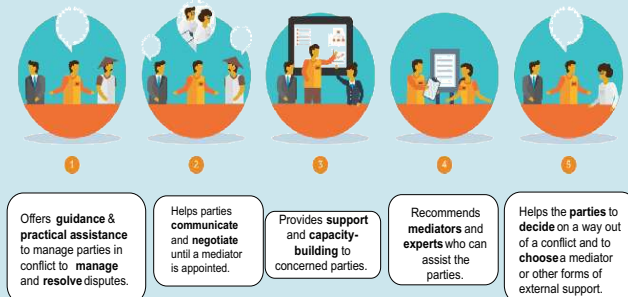


Types of Conflicts



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WHAT DOES DSF DO?



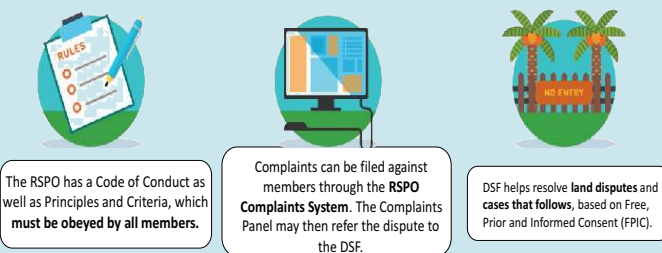
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What should you do if you are involved in a palm oil dispute?



PALM OIL DISPUTE

I am an RSPO member, or I am involved in a dispute with a member.
What should I know about cases that can be supported by DSF?



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FREE, PRIOR, AND INFORMED CONSENT

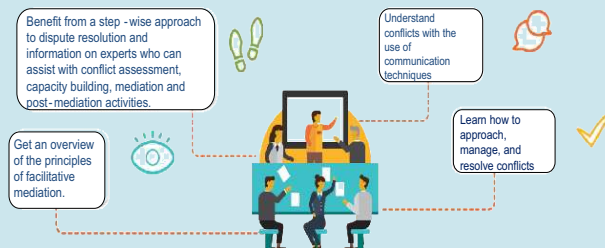
The principle of FPIC is central to the RSPO's Principle and Criteria, and guides the way companies deal with:



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WHAT DOES DSF PROVIDE?

The RSPO has an education and awareness programme to inform interested members about DSF. Participants can:



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DSF Mediator

- In appointing a Mediator to manage the DSF Mediation, DSF will draw on its global network of pre-qualified mediators, experienced in managing multi-stakeholder disputes.
- Where possible, DSF will select a Mediator with the requisite professional and language skills from the country or region where the case is located. If such a Mediator is not available, DSF will select whoever is believed to be the most suitable while taking into consideration the location and context of the particular case.

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DSF Mediator Cont'd



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What do they do?



1

Help parties to **meet, build respect and trust** each other.



2

Facilitate parties to **communicate openly and honestly** with each other about their dispute/conflict.



3

mediation process so that it **adheres to mediation principles** and facilitates the achievement of agreed solutions between parties in dispute/conflict.

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What don't they do?



1

They **do not take sides**.



2

They **do not make decisions** and **do not create solutions** towards the dispute.



3

They **do not force processes** and **do not enforce the implementation** of agreed solutions.

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Qualities & qualifications of mediators

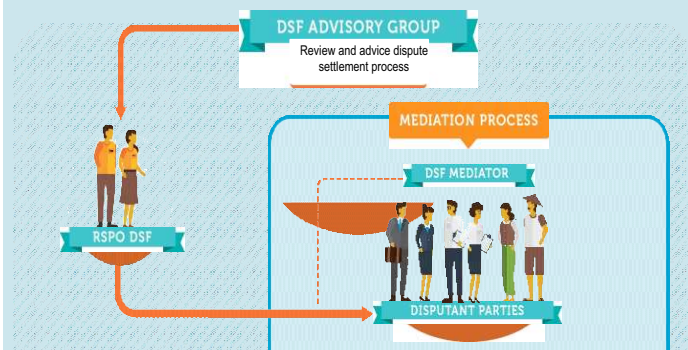
- ✓ **Impartial and neutral.**
- ✓ Have **commitment** to the mediation process.
- ✓ Have **ability to listen** and **good communication skills**.
- ✓ Have **cultural and emotional sensitivity** and have **good credibility**.
- ✓ Have **good analytical skills**.
- ✓ **Accepted** by parties in dispute/conflict and have ability to manage processes and facilitate discussions between two parties.



https://rspo.org/wp-content/uploads/DSF_Professional_Mediator_-_Qualifications_and_Responsibilities1.pdf

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Who is involved in mediation?

