

RSPO

Roundtable on Sustainable Palm Oil

NATIONAL INTERPRETATION OF THE PRINCIPLES AND CRITERIA OF THE RSPO STANDARD FOR SUSTAINABLE PRODUCTION OF PALM OIL IN CÔTE D'IVOIRE

March 2019
RSPO-STD-T01-025 V1 ENG

Preamble

Confronted with the media coverage insinuating the negative impact of oil palm cultivation on the environment, all stakeholders of the sector joined forces with environmental protection associations to explore more sustainable models for the development of this crop.

This cooperation led to the organization of the first Roundtable on Sustainable Palm Oil (RSPO) in 2004. Stakeholders in the sector committed themselves to work towards RSPO certified palm oil.

Aware of the fact that the RSPO standard is today the best way to improve the sustainability of oil palm cultivation and in order to incite all stakeholders of the Ivorian oil palm sector to endorse this approach, the Interprofessional Association of Oil Palm Sector (AIPH) contacted the Interprofessional Fund for Research and Agricultural Guidance (FIRCA) for the implementation of the **support project to the Oil Palm Sector for the National Interpretation of the RSPO Standard**.

In Côte d'Ivoire, the current situation of the oil palm sector is as follows:

- 2,100,000 tons of fresh fruit bunches yearly;
- 450,000 tons of crude palm oil yearly;
- 165,000 ha of village plantations;
- 75,000 ha of industrial plantations;
- 40,000 oil palm growers;
- 32 cooperative societies, members of the National Federation of Cooperative Societies and Cooperative Societies Union of Oil Palm Growers of Côte d'Ivoire (FENACOPAH-CI);
- 16 large production units of crude palm oil, with a total installed capacity of 600 T/H;
- 20 medium and small-scale production units of crude palm oil with a total installed capacity of 180 T/H.

In order to adapt this standard to the Ivorian context, several bodies have been set up: a National RSPO Secretariat (composed of AIPH, MINADER¹, MINSEDD², FIRCA, the consortium firm ENVAL-DAVID OGGs -CONTROL UNION and SOILIDARIDAD West Africa), a National Technical Working Group and five (5) technical committees.

The process was conducted according to the following main steps:

- 1- 29 July 2014:** Organization of the launching ceremony that aimed to sensitize stakeholders and project partners and encourage their support. During this ceremony, the Steering Committee, represented by the ENVAL-DAVID Cabinet Consortium OGGs-CONTROL UNION, SOLIDARIDAD West Africa) was confirmed.
- 2- From 7 to 11 October 2014:** Stakeholder mapping and sensitization of oil palm industry stakeholders from all production areas during meetings held in five (5) localities (Aboisso, Dabou, San Pedro, Tabou, Divo).
- 3- From 11 to 18 October 2014:** Conduct of a diagnostic survey aimed at assessing the sector with regard to the sustainable production of palm oil.
- 4- February 2015:** Constitution of technical committees³

¹ Ministry of Agriculture and Rural Development

² Ministry of Environment and Sustainable Development

³ The complete list of Technical Committee members is attached to this National RSPO Interpretation document.

- **Agriculture Technical Committee:** Good agricultural practices, development of new plantations, agricultural inputs;
 - **Technical Committee on Working Conditions:** Occupational safety and health, compliance with labour laws and regulations;
 - **Technical Committee on Environment:** Environmental protection, waste management, high conservation values (HCVs);
 - **Technical Committee on Land Issues:** Land rights and customary rights
 - **Viability and Development Technical Committee:** Economic viability, development for local communities, fair wages and purchase prices to producers.
- 5- **From 20 to 24 July 2015:** Organization of a training workshop for technical committee members to better understand the RSPO approach, their role and the working methodology.
- 6- **From 08 to 10 September 2015:** Work in a national workshop of technical committees to interpret the RSPO standard. The workshop recorded the participation of seventy (70) representatives of all stakeholders, including civil society organizations, environmental protection organizations, oil palm producers, production and processing units, customary authorities of local communities on industrial palm oil plantation sites, Ministries directly concerned (Agriculture, Environment, Water and Forestry, Labour, Economy and Finance). This workshop led to the identification of good national practices corresponding to the implementation of RSPO standard indicators and to the adapting of these indicators to Ivorian realities.
- 7- **12 November 2015:** Organization of the first meeting of the National Technical Working Group (NTWG) aimed at consolidating the results of technical committee work in a provisional RSPO draft national interpretation document.
- 8- **From 10 July to 10 September 2016:** Public consultation on provisional draft national interpretation document.
- 9- **06 October 2016:** Organization of the second WPNT meeting to decide on observations gathered during public consultation.
- 10- **From 28 to 31 March 2017:** Further public consultation of oil palm producers for comments. The consortium updated the provisional draft national interpretation document by incorporating comments made by the said public consultation.
- 11- **From 10 to 14 July 2017:** Conduct of application tests (audit - test) of the provisional draft national interpretation document at value chain level in order to evaluate the applicability and the measurability of the interpreted indicators.
- 12- **18 August 2017:** Organization of the fourth WPNT meeting to validate the application test (audit-test) report and update the provisional national interpretation document.
- 13- **05 September 2017:** Meeting of the RSPO National Secretariat to validate the provisional national interpretation document and authorize its transmission to the RSPO General Secretariat for approval.
- 14- **08 September 2017:** Transmission of the provisional national interpretation document to the RSPO General Secretariat.
- 15- **26 October 2017:** Receipt of comments from the General Secretariat on the provisional national interpretation document.

- 16- 15 December 2017:** Organization of a working session with RSPO's Africa Technical Manager to take into account comments made on the provisional national interpretation document.
- 17- 30 January 2018:** Organization of the fifth WPNT meeting to amend the draft national interpretation document, taking into account the comments made.
- 18- 07 March 2018:** Organization of a workshop with stakeholders to define the concept of "small oil palm farmer" in the national context.
- 19- From 20 June to 19 August 2018:** Publication of the provisional national interpretation document on the RSPO website as part of a second 60-day public consultation.
- 20- 06 September 2018:** Organization of the sixth WPNT meeting to decide on comments made at public consultations and improve the amended provisional national interpretation document.
- 21- From 03 to 05 December 2018:** Implementation of application tests (2nd audit - test) of the revised provisional national interpretation document at value chain level to assess the applicability and measurability of the interpreted indicators.
- 22- 14 February 2018:** Organization of the WPNT sixth meeting to validate the application test (2nd audit test) report and update the revised national interpretation document.
- 23- 18 March 2019:** Meeting of the National RSPO Secretariat to validate the provisional national interpretation document and to authorize its transmission to the RSPO General Secretariat for approval.

This document is the provisional revised version of the March 2019 National Interpretation Document that is forwarded to the RSPO General Secretariat for approval.



Roundtable on Sustainable Palm Oil

NATIONAL INTERPRETATION OF THE RSPO P&C 2013.

Côte d'Ivoire

This National Interpretation was prepared in accordance with Annex 1 of the RSPO Certification Systems.

- The RSPO Principles and Criteria for the Production of Sustainable Palm Oil 2013, and its indicators have been used without amendment.
- Additional observations have been made for Côte d'Ivoire.
- The working group comprised members from at least 7 categories, including an RSPO member.
- The working group met physically on at least two occasions; one of which took place following the public consultation period.
- Public consultation periods for obtaining comments on draft requirements, for at least 60 days.
- Draft documents were made available in appropriate languages (English and National Language).
- The working group can show evidence that it has sought and taken into account input from growers, from the supply chain and from investors, environmental interests and social interests.
- No specific criteria required national interpretation.
- The working group adopts "RSPO Management System Requirements and Guidance for Group Certification of FFB Production", Endorsed by the Board of Governors on 7 March 2016. This document is applicable to all grower groups (including smallholders).

Other applicable RSPO Procedures and standards.

The following may also be applicable to individual projects and the latest version and any subsequent updates could be obtained from www.rspo.org:

- RSPO Certification Systems. 26th June 2007.
- New Planting Procedure. 20th November 2015.
- RSPO GHG Assessment Procedure for New Plantings.
- RSPO Management System Requirements and Guidance for Group Certification of FFB Production. Endorsed by the Board of Governors on 7th March 2016.
- RSPO FPIC Guide for Companies October 2008.
- Guidance on HCV assessments – various.
- RSPO Supply Chain Certification Standard. November 2014.
- Revised Rules on Market Communications and Claims. June 2015.

Annexes to this National Interpretation.

- Annex 1 Definitions.
- Annex 2. International Laws and Conventions.
- Annex 3. Glossary of terms.
- Annex 4: List of Technical Committee Members

- Annex 5: List of members of the National Technical Working Group
- Annex 6: List of members of the National Technical Secretariat

The Oil Palm industry of Cote d'Ivoire

There are about 240,000 ha of oil palm grown in Côte d'Ivoire of which 75,000 ha is considered to be industrial plantations.

