**Terms of Reference for National Interpretation Task Force (NITF) for [P&C/ISH]**

# **Background**

The Roundtable on Sustainable Palm Oil (RSPO) was established in 2004 as a non-profit membership association (under Article 60 of the Swiss Civil Code) with the aim of convening the palm oil industry through a multi-stakeholder platform to develop and implement global standards for sustainable palm oil and oil palm products. Its principal objective promotes the growth and use of certified sustainable palm oil and oil palm products through cooperation and shared responsibility within the supply chain and the wider palm oil value chain.

The first set of Principles & Criteria, Indicators and Guidance (RSPO P&C 2007) have 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, RSPO P&C 2007 were 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 which resulted in RSPO P&C 2018.

A separate RSPO Independent Smallholder (ISH) standard was released for general adoption in 2019. To ensure downstream chain of custody of palm oil and oil palm products produced and sold as RSPO certified, the RSPO Supply Chain Certification (SCC) Standard was adopted in November 2014, and revised in February 2020.

In February 2022, RSPO began a comprehensive Standards Review and Revision process to assess relevance of the 2018 RSPO P&C and the 2019 RSPO ISH Standard , in line with the ‘RSPO Standard Operating Procedure for Standard Setting and Review (2020)’, and in compliance with the ‘ISEAL Code of Good Practice for Setting Social and Environmental Standards Version 6.0’.

The revised standard, 2024 RSPO P&C is the fourth version of the RSPO Principles and Criteria, adopted by RSPO members at the 21st RSPO General Assembly on 13 November 2024, to replace the previous 2018 RSPO P&C standard.

Since countries differ in their laws for the same criteria, such as minimum wages for workers for example, and there are cultural and other differences, the RSPO Principles & Criteria are further adapted for use by each country through National Interpretations.

As stated in Section Nine 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 2024 within 12 months of the date of adoption (i.e. by 13 November 2025). Certificate holders must be fully compliant with the new version of an NI within one year of it being endorsed by the Board of Governors (BoG).

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

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

An NI process may be initiated through a formal request addressed to the RSPO Secretariat (standard.development@rspo.org), and written approval from RSPO shall be required to proceed. An NI process may be initiated within 24 months of the formal adoption of the general 2024 RSPO Standards, and the development of any initiated NI should be concluded no later than 36 months from the formal adoption of the general 2024 RSPO Standards.

A written approval by the RSPO Secretariat to establish an NITF by members must be obtained no later than 24 months from the adoption of the standard. The completion of an NI revision and/or development (in a scenario where there was no previously developed NI) must be concluded no later than 36 months from the adoption of the standard.

Aligning to ISEAL Code of Good Practice, the development of the NI shall follow the following principles:

* Improvements
* Relevance
* Rigour
* Engagement
* Impartiality
* Transparency
* Accessibility

# **Aims and Objectives**

# The National Interpretation Task Force (NITF) aims:

# To deliver pragmatic guidance to oil palm producers, processors and procurers on how to implement the RSPO *P&C or ISH* within the producer country.

# To ensure that the resulting National Interpretation must not conflict with the *P&C or ISH* but may, in part, differ from the generic guidance determined by the Criteria Working Group of the RSPO. A National Interpretation may strengthen criteria, indicators, and guidance, or develop acceptable performance levels to measure indicators that are contextualised for a specific country, as long as such changes do not represent a diminution of the general 2024 RSPO P&C. New indicators and guidance may be developed, as long as such additions do not contradict or weaken any other part of the NI or the general 2024 RSPO *P&C or ISH*.

# To keep overall control of the quality of any set of requirements claiming to be official interpretations of the RSPO *P&C or ISH*, especially in the local legal context.

