

RESOLUTION 6i

Proposed Resolution to be adopted at the 8th General Assembly of the Roundtable on Sustainable Palm Oil (RSPO) on 8th March 2012

TITLE:

PROTECTING MULTISTAKEHOLDER DECISION-MAKING IN RSPO

SUBMITTED BY:

The Malaysian Palm Oil Association (MPOA)

Reason for This Resolution:

1. The RSPO is a multistakeholder platform. However, the By-Laws and Statutes currently do not protect the right of every membership category to have a representative at every Standing Committee (SC).
2. The SCs of the RSPO¹ exist so that representatives from all membership categories can participate in and contribute to the process of decision-making in the RSPO.
3. SCs without representatives from every membership categories are vulnerable to allegations of being biased or dominated by one member category or another.
4. Whether such bias or domination actually exists or is simply perceived to exist, this casts doubt on the legitimacy of SC decisions.
5. This is an unnecessary risk that the RSPO can and should avoid by prescribing in the By-Laws and Statutes that the composition of all SCs must include representatives from every member category.
6. It is accepted that all representatives may not be able to attend all the time. If so the SC can legitimately proceed without that membership group present, but must follow rules of voting and recording of proceedings so that matters can be addressed properly, if need be, at either the Executive Board or the General Assembly without prejudicing the position of any member category.

¹ Namely the Standards & Certification, the Communication & Claims, and the Trade & Traceability SCs

MPOA proposes that the 8th General Assembly of the RSPO, on 8th March 2012 resolves:

To amend the By-Laws and Statues as required to ensure that:

- All Standing Committees (SCs) must have a **quorum of at least one Executive Board (EB) member and one Ordinary Member** from each substantially unique² constituency of the Association.
- The rule of **sustained objection does not apply** at SC. This will encourage a full and open sharing of views and opinions on the matters being discussed.
- Any recommendation from an SC to the EB will require a **unanimous vote** of the members of the SC.
- If the SC cannot reach unanimous agreement among members, then a **show-of-hands vote** will be taken at the end of each sitting to establish the weight of opinion for or against the matters at hand.
- The record of the discussion together with the result of the vote shall be **presented openly and objectively by the Chair of the SC to the EB** for its decision-making; or, if the EB itself is divided on the matter, for conveying to the General Assembly (GA).

If this process is adopted, then the state of opinion at the end of every SC meeting on all the matters it discusses will be a matter of record. No issue may be blocked or stalled by any group at an SC. If there is a disparity of opinion within the SC, the end-of-session vote will inform EB of how to frame the matter in a wider context of what may be happening in other SCs or parts of the RSPO, or to determine if it is better to seek resolution at the GA.

The effect of this is that all constituencies in RSPO are fully party to and accountable for their position and role in the decision-making process in RSPO.

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² *'Substantially unique' means a constituency whose interests are demonstrably different from those of any of the others. This would not necessarily apply, for example, to Growers, whose interests may be represented by a member from Malaysia, Indonesia, RoW or Smallholders; or to NGOs who may straddle both environmental and social functions and so could be deemed to represent one, other or both constituencies.*