The majority of the plantations are owned by Independent Smallholders with individual holdings ranging from less than 1ha to 50 ha. The yield per ha of FFB from the smallholder plantations varies from **4 tons/ha/yr. to 17 tons/ha/yr.** Many factors influence the yield and it is envisaged for example that the use of best practices; continued extension and correct utilisation of fertilisers, which will have a direct result on RSPO certification, will contribute to higher yields for the betterment and benefit of families and their communities.

The National Interpretation for Cote d'Ivoire of the RSPO Principles and Criteria for the Production of Sustainable Palm Oil 2013.	
Indicator	Guidance
Mill and supply chain operators must be in conformity with the indicators. Indicators are categorised as either "Major" or "Minor". All Major indicators must be fully complied with prior to any certification.	<p>Specific Guidance Taken from the RSPO Principles and Criteria for the Production of Sustainable Palm Oil 2013.</p> <p>National interpretation Additional observations for Côte d'Ivoire</p>
Other guidance may be given where it is applicable to the whole criterion.	

Principle 1: Commitment to Transparency.	
Criterion 1.1: Growers and millers provide 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.	
Indicator.	Guidance.
<p>1.1.1 Minor</p> <p>There shall be evidence that growers and millers provide adequate information on (environmental, social and/or legal) issues relevant to RSPO Criteria to relevant stakeholders for effective participation in decision-making.</p>	<p>Specific Guidance: For 1.1.1: Evidence should be provided that information is received in appropriate form(s) and language(s) by relevant stakeholders. Information will include information on the RSPO mechanisms for stakeholder involvement, including information on their rights and responsibilities.</p> <p>Guidance: Growers and millers should have a Standard Operating Procedure (SOP) to respond constructively to stakeholders, including a specific timeframe to respond to requests for information. Growers and millers should respond constructively and promptly to requests for information from stakeholders.</p>
<p>1.1.2 Major</p> <p>Records of requests for information and responses shall be maintained.</p>	

		<p>Growers and millers should ensure that sufficient objective evidence exists to demonstrate that the response is timely and appropriate.</p> <p>See Criterion 1.2 for requirements relating to publicly available documentation.</p> <p>See Criterion 6.2 on consultation.</p> <p>See Criterion 4.1 on SOPs.</p>
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Criterion 1.2: Management documents are publicly available, except where this is prevented by commercial confidentiality or where disclosure of information would result in negative environmental or social outcomes.

	Indicator.	Guidance.
<p>1.2.1 Major</p>	<p>Publicly available documents shall include, but are not necessarily limited to:</p> <ul style="list-style-type: none"> ○ Land titles/user rights (Criterion 2.2); ○ Occupational health and safety plans (Criterion 4.7); ○ Plans and impact assessments relating to environmental and social impacts (Criteria 5.1, 6.1, 7.1 and 7.8); ○ HCV documentation (Criteria 5.2 and 7.3); ○ Pollution prevention and reduction plans (Criterion 5.6); ○ Details of complaints and grievances (Criterion 6.3), guaranteeing the anonymity of complainants and informants; ○ Negotiation procedures (Criterion 6.4); ○ Continual improvement plans (Criterion 8.1); ○ Public summary of certification assessment report; ○ Human Rights Policy (Criterion 6.13). ○ Approvals and registration numbers for Cooperative Societies 	<p>Specific Guidance:</p> <p>This concerns management documents relating to environmental, social and legal issues that are relevant to compliance with RSPO Criteria.</p> <p>Management documents will include assessment reports.</p> <p>The auditors will comment on the adequacy of each of the documents listed in the public summary of the 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.</p> <p>Ongoing disputes (within or outside of a legal mechanism) can be considered as confidential information where disclosure could result in potential negative outcomes for all parties involved. However, affected stakeholders and those seeking resolution to conflict should have access to relevant information.</p> <p>Examples of information where disclosure could result in potential negative environmental or social outcomes include information on sites of rare species where disclosure could increase the risk of hunting or capture for trade, or sacred sites which a community wishes to maintain as private.</p> <p>Growers and millers 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.</p> <p><u>Regulatory context: In Côte d'Ivoire the public documents are:</u></p> <ul style="list-style-type: none"> - Environmental impact assessment report: Framework Law No. 96-766 of 3 October 1996, on the Environment Code and Decree No. 96-894 of 8 November 1996 to lay

		<p>down rules and procedures applicable to environmental impact assessments of development projects</p> <ul style="list-style-type: none"> - Environmental and Social Management Plan (ESMP) - Health and safety at work plan: Law No. 2015-532 of 20 July 2015 on the Labour Code - Emergency plan: Decree No. 79-643 of 8 August 1979, to Organize National Disaster Relief (ORSEC Plan) - Deeds of ownership and/or lease: Law No. 98-750 of 23 December 1998 on the Rural Land Estate amended by the Law No.2004-412 of 14 August 2004: Decree No. 71-74 of 16 February 1971 on Land Procedures - Ordinance 2013-662 of 20 September 2013 on Competition in Côte d'Ivoire - Report on sustainable development: Law No. 2014- 390 of 20 June 2014 to lay down guidelines for sustainable development
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Criterion 1.3: Growers and millers commit to ethical conduct in all business operations and transactions.	
Indicator.	Guidance
<p>1.3.1 Minor</p> <p>There shall be a written policy committing to a code of ethical conduct and integrity in all operations and transactions, which shall be documented and communicated to all levels of the workforce and operations.</p>	<p>Guidance: All levels of the operations will include contracted third parties (e.g. those involved in security).</p> <p>The policy should include as a minimum:</p> <ul style="list-style-type: none"> • 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. <p>The policy should be set within the framework of the UN Convention Against Corruption, in particular Article12.</p>

Principle 2: Compliance with applicable laws and regulations.	
Criterion 2.1: There is compliance with all applicable local, national and ratified international laws and regulations.	
Indicator.	Guidance
<p>2.1.1 Major</p> <p>Evidence of compliance with relevant legal requirements shall be available.</p>	<p>Implementing all legal requirements is an essential baseline requirement for all growers whatever their location or size. Relevant legislation includes, but is not limited to: regulations governing land tenure and land-use rights, labour, agricultural practices (e.g. chemical use), environment (e.g. wildlife laws, pollution, environmental management and forestry laws), storage, transportation and processing practices. It also includes laws made pursuant to a country's obligations under international laws or conventions (e.g. the Convention on Biological Diversity (CBD), ILO core Conventions, UN Guiding Principles on Business and Human Rights). Furthermore, where countries have provisions to respect customary law, these will be taken into account.</p> <p>Key international laws and conventions applicable in Côte d'Ivoire, as well as national laws relevant to the project are set out in Annex 2. List of national laws relevant to palm oil production:</p>
<p>2.1.2 Minor</p> <p>A documented system, which includes written information on legal requirements, shall be maintained.</p>	
<p>2.1.3 Minor</p> <p>A mechanism for ensuring compliance shall be implemented.</p>	
<p>2.1.4 Minor</p> <p>A system for tracking any changes in the law shall be implemented.</p>	