# **Representation**

The main purpose of the NI TF shall be to represent a balance of relevant stakeholders at TF meetings and shall include self-selected representatives, i.e. each membership category selecting their own representatives, from the seven RSPO membership categories. Each category will nominate their Representative(s) accordingly. The Representative then joins the NITF on behalf of the constituent group, which nominated them. The Representative may also decide to nominate a deputy (“Alternate”) who will participate only when the substantive member is absent from NI Task Force meetings.

At least one representative of each membership category shall be an RSPO Member, while other representatives (and their organisation) are not required to be members of the RSPO. However, all members of the NITF do need to abide by the Code of Conduct (CoC) for standard development activity which is attached in Annex 1. The CoC has to be signed by all representatives in the NITF. The signed CoC must be forwarded to the RSPO Secretariat for records.

As guidance, the NITF may comprise of 12 substantive representatives, or in similar ratio by membership category, as shown in the following table.

**Table 1 - NITF Representation**

| **No.** | **Member Representatives by Interest Category** | **Number** |
| --- | --- | --- |
| 1 | Palm Oil Growers including Smallholders representation | 4 |
| 2 | Consumer goods manufacturers and Supply Chain representatives  | 4 |
| 3 | NGOs | 4 |

The NITF in its first meeting shall appoint a chairperson/co-chairs to lead the TF. The meeting shall also identify the secretariat for the TF. The chairperson/co-chairs and the secretariat shall be responsible to organise the TF meetings and facilitate submission of documents to the RSPO Secretariat for review and submission for BoG endorsement.

Technical Experts and Government Representatives should also be invited to provide technical support for TF discussion, including but not limited to advisory support on sustainable palm oil production, estate certification, supply chain, social and environmental interests, and applicable local laws and regulations. This group of TF Members will have no voting rights in the decision process.

An NI TF may request support from the RSPO Secretariat for the selection of nominees. Where agreement on nominations cannot be reached, it is at the discretion of the Standard Standing Committee (SSC) to finalise nominations.

# **Roles and Responsibilities**

| **Roles** | **Responsibilities** |
| --- | --- |
| Chairperson | 1. To ensure all meetings of the NITF are focusing on achieving the objectives of the NITF and to ensure that they are being duly conducted in accordance with the requirements:
* NITF Terms of Reference (ToR)
* Code of Conduct (CoC) for individual members
1. To maintain proceedings in good order and to verify that transparency is maintained throughout by accurate reporting of NITF progress to the RSPO SSC and BoG, including the posting of agreed documents on the RSPO website, press and other media outlets.

Note: *ToR and CoC will need to be discussed / modified and eventually agreed upon by NITF Members. CoC has to be signed by each of the NITF Member Representatives.* |
| NITF Members | 1. Individual members must strive to meet the objectives of the NITF set out above.
2. Attend all meetings organized by the NITF Secretariat
3. Actively participating in all physical and virtual discussions of the NITF
4. Actively participating in the interpretation process on behalf of their constituent group.
5. Consulting with interested parties not directly represented in the NITF and ensuring that their views are expressed within the discussions.
6. Seeking to build consensus within the NITF on how to address any issue which arises.

*Important: Members of the NITF are there to represent an interest group, rather than just their own interests.*1. There are to be no sitting allowances or other expenses.
 |
| NITF Secretariat | 1. Plan and prepare physical meetings
2. Provide guidance to the Chair and Representatives on meeting and procedures
3. Produce minutes of meetings and make accurate records of agreed indicators and guidance
4. Submit in English, the draft NI together with the comments received during public consultation and an indication how these were addressed in the NI document, as well as the NI process report, to the RSPO Secretariat for RSPO BoG endorsement
5. Facilitate for the public consultation periods
6. Liaise with the RSPO secretariat to ensure full transparency and completeness of all documents for submission to RSPO Secretariat and posting on the RSPO website.
7. Make sure the Country Representative of the RSPO BoG is being kept abreast with progress of the NITF.
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# **Supporting Documents for NITF Meetings**

## RSPO Standards 2024 Changes

## Ensuring no diminution of the RSPO standards, the revised standards are an iterative evolution of the requirements for greater clarity, auditability, implementability and market relevance. The 2024 Standards core objective is to review and streamline the production standard to ensure continued relevance and effectiveness in demonstrating that palm oil produced and sold as RSPO-certified Sustainable Palm Oil (CSPO) are credible and inclusive.