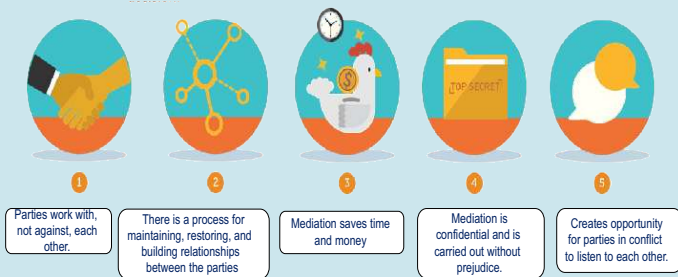


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The Process of DSF Mediation

Why pursue Mediation?

Mediation gives the parties the power to jointly determine the final decision.



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Voluntary Participation

DSF Mediation can only be accessed if disputing both parties mutually agree to engage in the process



Confidential

No information shared during the mediation process will be disclosed without the consent of the parties



Independent and Impartial

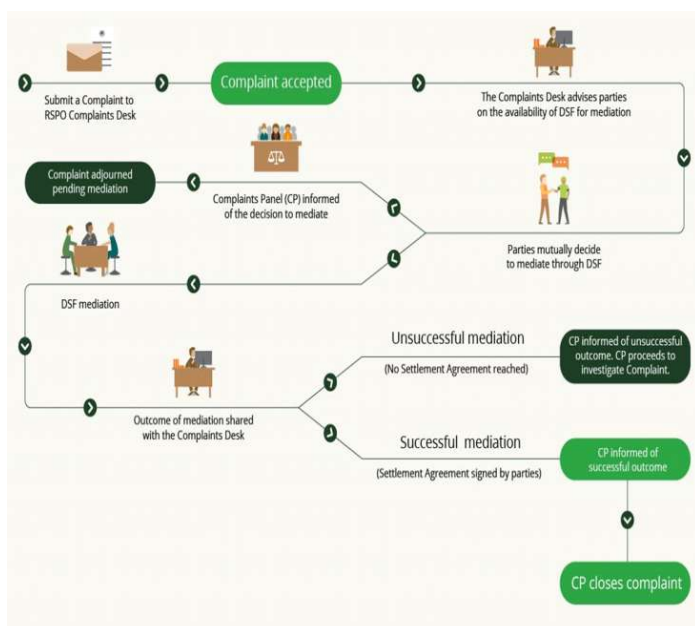
The decision-making authority rest entirely with the parties and DSF does not impose any judgement or decision on either party

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DSF Mediation Flowchart

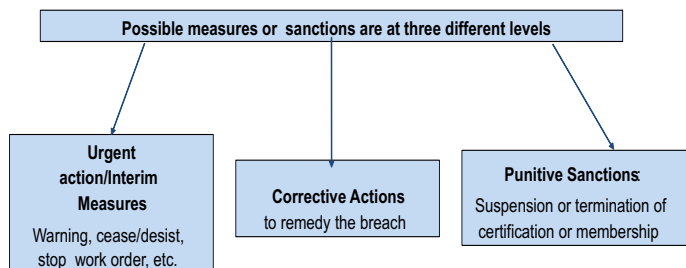
If funds are needed for Mediation?

- Parties without sufficient funds may put in a request to the Secretariat for financial assistance to participate in the mediation process.
- Financial assistance may include, but is not limited to, covering the fees of the appointed mediators/technical experts and related costs on behalf of the parties.
- The primary aim of the financial assistance is to ensure that parties are able to co-own the mediation process.



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Thank You



Questions/Clarifications

TO FIND OUT MORE, CONTACT

complaints@rspo.org

website: www.rspo.org



 RSPO will transform markets to make sustainable palm oil the norm.

RSPO Roundtable on Sustainable Palm Oil

Reference

- RSPO webpage: www.rspo.org
- Search for RSPO members:
<https://rspo.org/members/search-for-members>
- Search for RSPO Key Documents:
<https://rspo.org/resources>
- Documents, forms, and updates on Complaints case:
<https://askrspo.force.com/Complaint/s/>
<https://rspo.my.site.com/Complaint/s/complaints@rspo.org>

- BE - Bilateral Engagement
- BoG - Board of Governors
- CAP - Complaints & Appeal Procedure
- CP - Complaint Panel
- DSF - Dispute Settlement Facility
- FPIC - Free, Prior and Informed Consent
- GA - General Assembly
- NGO - Non- Governmental Organization
- RSPO - Roundtable on Sustainable Palm Oil