		<p>Law 2016-886 of 8 November 2016 on the Constitution of the Republic of Côte d'Ivoire</p> <p><u>Land</u></p> <ul style="list-style-type: none"> - Law 98-750 of 23 December 1998 on rural land and its implementing regulations; - Decree of 26 July 1932 reorganizing land ownership in French West Africa. - Decree 99-594 of 13 October 1999 setting the modalities for the enforcement, in customary rural land tenure, of the law 98-750 of 23 December 1998; - Decree 99-595 of 13 October 1999 laying down the procedure for consolidating the rights of provisional owners of rural land; - Decree 99-593 of 13 October 1999 on the organisation and powers of Rural Land Management Committees (CGFR); - Order 30 MINAGRA of 15 May 2001 defining the forms to be used for approval and validation of official rural land surveys. - Order 139 MINAGRA of 6 September 2000 defining the application forms for the registration of a rural property covered by land certificate. - Order 140 MINAGRA of 6 September 2000 defining the application forms for an emphyteutic lease on a rural property covered by land certificate; - Order 02 MINAGRA of 8 February 2000 setting the official templates of the Land Certificate; - Order 041 MEMID/MINAGRA of 12 June 2001 relating to the constitution and functioning of Rural Land Management Committees. - Inter-ministerial Order 247/MINAGRI/MPMB of 17 June 2014 setting the compensation scheme for crop destruction. <p><u>Agriculture</u></p> <ul style="list-style-type: none"> - Law 63-490 of 21 December 1963 on plant protection - Law 63-400 of 26 June 1963 on the suppression of fraud in the sale of goods and forgery of foodstuffs and agricultural commodities; - Law 2015-537 of 20 July 2015 setting the agricultural strategy of Cote d'Ivoire - Decree 63-457 of 7 November 1963 laying down the requirements for the introduction
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		<p>and export of plants and other substances likely to carry organisms hazardous to crops;</p> <ul style="list-style-type: none"> - Decree 74-388 of 7 August 1974 on the approval of pesticides; <p><u>Labour</u></p> <ul style="list-style-type: none"> - Law 2010-272 of 30 September 2010 prohibiting trafficking and the worst forms of child labour in Cote d'Ivoire; - Law 99-477 of 2 August 1999 on the social welfare code amended by Ordinance 2012-03 of 11 January 2012. - Law 2015-532 of 20 July 2015 on the Labour Code; - Decree 67-265 of 2 June 1967, in its Title 3 relating to hazardous work for women and pregnant women; - Decree 67-321 of 21 July 1967 codifying the regulatory provisions adopted to implement Title 4 on occupational health and safety; - Decree 2017-210 of 30 March 2017 relating to severance pay, retirement allowance and funeral contributions - Decree 2017-486 of 26 July 2017 raising the amount of family allowances paid by the CNPS (National Social Insurance Fund) - Order 009 MEMEASS/CAB of 14 March 2005 determining the list of hazardous work prohibited to children under 18 years. - Decree n ° 2018-272 of 07 March 2018 concerning work prohibited to women and pregnant women <p><u>Environment</u></p> <ul style="list-style-type: none"> - Law 88-651 of 7 July 1988 on the protection of public health and the environment against the effects of toxic and nuclear industrial waste and harmful substances, the specificity of which lies in the regional approach to environmental issues; - Law 96-766 of 3 October 1996 on the Environment Code; - Law 98-755 of 23 December 1998 on the Water Code, - Law 2002-102 of 11 February 2002 on the creation, management and financing of national parks and nature reserves;
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		<ul style="list-style-type: none"> - Law 2014-132 of 24 March 2014 on the Electricity Code in its article 2; - Law 2014-390 of 20 June 2014 on sustainable development; - Decree of 20 October 1926 regulating hazardous, insalubrious or inconvenient establishments. - Decree 94-327 of 9 June 1994 on the accession of the Republic of Côte d'Ivoire to the Basel Convention. - Decree 97-678 of 3 December 1997 on the protection of the marine and lagoon environment against pollution; - Decree 98-43 of 28 January 1998 on ICPEs (environmentally sensitive facilities); - Decree 96-894 of 8 November 1996 determining the rules and procedures applicable to environmental impact studies; - Decree 98-42 of 28 January 1998 on the organisation of the emergency plan for the fight against accidental pollution at sea, in lagoon and in coastal areas; - Decree 2005-03 of 6 January 2005 on environmental auditing - Decree 2005-726 of 28 December 2005 on the accession of the Republic of Côte d'Ivoire to the Kyoto Protocol relating to the United Nations Framework Convention on Climate Change, adopted on 11 December 1997; - Decree 2008-44 of 21 February 2008 approving the Lease of the Urban Public Water Distribution Service in Côte d'Ivoire; - Decree 2013-41 of 30 January 2013 on strategic environmental assessment of policies, plans and programs; - Decree 2012-1047 of 24 October 2012 setting the modalities for implementing the polluter-pays principle as defined by the Law 96-766 of 3 October 1996 relating to the Environment Code. - Decree 2013-327 of 22 May 2013 prohibiting the production, importation, marketing, possession and use of plastic bags; - Decree 2017-125 of 22 February 2017 on air quality - Order 011-64 of 4 November 2008 regulating liquid discharges and emissions from Environmentally Sensitive Facilities (ICPE); - Order 973 of 14 November 2007 relating to the implementation of Decree 2005-03 of 6 January 2005 on environmental auditing;
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		<ul style="list-style-type: none"> - Law 65- Wildlife Code - Law 2016-553 of 26 July 2016 on the biosafety regime <p><u>Forest</u></p> <ul style="list-style-type: none"> - Law 2014-427 of 14 July 2014 on the new forestry code - Decree 66-421 of 15 September 1966 regulating the exploitation of timber and cabinetwork wood, firewood and coal wood, as amended by Decree 94-368 of 1 July 1994. - Decree 66-428 of 15 September 1966 laying down procedures for the classification and decommissioning of State-owned forests; - Decree 78-231 of 15 March 1978 setting the management methods of State-owned Forest; - Decree 2013-815 of November 26,2013 prohibiting contract sawing; - Decree 66-122 of March 31,1966 determining the protected forest species; - Decree 2012-1049 of 24 October 2012 relating to the establishment, organization and functioning of the National Commission for the Reduction of GHG Emissions caused by Deforestation and Forest Degradation; - Order 58 MINEF CAB of 6 February 2013, prohibiting logging above the 8th parallel (probable typing error in the title of decree 80-70; it repeals the decree 72-543 and not the decree 72-548) - Order 402 MINEF DGEF DPIF of 26 March 2013 tightening the measures prohibiting the exploitation of timber and cabinetwork wood above the 8th parallel. - Order 1072/MINEF of 13 July 2009 clarifying the methods of exploitation, circulation and transfer of timber logs in Cote d'Ivoire. - Order 69 MINEF MININTER MINAGRA of 4 May 1999 amending the Order 055 MINAGRA/INT of 29 March 1995 establishing the advisory commission for the allocation of logging areas - Repeals and replaces the Order 055 MINAGRA/INT. - Order 33 MINAGRA of 13 February 1992 entrusting SODEFOR with the management of all classified forests; - Decision 988 MINEF CAB of 18 October 2012 strengthening measures aimed to combat illegal logging above the 8th parallel:
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		<ul style="list-style-type: none"> - Decision 65 of 29 March 1995 relating to logging area monitoring committees; - Decision 1505 MINEFOR DPF of 7 September 1982 prohibiting logging in the savannah area in Cote d'Ivoire. <p><u>National Parks</u></p> <ul style="list-style-type: none"> - Law 2013-864 of 23 December 2013, amending Article 9, paragraph 2, of Law 2002-102 of 11 February 2002 on the creation, management and financing of national parks and nature reserves; - Law 65-255 of 4 August 1965 on the protection of wildlife and the exercise of hunting, as amended and supplemented by Law 94-442 of 16 August 1994. - Decree 2012-163 of 9 February 2012 determining the procedures for classification of national parks and nature reserves - Decree 66-426 of 15 September 1966, relating to the allocation of the net proceeds of fines, confiscation, restitution, damages, constraints and transactions in the field of hunting police. <p><u>Economy</u></p> <ul style="list-style-type: none"> - Investment Code of 07 June 2012, - Ivorian Civil Code of 2 February 1933 - Code of Civil Procedures of 21 December 1972 - Decision 2012-487 of 7 June 2012 on the Investment Code <p>Article 31 Paragraph 1 of Law 91-999 of 27 December 1991 on competition (relating to the display of prices)</p> <p>Specific Guidance:</p> <p>All palm oil production operations in Côte d'Ivoire must be conducted in accordance with the regulations in force, taking into account legal requirements and other relevant requirements, such as the international laws and conventions listed in Annexes II.</p>
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		<p>□ All growers and millers (primary and secondary processing) and any operator in the palm oil sector is required to keep a record of all laws applicable to their activities and to assess the compliance of their activities with legal obligations.</p> <p>The record of applicable national laws and conventions must be publicly available (see also Principle 1), and must include a system for continuous monitoring of new laws, regulations and policies.</p> <p>For 2.1.4: In Côte d'Ivoire, the Decree 96-894 of 8 November 1996 determining the rules and procedures applicable to environmental impact assessments of development projects requires an assessment of the regulations applicable to all development projects. The Decree 2005-03 of January 6, 2005, on Environmental Auditing, requires all companies to prepare an environmental audit management plan (PGE-A) and an environmental management system aided by regulatory monitoring.</p>
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Criterion 2.2: 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.		
Indicator.		Guidance
2.2.1 Major	Documents showing legal ownership or lease, history of land tenure and the actual legal use of the land shall be available.	<p>Specific Guidance:</p> <p>For 2.2.2: Plantation operations should cease on land planted beyond the legally determined area and there should be specific plans in place to address such issues for associated smallholders.</p> <p>For 2.2.4 : Where there is a conflict over land use conditions under the title deed, growers should demonstrate that a necessary step has been taken to resolve the conflict with the parties concerned.</p> <p>A mechanism should be put in place to resolve any conflict (criteria 6.3 and 6.4).</p> <p>Where operations overlap with other property rights, companies should resolve the problem with the relevant authorities in accordance with criteria 6.3 and 6.4.</p> <p>For 2.2.6: Company policy should prohibit the use of mercenaries and para-militaries in their operations. Company policy should prohibit extra-judicial intimidation and harassment by contracted security forces (see Criterion 6.13).</p>
2.2.2 Minor	Legal boundaries shall be clearly demarcated and visibly maintained.	
2.2.3 Minor	Where there are or have been disputes, additional proof of legal acquisition of title and evidence that fair Compensation has been made to previous owners and occupants shall be available, and that these have been accepted with free, prior and informed consent (FPIC).	
2.2.4 Major	There shall be an absence of significant land conflict, unless requirements for	