## The 2024 RSPO Standards have also been strengthened in its integration with the certification system through prisma, providing digital data and digital supply chain traceability and acting as a supporting tool for members to strengthen risk assessment and due diligence for emerging regulatory compliance.

## The ISH Standard has been strengthened by restructuring indicators into a general stepwise approach, using a commit-train-implement pathway. Alignment between the ISH Standard and the P&C is also designed to support smallholders and enhance downstream traceability, in line with the objectives of the EUDR.

## The revised ISH Standard has further enhanced its phased approach by having a more consistent structure of focusing on SH's commitment at eligibility stage, capacity building at MS A, and full implementation at MS B. There are exceptional cases for some indicators where implementation is required at the Eligibility stage.

## Locally applicable laws and regulations

## The NITF has to identify a list of application laws and regulations, as well as new laws introduced or changes made to local legislations during the past years that might potentially result in conflicts while implementing the international criteria in local context. Legal experts and relevant government agencies should be invited for legal advisory and support.

# **Decision Making**

# All decisions of NITF will be made by consensus. Consensus is defined as: the absence of any serious and sustained objection. Refer to Section 9.2.2.1 of the RSPO Standard Operating Procedure for Standard Setting and Review (2020) for further guidance for the decision making.

# **Processes, Timeframe and Outcomes**

| **Activities** | **Projected Date** |
| --- | --- |
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# **Financial Assistance**

Being a member of the NITF is voluntary. The RSPO Secretariat will not pay fees for time spent participating in the NITF or expenses incurred during physical meetings, public consultations, electronic consultations and telephone discussions.

NITF is encouraged to adopt cost-effective methods in organizing meetings, including efforts to secure venue sponsorship from members for physical meetings, whenever possible.

NITF members are requested by the RSPO Secretariat to cover their own expenses in attending the physical meetings. NITF Secretariat, if necessary, can apply for limited financial assistance from the RSPO Secretariat to carry out NITF’s activities. Such a request will be submitted to the RSPO Secretariat in writing.

# **Annex 1: Code of Conduct (CoC) for Members of NITF**

It is fundamental to the integrity, credibility and continued progress of the NITF that every member supports, promotes and works towards the production and use of Sustainable Palm Oil and the work of the Roundtable on Sustainable Palm Oil (RSPO).

Every member organization and individual must act in good faith towards this objective and commit to adhering to the principles set out in this Code. This Code applies to all Members of the NITF.

**Promotion and Commitment**

Member organizations will acknowledge their membership of the NITF and its objectives, the RSPO Standards and its implementation process through informed and explicit endorsement. Members of the NITF will promote and communicate this commitment throughout their own organization.

**Transparency**

Members will not make any misleading or unsubstantiated claims about the production or use of sustainable palm oil. Members will commit to open and transparent engagement with interested parties, and actively seek resolution of conflict.

**Breaches of this Code**

Breaches of this Code may lead to exclusion from the NITF. Members will seek to resolve grievances directly with other member organizations, and will not make unsubstantiated allegations of breaches against other members

Prior to taking public action in cases of unresolved allegations of breaches of this Code, members shall report breaches to the Chair of the NITF and the Country Representative in RSPO Board of Governance, which will deal with the alleged breaches in accordance with the RSPO Grievance Procedure.

I acknowledge and agree with the terms in ToR and CoC above.

Signed by: Witnessed by:

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Name: Name:

Organization: Organization:

Date: Date:

# **Annex 2: Members of NITF**

| **No.** | **Name** | **Membership Category**  | **Organisation** |
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