	acceptable conflict resolution processes (see Criteria 6.3 and 6.4) are implemented and accepted by the parties involved.	<p>Guidance: Where there is a conflict on the condition of land use as per land title, growers should show evidence that necessary action has been taken to resolve the conflict with relevant parties. A mechanism should be in place to resolve any conflict (Criteria 6.3 and 6.4). Where operations overlap with other rights holders, companies should resolve the issue with the appropriate authorities, consistent with Criteria 6.3 and 6.4.</p> <p>For National Interpretation: Any legal, customary or user rights to land, or disputes, which are likely to be relevant, will be identified.</p> <p>For 2.2.1: In Côte d'Ivoire, land ownership documents are recognized as "deeds". Land deeds include: Land Certificate, Land Title or Lease Contract. In Côte d'Ivoire the customary attestation of ownership is a document issued by the competent authority.</p> <p>For 2.2.2: Pending final demarcation, the legal boundaries of the property must be clearly maintained in a visible manner by any means accepted as best practice (practices of local populations, line opening, tree planting, etc.).</p> <p>Regulatory context in Cote d'Ivoire</p> <p>Article 11 of the Law 2016-886 of 8 November 2016, on the Constitution of the Republic of Côte d'Ivoire, stipulates that: "Right of ownership is guaranteed to all. No one shall be deprived of his or her property except for public utility purpose and on condition of a prior fair compensation.</p> <p>The national land domain is organized by the Law 98-750 of 23 December 1998 on rural land, as amended by the Law 2004-412 of 14 August 2004. This law sets the foundations of the land policy relating to the rural land domain, in particular:</p> <ul style="list-style-type: none"> - the recognition of a customary rural domain and validation of the existing management of such domain, - the involvement of village authorities and rural communities in the management of rural land and, particularly the recognition of customary rights and their
2.2.5 Minor	For any conflict or dispute over the land, the extent of the disputed area shall be mapped out in a participatory way with involvement of affected parties (including neighbouring communities where applicable).	
2.2.6 Major	To avoid escalation of conflict, there shall be no evidence that palm oil operations have instigated violence in maintaining peace and order in their current and planned operations.	

		<p>transformation into real rights.</p> <p>It states in Article 1 that the rural land system is made up of all developed or undeveloped lands, irrespective of the nature of the development. This is a national asset accessible to any natural or legal person. It may be owned by the State, by local governments and by natural persons." According to the Law, the occupation and usage of land in the national land domain requires the possession of a title (occupancy permit, provisional concession subject to the rights of third parties, pure and simple concession, final concession which relates to registered land, with two modalities: lease agreement (18 to 99 years), concession with full ownership, land certificate, land title). However, the occupation and use of undeveloped land for the purpose of providing housing and food for the occupant and his/her family shall not be subject to the possession of an administrative title. The customary rights of the users are therefore recognized.</p> <p>In short, the law on rural land formalizes customary rights and transforms them into modern property rights respecting customs and traditions. It also protects plantations as (i) the land gains market value, (ii) landlords can sign written and reliable tenancy agreements, (iii) young people and women have easier access to land, and (iv) conflicts are minimized and social cohesion is enhanced by trust.</p> <p>Article 2 of the Law 2014-390 of 20 June 2014 relating to the sustainable development strategy, sets out the basic principles for the actions of those involved in sustainable development. It aims to: (i) clarify sustainable development policy tools, (ii) integrate sustainable development into the activities of public and private actors, (iii) develop climate change policy tools, (iv) control the economic, social and environmental impacts related to biosafety, (v) define the sustainable development commitments of sustainable development actors, (vi) reconcile environmental protection and development, economic development and social progress, (vii) create the conditions for rational and sustainable use of nature resources for present and future generations, and (viii) control the use of living modified organisms.</p> <p>Article 6 of the Law 98-755 of 23 December 1998 establishing the Water Code states: adherence to principles accepted in integrated water resources management, i. e. the principles of caution, prevention, correction, participation, user-pays, planning and cooperation.</p>
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		<p>Interpretation</p> <p>The lease agreement, permit, concession agreement or any other authorization specifying the company's land rights and any other obligations must be made publicly available (see also the attached specific guidelines of Criterion 2.2 in the Review of Laws, Treaties and Conventions for Cote d'Ivoire).</p> <p>The Law on the Rural Land Code provides that: A Village Management Committee must be setup for each village. A map of the concession and its surroundings (covering at least a 5 km area around the boundaries) must be available and must clearly identify any areas overlapping with the territory of any villages, and/or any other title/permit or other land use (i. e. industrial or other permits, etc.). Where there is overlap with other land uses, written evidence of negotiated agreements between the parties involved must be available (see also requirements for participatory processes in Criteria 6.2 and 6.4). Corresponding management measures agreed upon by the parties must be identified and put in place. For smallholders, title deeds may be village certificates.</p>
<p>Criterion 2.3 Use of the land for oil palm does not diminish the legal, customary or user rights of other users without their free, prior and informed consent.</p>		
	<p>Indicator.</p>	<p>Guidance</p>
<p>2.3.1 Major</p>	<p>Maps of an appropriate scale showing the extent of recognised legal, customary or user rights (Criteria 2.2, 7.5 and 7.6) shall be developed through participatory mapping involving affected parties (including neighbouring communities where applicable, and relevant authorities).</p>	<p>Specific Guidance:</p> <p>All indicators will apply to current operations, but there are exceptions for long-established plantations which may not have records dating back to the time of the decision making, in particular for compliance with Indicators 2.3.1 and 2.3.2.</p> <p>Where there are legal or customary rights over land, the grower should demonstrate that these rights are understood and are not being threatened or reduced. This Criterion should be considered in conjunction with Criteria 6.4, 7.5 and 7.6. Where customary rights areas are unclear these should be established through participatory mapping exercises involving affected parties (including neighbouring communities and local authorities).</p>
<p>2.3.2 Minor</p>	<p>Copies of negotiated agreements detailing the process of free, prior and informed consent (FPIC) (Criteria 2.2, 7.5 and 7.6) shall be available and shall include: a) Evidence that a plan has been developed through consultation and</p>	<p>This Criterion allows for sales and negotiated agreements to compensate other users for lost benefits and/or relinquished rights.</p>

	<p>discussion with all affected groups in the communities, and that information has been provided to all affected groups, including information on the steps that shall be taken to involve them in decision making;</p> <p>b) Evidence that the company has respected communities' decisions to give or withhold their consent to the operation at the time that this decision was taken;</p> <p>c) Evidence that the legal, economic, environmental and social implications for 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 company's title, concession or lease on the land.</p>	<p>Negotiated agreements should be non-coercive and entered into voluntarily, carried out prior to new investments or operations, and based on an open sharing of all relevant information. The representation of communities should be transparent and in open communication with other community members. Adequate time should be given for customary decision-making and iterative negotiations allowed for, where requested. Negotiated agreements should be binding on all parties and enforceable in the courts. Establishing certainty in land negotiations is of long-term benefit for all parties.</p> <p>Companies should be especially careful where they are offered lands acquired from the State by its invoking the national interest (also known as 'eminent domain').</p> <p>Growers and millers should refer to the RSPO approved FPIC guidance (<i>'FPIC and the RSPO: A Guide for Companies', October 2008</i>)</p> <p><u>Ivorian context</u> See the complete list of regulations and international treaties ratified in Côte d'Ivoire (Annex II), as well as the Review of laws, treaties and conventions for Côte d'Ivoire (required by RSPO) attached hereto. Article 11 of Côte d'Ivoire's Constitution stipulates that the right to property is guaranteed to all. No one shall be deprived of his/her property, except for public utility purpose and subject to fair and prior compensation ".</p>
<p>2.3.3 Minor</p>	<p>All relevant information shall be available in appropriate forms and languages, including assessments of impacts, proposed benefit sharing, and legal arrangements.</p>	<p>Regulations governing land management and customary rights and expropriation for public utility purpose</p>
<p>2.3.4 Major</p>	<p>Evidence shall be available to show that communities are represented through institutions or representatives of their own choosing, including legal counsel.</p>	<ul style="list-style-type: none"> - Decree 96-884 of 25 October 1996 regulating the purge of customary rights on land for general interest purposes. - Law 2014-428 of 14 July 2014 on the Status of Kings and Traditional Chiefs - Decree 99-593 on the organization and duties of Rural Land Management Committees. - Decree 99-594 setting the modalities for the application of the Law 98-750 to the Customary Rural Land Domain; - Decree 99-595 laying down the procedure for consolidating the rights of temporary owners of land belonging to the Rural Land Domain;

		<ul style="list-style-type: none"> - Decree 147/MINAGRA of 9 December 1999 setting the official template of the application form for the establishment of a land certificate and specifying the powers of Sub-Prefects; - Order 002/MINAGRA of 8 February 2008 setting the official templates of individual and collective land certificates. - Order 041/MEMID/MINAGRA of 28 May 2001 on the setup and functioning of Land Management Committees; - Order 045/ Prime Ministry of 20 July 2001 recognizing Rural Land Commissions, etc. <p>The lease agreement, permit, concession agreement or any other authorization specifying the company's land rights and any other obligations must be made publicly available (see also the attached specific guidelines of Criterion 2.2 in the Review of Laws, Treaties and Conventions for Cote d'Ivoire).</p> <p>A Village Management Committee must be set up for each village. A map of the concession and its surroundings (covering at least a 5 km area around the boundaries) must be available and must clearly identify any areas overlapping with the territory of any villages, and/or any other title/permit or other land use (i. e. industrial or other permits, etc.). Where there is overlap with other land uses, written evidence of negotiated agreements between the parties involved must be available (see also requirements for participatory processes in Criteria 6.2 and 6.4). Corresponding management measures agreed upon by the parties must be identified and put in place.</p> <p>Demonstrate that the maps have also been developed through consultation and discussion with all affected groups in the communities, and that information has been provided to all affected groups, including information on steps that will be taken to involve them in decision-making.</p> <p>Regulatory context of Côte d'Ivoire The formal recognition of customary rights and the modalities of consultation, participation and free, prior and informed consent (FPIC) processes in Côte d'Ivoire have materialized in several contexts as follows:</p>
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		<p>In forest management for the identification of areas reserved for customary use during zonal planning as required by the Forest Code for the development of forest management plans.</p> <p>During environmental and social impact assessments carried out in Côte d'Ivoire, in accordance with Law 96-766 of 3 October 1996 on the Environment Code, particularly article 35-6 Principle of Participation, which states that: "Everyone has the right to be informed of the state of the environment and to participate in the taking of decisions likely to have an adverse effect on the environment".</p> <p>Decree 96-894 of 8 November 1996 determining the rules and procedures applicable to environmental impact Assessments of development projects, defines the consultation procedures, particularly in section 10 of Annex IV. Public consultation is a mandatory stage of public communication: (i) presentation of the project to the populations concerned using simple, practical and affordable methods of communication; (ii) organisation of public consultations: notice must be given by way of posters or other audio-visual means; (iii) the minutes of consultation sessions must be signed, where appropriate, by local authorities, the Minister of the Environment or their representatives.</p> <p>Article 16 states that: the project targeted by the environmental impact assessment shall be the subject of public inquiry. The environmental impact shall be brought to the public's attention as part of the survey and shall be part of supporting documents.</p> <p>Interpretation Participatory mapping in consultation with local communities is mandatory to identify all customary uses and rights. The participatory map must cover the entire territory of all villages concerned. Techniques and methodologies used in Côte d'Ivoire to identify customary rights and the FPIC process must follow international participatory mapping and public consultation methodologies.</p>
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Principle 3: Commitment to long-term economic and financial viability.		
Criterion 3.1: There is an implemented management plan that aims to achieve long-term economic and financial viability.		
	Indicator.	Specific Guidance.
3.1.1	A business or management plan	Specific Guidance:

Major	(minimum three years) shall be documented that includes, where appropriate, a business case for scheme smallholders.	For 3.1.1: The business or management plan should contain: <ul style="list-style-type: none"> • Attention to quality of planting materials; • Crop projection = FFB (FFB) yield trends; • Mill extraction rates = Oil Extraction Rate (OER) trends; • Cost of Production = cost per tonne of Crude Palm Oil (CPO) trends; • Forecast prices; • Financial indicators.
3.1.2 Minor	An annual replanting programme projected for a minimum of five years (but longer where necessary to reflect the management of fragile soils, see Criterion 4.3), with yearly review, shall be available.	<p>Suggested calculation: trends in 3-year running mean over the last decade (FFB trends may need to allow for low yield during major replanting programmes).</p> <p>Guidance: 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. There should be longer term a planning for plantations on peat, particularly in regards to subsidence and flooding issues (see Indicator 4.3.5).</p> <p>Consideration of smallholders should be inherent in all management planning where applicable (see also Criteria 6.10 and 6.11). For scheme smallholders the content will vary from that suggested (refer to RSPO Guidance On Scheme Smallholders, July 2009).</p> <p>Growers 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.</p> <p>This Criterion is not applicable to independent smallholders (<i>refer to RSPO Guidance for Independent Smallholders under Group Certification, June 2010</i>).</p> <p>National Context <i>Côte d'Ivoire has adopted the Uniform Act on the organization and harmonization of business accounts, to which is annexed the OHADA accounting system, which establishes accounting standards, the chart of accounts, rules pertaining to bookkeeping, presentation of financial statements and financial reporting. It covers the personal</i></p>

		<i>accounts of companies, natural and legal persons, consolidated accounts and combined accounts, and also includes criminal provisions.</i>
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Principle 4: Use of appropriate best practices by growers and mills.

Criterion 4.1 Operating procedures are appropriately documented and consistently implemented and monitored.

Indicator.		Guidance
4.1.1 Major	Standard Operating Procedures (SOPs) for estates and mills shall be documented.	<p>Specific Guidance:</p> <p>For 4.1.1 and 4.1.4: SOP and documentation for mills should include relevant supply chain requirements (see RSPO Supply Chain Certification Standard, Nov 2011).</p> <p>Guidance:</p> <p>Mechanisms to check implementations could include documentation management systems and internal control procedures.</p> <p><u>Interpretation</u></p> <p><i>Growers and millers should support smallholders to ensure that they adhere to operating procedures. Standard operating procedures should be reviewed periodically. Operating procedures should cover but not be limited to the following activities:</i></p> <ul style="list-style-type: none"> • <i>Preparation for new planting and replanting</i> • <i>Nursery practices.</i> • <i>Density of the plantation and planting technical itinerary.</i> • <i>Soil erosion control.</i> • <i>Weeding and weed control.</i> • <i>Input management, stock supply. warehousing, etc.,</i> • <i>Fertilization, leaf and soil analysis.</i> • <i>Phytosanitary control.</i> • <i>Water management.</i> • <i>Sanitary harvesting;</i> • <i>Oil palm pruning.</i> • <i>Harvesting of FFB</i> • <i>Maintenance of access road for FFB collection.</i> • <i>Reception of FFB.</i>
4.1.2 Minor	A mechanism to check consistent implementation of procedures shall be in place.	
4.1.3 Minor	Records of monitoring and any actions taken shall be maintained and available, as appropriate.	
4.1.4 Major	The mill shall record the origins of all third-party sourced FFB (FFB).	

		<ul style="list-style-type: none"> • <i>FFB collection in plantations</i> • <i>FFB sterilization.</i> • <i>Palm oil extraction (stalking, pressing, clarification)</i> • <i>Separation of palm nuts from fibres</i> • <i>Extraction of palm kernels</i> • <i>Water treatment.</i> • <i>Electricity production by steam turbines and/or generators.</i> • <i>Machinery maintenance.</i> • <i>Smallholder payment</i> • <i>Treatment of effluents and EFB</i> • <i>Waste management</i> • <i>Etc.</i> <p><i>Mechanisms for assessing the consistent implementation of operating procedures must include documentation management systems and internal control procedures.</i></p>
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Criterion 4.2 Practices maintain soil fertility at, or where possible improve soil fertility to, a level that ensures optimal and sustained yield.

Indicator.		Specific Guidance
4.2.1 Minor	There shall be evidence that good agriculture practices, as contained in Standard Operating Procedures (SOPs), are followed to manage soil fertility to a level that ensures optimal and sustained yield, where possible.	<p>Guidance:</p> <p>Long-term fertility depends on maintaining the structure, organic matter content, nutrient status and microbiological health of the soil. Nutrient efficiency should take account of the age of plantations and soil conditions. The nutrient recycling strategy should include any use of biomass for by-products or energy production.</p> <p>Leaf diagnosis and soil analysis must be carried out periodically to determine the fertilisation needs of oil palm plantations:</p> <p>Interpretation</p> <p>Any application of mineral fertilizer and other organic fertilizers should be recorded and monitored; the quantity of input applied, the parcel areas and the dates of application should be available.</p> <p>Fertility monitoring should be included in the Environmental and Social Management Plan (ESMP).</p> <p>Small producers need to be able to understand and adopt these practices to maintain</p>
4.2.2 Minor	Records of fertiliser inputs shall be maintained.	
4.2.3 Minor	There shall be evidence of periodic tissue and soil sampling to monitor changes in nutrient status.	
4.2.4 Minor	A nutrient recycling strategy shall be in place, and may include use of Empty Fruit Bunches (EFB), Palm Oil Mill Effluent (POME), and palm residues after replanting.	

		natural soil fertility. The practice of foliar diagnosis and soil analysis to determine the fertilization requirements of oil palm plantations should be carried out periodically.
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Criterion 4.3: Practices Minimizing and Controlling Soil Erosion and Degradation		
Indicator.		Specific Guidance
4.3.1 Major	Maps of any fragile soils shall be available.	<p>Guidance:</p> <p>For 4.3.2: The maximum acceptable degree of slope for planting is 25 degrees. Soil conservation measures (eg earthworks, platforms, cover crop, etc.) should be applied for slopes between 9 and 25 degrees.</p> <p>For 4.3.4: Plantations on peat should be managed at least to the standard set out in the '<i>RSPO Manual on Best Management Practices (BMPs) for existing oil palm cultivation on peat</i>', June 2012 (especially water management, fire avoidance, fertiliser use, subsidence and vegetation cover).</p> <p>For existing plantings on peat, the water table should be maintained at an average of 50 cm (between 40 - 60cm) below ground surface measured with groundwater piezometer readings, or an average of 60cm (between 50 - 70cm) below ground surface as measured in water collection drains, through a network of appropriate water control structures e.g. weirs, sandbags, etc. in fields, and watergates at the discharge points of main drains (Criteria 4.4 and 7.4).</p> <p>For 4.3.5: Where drainability assessments have identified areas unsuitable for oil palm replanting, plans should be in place for appropriate rehabilitation or alternative use of such areas. If the assessment indicates high risk of serious flooding and/or salt water intrusion within two crop cycles, growers and planters should consider ceasing replanting and implementing rehabilitation.</p> <p><u>National interpretation</u> For 4.3.3: In Côte d'Ivoire, the road maintenance programme must be provided for in accordance with:</p> <ul style="list-style-type: none"> • Local Committees' terms of reference for road maintenance in village plantations
4.3.2 Minor	A management strategy shall be in place for plantings on slopes above a certain limit (this needs to be soil and climate specific).	
4.3.3 Minor	A road maintenance programme shall be in place.	
4.3.4 Major	Subsidence of peat soils shall be minimised and monitored. A documented water and ground cover management programme shall be in place.	
4.3.5 Minor	Drainability assessments shall be required prior to replanting on peat to determine the long-term viability of the necessary drainage for oil palm growing.	
4.3.6 Minor	A management strategy shall be in place for other fragile and problem soils (e.g. sandy, low organic matter, acid sulphate soils).	

		<ul style="list-style-type: none"> • Annual programmes for agro-industrial enterprises <p><u>Regulatory context in Cote d'Ivoire</u></p> <p>Soil and subsoil are covered by the Environmental Code, especially the Law 96-766 of 3 October 1996 on the Environment Code. Its Articles 10,11 and 12 provide as follows:</p> <p><u>(i) Article 10:</u> The soil and subsoil are natural resources to be preserved from all forms of degradation and of which the sustainable use must be promoted. The soil and subsoil must be used in a way that respects the collective interests attached to their preservation. As such, right of ownership must be exercised without adversely affecting the general interest. Property documents must establish the rights and obligations of the holder with regard to soil protection.</p> <p><u>(ii) Article 11:</u> Soils must be allocated for uses consistent with their properties. The use of space for non-reversible purposes shall be limited as rationally as possible.</p> <p><u>(iii) Article 12:</u> Any project of development and use of land for agricultural, industrial or urban purposes, any project of exploration or exploitation of raw materials in the subsoil are subject to prior authorisation under the conditions laid down by decree. (Law 07/2014 of 1 August 2014 on environmental protection and the preservation and use of natural resources - Chapter 4, Article 2). This law requires that: - Land users (including for agricultural purposes) must carry out any work necessary to the prevention of soil erosion, floods and landslides where appropriate.</p> <p>Article 3 of the Law 98-755 of 23 December 1998 on the Water Code stipulates that: this law applies to the following:</p> <ul style="list-style-type: none"> • Physical or legal persons, whether public or private, carrying out an activity related to water resources; • hydraulic structures and facilities; • classified facilities in accordance with applicable laws and regulations; • unclassified facilities, works and activities carried out for domestic or other purposes, by any physical or legal person, whether public or private and resulting in the use of surface water or groundwater, whether it is returned or not, or in changes to spills, discharges, or direct or indirect, chronic or episodic, and even non-polluting discharges or deposits.. <p>Article 12 stipulates that: the use of water from public water bodies and the construction of hydraulic structures or facilities shall be subject, as the case may be, to prior</p>
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		<p>authorization or declaration.</p> <p><u>Interpretation</u></p> <p>The management strategy for indicator 4.3.2 should include a set of procedures and an implementation manual. In Côte d'Ivoire, the land chosen for oil palm cultivation is flat land with a slight slope of less than or equal to 15 ° (36.4%). However, oil palm plantations are allowed in areas with steeper slopes than this limit. Thus, the slopes between 9 and 25 degrees on which plantations are established must be arranged so as to ensure the conservation of the soil, that is to say should normally be on the terrace. Other measures for soil conservation, such as the establishment of platforms, should be installed where necessary depending on the fragility of the soils considered. Fragile soils are defined as peat soils, mangrove sites and other wetlands.</p> <ul style="list-style-type: none"> • Excessive slopes that should be avoided are those that are 25 degrees or above. Soil conservation measures (terraces, platforms, cover crops, etc.) should be applied to lands with gradients (slopes) between 9 and 25 degrees. Soil suitability should be determined using cultural and environmental criteria. Soils identified as marginal and/or problematic should be avoided if they cannot be improved through agricultural management inputs. • Problematic and marginal soils may include sandy soils, low organic matter soils, and potential or actual sulphate-rich soils. The suitability of these soils is also influenced by other factors, including precipitation, terrain, and management practices. These areas can only be developed for new plantations provided that the best management practices are established. Otherwise, extensive planting should be avoided on these soils. • Fragile soils, where the extension of oil palm plantations should be avoided include peat soils, mangrove sites and other wetlands. • In any planted area larger than 25 ha and containing a steep (25°) area, the area planted on this steep area shall not exceed 1% of the total area of the new plantation. • Limited planting on steep terrain: individual steep areas of less than 25 ha each that do not exceed 1% of the total area of the new plantation. • Extension of plantations on fragile soils: The total area of plantations on fragile
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		soils in a new development should not exceed 100 ha. Assuming that small producers have fewer options, for projects equal to or less than 50 ha, fragile soil should not exceed 20% of the total area.
Criterion 4.4 Practices maintain the quality and availability of surface and ground water.		
Indicator.		Guidance
4.4.1 Minor	An implemented water management plan shall be in place	<p>Specific Guidance:</p> <p>For 4.4.1: The water management plan will:</p> <ul style="list-style-type: none"> • Take account of the efficiency of use and renewability of sources; • Ensure that the use and management of water by the operation does not result in adverse impacts on other users within the catchment area, including local communities and customary water users; • Aim to ensure local communities, workers and their families have access to adequate, clean water for drinking, cooking, bathing and cleaning purposes; • Avoid contamination of surface and ground water through run-off of soil, nutrients or chemicals, or as a result of inadequate disposal of waste including Palm Oil Mill Effluent (POME). <p>The water management plan must take into account the renewal of sources and the efficiency of their use;</p> <p>For 4.4.2: Refer to the <i>'RSPO Manual On Best Management Practices (BMP) for management and rehabilitation of natural vegetation associated with oil palm cultivation on peat'</i>, July 2012.</p> <p>Guidance:</p> <p>Growers and millers should address the effects of their use of water and the effects of their activities on local water resources.</p> <ul style="list-style-type: none"> • Ensure that the management of water use in operations does not result in adverse impacts on other watershed users, including local communities and habitual users of water;
4.4.2 Major	Protection of water courses and wetlands, including maintaining and restoring appropriate riparian and other buffer zones (refer to national best practice and national guidelines) shall be demonstrated.	
4.4.3 Major	Appropriate treatment of mill effluent to required levels and regular monitoring of discharge quality, especially Biochemical Oxygen Demand (BOD), shall be in compliance with national regulations (Criteria 2.1 and 5.6).	
4.4.4 Major	Mill water use per tonne of FFB (FFB) (see Criterion 5.6) shall be monitored.	

- Ensure that local communities, workers and their families have access to drinking water for drinking, cooking, bathing and cleaning;

For National Interpretation:

National Interpretation will refer to national guidelines or best practice and where appropriate include performance thresholds for requirements such as the size and location and methods of restoration of riparian strips or acceptable maximum run-off levels.

Regulatory Context in Côte d'Ivoire

Law 96-766 of 3 October 1996 on the Environment Code stipulates that:

Article 13: Points of collection of water intended for human consumption shall be surrounded by a protection perimeter as set out under Article 51 herein.

Any activity likely to adversely affect water quality is prohibited or may be regulated within the protection perimeters.

Article 14: Water management can be contracted out by way of concession.

The concession holder shall be responsible for the quality of the water distributed in accordance with the standards in force.

Article 15: Occupants of a catchment basin and/or water users may form associations for the protection of the environment.

Article 25: Wastewater discharged shall be of such quality as to enable the receiving environments to meet the objectives assigned to them. Discharge of wastewater into the public sewerage system shall not affect the conservation of the structures or the management of such systems.

Article 51: Protection perimeters shall be established for the conservation or restoration of the following areas:

- Ecosystems;
- Forests, woodlands, protected species and areas;
- Monuments, sites and landscapes;
- Hydrologic and water quality systems;
- Coastal areas.

The Law 98-755 of 23 December 1998 on the Water Code stipulates in its articles:

Article 8: Water resources shall be used under conditions determined by the laws and regulations

in force and the provisions of this Law establishing the Water Code, subject to rights previously acquired on the public hydrologic domain as defined in Article 11 herein concerning the rights of third parties

Article 12: Water collection from the public hydrologic domain and development of hydrologic structures or facilities shall be subject, as the case may be, to authorisation or prior declaration.

Article 17: The right to use water from hydrologic facilities and structures and the operation of such facilities and structures shall be subject to the obligation not to infringe the rights of local residents and to return the water in such a way that it can be reused.

Article 45: Water wastage is forbidden. The authority may, by way of regulation, determine the conditions to be imposed on private individuals, public and private networks and facilities, so as to avoid such wastage.

Article 49: Any discharge of wastewater into the receiving environment shall comply with the standards in force.

The ORDER 01164/MINEF/MINEF/CIAPOL/SDIIC of 04 November 2008 regulating the Releases and Emissions from Facilities Classified for Environmental Protection, especially in its Criteria 2.1 and 5.6, defines the threshold values for effluent release into the receiving environment:

ARTICLE FOUR: Subject to special provisions for certain activities, including:

- refineries of petroleum products
- abattoirs for slaughtering animals
- animal by-products treatment in animal slaughterhouses
- tanneries
- breweries

Waste water discharged into the natural environment must comply with the following concentration limit values, according to the maximum daily flow permitted:

1°. The flow: The authorization order fixes the maximum daily discharge (or discharges), taking into account the flow of the receiving watercourse.

2°. The hydrogen potential (pH): The pH of the effluent released must be between 5.5 and 8.5 or 5.5 - 9.5 in the case of chemical treatment.

3°. Temperature: It must be less than or equal to 40° C.

4°. Suspended matter (SM): With regard to suspended solids and organic matter, this decree sets two levels of purification:

- **level A:** 80% abatement on BOD5 and SM; 75% on COD, nitrogen and phosphorus compounds;

- **level B:** it takes into account the flows.

150 mg/l if the maximum permissible daily flow does not exceed 15 kg/day; above 15 kg/day, the authorized concentration is 50 mg/l.

5°. Biochemical Oxygen Demand (BOD5): The biochemical oxygen demand (BOD5) on a non-decanted effluent is 150 mg/l if the maximum daily flow allowed does not exceed 50 kg/day; beyond 50 kg/day, the authorized concentration is 100 mg/l.

6°. Chemical Oxygen Demand (COD): The chemical oxygen demand (COD) on a non-decanted effluent is 500mg/l if the maximum daily permissible flow does not exceed 150kg/d; beyond, the authorized concentration is 300mg/l. However, different concentration or flow limit values, imposed below, may be fixed by the authorization order for specific cases, especially when the self-purification capacity of the receiving medium is insufficient.

7°. Nitrogen: Nitrogen (global nitrogen including organic nitrogen, ammoniacal nitrogen and oxidized nitrogen): 50 mg/l in monthly average concentration when the maximum permitted daily flow is equal to or greater than 100 kg/d.

8°. Phosphorus (total phosphorus):

15 mg/l in monthly average concentration when the maximum permitted daily flow is equal to or greater than 30 kg/d.

However, different concentration limit values may be set by the authorization order for specific cases, especially considering the characteristics of the receiving medium (receiving environment that is highly polluted or intended for specific uses).

9°. Oils and Fats: 30mg/l in average monthly concentration if the maximum daily flow allowed does not exceed 5kg; above 5kg/day the concentration allowed is 10mg/l

10°. Other substances: With regard to other substances, they must comply with the following concentration limit values:

No.	PARAMETERS	CONCENTRATION
1	Phenols	0.3 mg/l if the release exceeds 3 g/d
2	Chrome Hexavalent	0.1 mg/l if the release exceeds 1 g/d
3	Cyanide	0.1 mg/l if the release exceeds 1 g/d
4	Lead (in Pb)	0.5 mg/l if the release exceeds 5 g/d
5	(in Cu)	0.5 mg/l if the release exceeds 5 g/d
6	Chrome (in Cr)	0.5 mg/l if the release exceeds 5 g/d
7	Nickel (in Ni)	0.5 mg/l if the release exceeds 5 g/d

		8	Zinc (in Zn)	2 mg/l if the release exceeds 20 g/d
		9	Manganese (in Mn)	1 m g/l if the rejection exceeds 10 g/d
		10	Tin (in Sn)	2 mg/l if the release exceeds 20 g/d
		11	Iron, aluminum and compounds (in Fe + Al)	5 mg/l if the release exceeds 20 g/d
		12	Total hydrocarbons	10 mg/l if the release exceeds 100 g/d
		13	Fluorine and compounds (in F)	15 mg/l if the release exceeds 150 g/d
		14	<p>Toxic, bioaccumulative or harmful substances for the environment (made at the end of the workshop, i.e. at final discharge, in flow and cumulative concentrations):</p> <ul style="list-style-type: none"> • Substances listed in Annex I.a • Substances listed in Annex I.b • Substances listed in Annex I.c.1 • Substances listed in Annex I.c.2 	<p>0.05 mg/l if the rejection exceeds 0-5 g/d; 1.5 mg/l if the rejection exceeds 1g/d 4 mg/l if the rejection exceeds 10g/d The authorization order sets the release limit values if the rejection exceeds 10 g/d.</p>

For substances not taken into account in this decree, the European Community standards are used as reference rejection limit values.

Article six: Discharge of effluents or sludge is (4) prohibited:

- within 50 meters of any dwelling or premises occupied by third parties, approved campsites or stadiums: this distance is increased to 100 meters in the case of odorous effluents;
- less than 50 meters from points of water collection intended for feeding human communities or private individuals and beyond under conditions provided for by the instrument authorizing water extraction;
- at least 35 meters from the banks of streams;
- outside regularly worked lands and grasslands or logged forests;
- on steep slopes;
- during heavy rains;
- within 500 meters of aquatic sites;
- by aero-spray using fine mist-generating devices where the effluents are likely to contain pathogenic micro-organisms.

(5) A spreading book shall be kept at the disposal of the Classified Installations Inspectorate. It includes the following information:

		<ul style="list-style-type: none"> - Dates of application; - The volumes of effluents or sludge spread and the analytical series to which they relate; - Receiving parcels; - The nature of crops. <p>Agronomic monitoring and a complete assessment including the quantities of effluent or sludge, fertilizers and possibly heavy metals spread by parcels or group of parcels, are drawn up annually.</p> <p>All permanent watercourses, wetlands and water bodies must have buffer zones of natural local vegetation.</p> <p>All other permanent natural water bodies must have a buffer zone of 100 m on each side.</p> <table border="1"> <thead> <tr> <th>Width of watercourse (m)</th> <th>Width of buffer zone (m)</th> </tr> </thead> <tbody> <tr> <td>1 – 5</td> <td>5</td> </tr> <tr> <td>5 – 10</td> <td>10</td> </tr> <tr> <td>10 – 20</td> <td>20</td> </tr> <tr> <td>20 – 40</td> <td>40</td> </tr> <tr> <td>40 – 50</td> <td>50</td> </tr> <tr> <td>>50</td> <td>100</td> </tr> </tbody> </table> <p>(source RSPO P&C November 2013 Annex 2)</p>	Width of watercourse (m)	Width of buffer zone (m)	1 – 5	5	5 – 10	10	10 – 20	20	20 – 40	40	40 – 50	50	>50	100
Width of watercourse (m)	Width of buffer zone (m)															
1 – 5	5															
5 – 10	10															
10 – 20	20															
20 – 40	40															
40 – 50	50															
>50	100															

Criterion 4.5 Pests, diseases, weeds and invasive introduced species are effectively managed using appropriate Integrated Pest Management techniques.		
Indicator.		Guidance
4.5.1 Major	Implementation of Integrated Pest Management (IPM) plans shall be monitored.	<p>Specific Guidance:</p> <p>:</p> <p>Growers should apply recognised IPM techniques, incorporating cultural, biological, mechanical and physical methods to minimise the use of chemicals.</p> <p>Native species should be used in biological control where possible.</p> <p>Interpretation</p>
4.5.2 Minor	Training of those involved in IPM implementation shall be demonstrated.	

		<p>A training program on integrated pest management should be put in place and a written record of training should be maintained and made available (Criterion 4.5.2). Pesticide use is covered by Criterion 4.6.</p> <p>On the legislative level, phytosanitary protection in Cote d'Ivoire is governed by Decree 159/MINAGRA of 21 June 2004 prohibiting 67 active ingredients used in the manufacture of plant protection products applied in agriculture and Decree 89-02 of 04 January 1989 approving the manufacture, sale and use of pesticides in Cote d'Ivoire.</p> <p>The document Plan de Gestion des pestes et pesticides (PGPP), Projet d'appui au Secteur Agricole en Côte d'Ivoire (PSAC), October 2012, 55 Pages; defines a national pesticide management plan based on risk assessment and the definition of mitigation measures. The plan targets both smallholders and businesses.</p> <p>The proposed modalities for pesticide use under the PGPP are pest and parasite control through better agro-ecosystem analysis.</p> <p>The Phytosanitary Index (oil palm) lists all phytosanitary products approved by the Government of Cote d'Ivoire, as well as ratified national and international laws dealing with the handling of phytosanitary products.</p>
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Criterion 4.6 Pesticides are used in ways that do not endanger health or the environment		
Indicator.		Guidance
4.6.1 Major	Justification of all pesticides used shall be demonstrated. The use of selective products that are specific to the target pest, weed or disease and which have minimal effect on non-target species shall be used where available.	<p>Specific Guidance:</p> <p>For 4.6.1: Measures to avoid the development of resistance (such as pesticide rotations) should be applied. The justification should consider less harmful alternatives and IPM.</p> <p>For 4.6.3: Justification of the use of such pesticides will be included in the public summary report.</p>
4.6.2 Major	Records of pesticides use (including active ingredients used and their LD50, area treated, amount of active ingredients applied per ha and number of applications) shall be provided.	For 4.6.6: Recognised best practice includes: Storage of all pesticides as prescribed in the FAO International Code of Conduct on the distribution and use of pesticides and its guidelines, and supplemented by relevant industry guidelines in support of the International Code (see Annex 1).
4.6.3 Major	Any use of pesticides shall be minimised as part of a plan, and in accordance with Integrated Pest Management (IPM) plans. There shall	<p>Guidance:</p> <p>The RSPO has identified some examples of alternatives to pesticide use, which include those listed in the "Research project on Integrated Weed Management Strategies for Oil</p>

	be no prophylactic use of pesticides, except in specific situations identified in national Best Practice guidelines.	Palm”; CABI, April 2011. Due to problems in the accuracy of measurement, monitoring of pesticide toxicity is not applicable to independent smallholders (see the document RSPO Management System Requirement and Guidelines for Group Certification of Fresh Fruit Bunch (FFB) Production March 2016).
4.6.4 Minor	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, except in specific situations identified in national Best Practice guidelines. The use of such pesticides shall be minimised and eliminated as part of a plan, and shall only be used in exceptional circumstances.	For National Interpretation: National Interpretation will consider: statutory requirements concerning pesticide use, lists of legally prohibited pesticides, pesticide residues that should be tested for and the appropriate levels of residues, and best management practices for pesticide use or sources of information on these. National Interpretation will develop best practice guidelines on the exceptional circumstances that would allow the use of pesticides categorised as World Health Organisation Class 1A or 1B, or those listed by the Stockholm or Rotterdam Conventions, and paraquat as well as how they will be used in ways that do not endanger health or the environment.
4.6.5 Major	Pesticides shall only be handled, used or applied by persons who have completed the necessary training and shall always be applied in accordance with the product label. Appropriate safety and application equipment shall be provided and used. All precautions attached to the products shall be properly observed, applied, and understood by workers (see Criterion 4.7).	Cote d'Ivoire has a relatively strong legislation in the field of chemical management, particularly in pesticide management. This includes but is not limited to: <ul style="list-style-type: none"> • The Ivorian Constitution of 2016 in its Article 27; • Decree 159/MINAGRA of 21 June 2004 prohibiting 67 active ingredients used in the manufacture of plant protection products applied in agriculture; • Law 98 755 of 23 December 1998 on the Water Code, which aims to protect water against all forms of pollution; • Law 98 651 of 7 July 1998 on the protection of public health and the environment against the effects of industrial, toxic and nuclear waste and harmful substances; • Decree 97 - 678 of 3 December 1997 on the protection of the marine and lagoon environment against pollution; • The Environment Code of 3 October 1996; • Law 96,553 of 18 July 1996 on the Mining Code, which, among other things, provides for rational use of chemicals, particularly mercury; • Decree 90-1170 of 10 October 1990 amending the Decree 61-381 of 1 December 1961, laying down the procedures for control and packaging of agricultural products for export; • Decree 89-02 of 4 January 1989 approving the manufacture, sale and use of pesticides in Cote d'Ivoire;
4.6.6 Major	Storage of all pesticides shall be according to recognised best practices. All pesticide containers shall be properly disposed of and not used for other purposes (see Criterion 5.3).	
4.6.7 Minor	Application of pesticides shall be by proven methods that minimise risk and impacts.	
4.6.8 Major	Pesticides shall be applied aerially only where there is documented	

	justification. Communities shall be informed of impending aerial pesticide applications with all relevant information within reasonable time prior to application.	<ul style="list-style-type: none"> Articles 328, 429, 433 and 434 of the Criminal Code penalizing pollution by chemicals and hazardous waste; The Labour Code, which covers the chemical safety of workers in factories; Decree 67-321 of 21 July 1967, relating to the chemical safety of workers in factories pursuant to the Labour Code.
4.6.9 Minor	Maintenance of employee and associated smallholder knowledge and skills on pesticide handling shall be demonstrated, including provision of appropriate information materials (see Criterion 4.8).	Cote d'Ivoire has signed and ratified several international conventions relating to chemicals. These conventions include the following: <ul style="list-style-type: none"> Convention concerning Protection against Hazards of Poisoning Arising from Benzene (Geneva 1971; date of accession: 21 February 1974). Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa (Bamako, 31 January 1991; date of accession: 09 June 1994); Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (Basel adopted on 22 March 1989; Date of accession: 09 June 1994); Convention on Persistent Organic Pollutants (POPs) (Date of accession: 20 January 2004);
4.6.10 Minor	Proper disposal of waste material, according to procedures that are fully understood by workers and managers shall be demonstrated (see Criterion 5.3).	
4.6.11 Major	Specific annual medical surveillance for pesticide operators, and documented action to treat related health conditions, shall be demonstrated.	A register of agrochemicals should be available and kept up to date, and should include the provisions of criterion 4.6.2.
4.6.12 Major	No work with pesticides shall be undertaken by pregnant or breast-feeding women	<p>The approving orders and safety data sheets of products used must be kept and made available (Criteria 4.6.1 and 4.6.8).</p> <p>The amounts of pesticides used must be well documented and monitored (Criterion 4.5.1).</p> <p>An operating procedure and a strategy for reducing pesticide use must be in place (Criterion 4.6.2).</p> <p>A training program on the handling and use of pesticides must be in place; a training logbook must be maintained and available (Criterion 4.6.5).</p> <p>The use of class 1A or 1B pesticides according to the World Health Organization, or appearing on the Stockholm or Rotterdam Convention lists, as well as paraquat is prohibited - (Criterion 4.6.4)</p>

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Criterion 4.7 An occupational health and safety plan is documented, effectively communicated and implemented.		
	Indicator.	Guidance
4.7.1 Major	A health and safety policy shall be in place. A health and safety plan covering all activities shall be documented and implemented, and its effectiveness monitored.	<p>Specific Guidance:</p> <p>For 4.7.7: The National Interpretation will define the measurement parameters for LTA. For countries where there are no national interpretations, the growers will determine their own parameters.</p> <p>Guidance: Growers and millers should ensure that the workplace, machinery, equipment, transport and processes under their control are safe and without undue risk to health. Growers and millers should ensure that the chemical, physical and biological substances and agents under their control are without undue risk to health when appropriate measures are taken. All indicators apply to all workers regardless of status.</p> <p>The health and safety plan should also reflect guidance in ILO Convention 184 (see Annex 1).</p> <p>For National Interpretation:</p> <p>National Interpretation will define the metrics for LTA. All legal requirements together with any local or national guidance on safe working practice in agriculture will be identified and used. It will also be important to identify what constitutes a ‘hazardous’ operation in the local context.</p> <p><u>Regulatory Context in Cote d'Ivoire</u></p> <p>The law 2015-532 establishing the Labour Code, in its Title IV, defines the safety conditions to be respected by growers and millers. It also</p>
4.7.2 Major	All operations where health and safety is an issue shall be risk assessed, and procedures and actions shall be documented and implemented to address the identified issues. All precautions attached to products shall be properly observed and applied to the workers.	
4.7.3 Major	All workers involved in the operation shall be adequately trained in safe working practices (see Criterion 4.8). Adequate and appropriate protective equipment shall be available to all workers at the place of work to cover all potentially hazardous operations, such as pesticide application, machine operations, and land preparation, harvesting and, if it is used, burning.	
4.7.4 Major	The responsible person/persons shall be identified. There shall be records of regular meetings between the responsible person/s and workers. Concerns of all parties about health, safety and welfare shall be discussed at these meetings, and any issues	

	raised shall be recorded.	defines the responsibilities and conditions to be put in place by the latter to guarantee the safety of goods and workers. Article 41.2 stipulates that: To protect the life and health of employees, the employer is required to take all appropriate measures adapted to the conditions in which the business is carried on. In particular, the employer shall adapt the facilities and regulate the work process in such a way as to protect the employees from accidents and illness as much as possible.
4.7.5 Minor	Accident and emergency procedures shall exist and instructions shall be clearly understood by all workers. Accident procedures shall be available in the appropriate language of the workforce. Assigned operatives trained in First Aid should be present in both field and other operations, and first aid equipment shall be available at worksites. Records of all accidents shall be kept and periodically reviewed.	Article 41.3 stipulates that: "Every employer is required to organize health and safety training for newly hired employees, and for those who change jobs or technical positions. The training shall be updated in the event of changes in legislation or regulations,
4.7.6 Minor	All workers shall be provided with medical care, and covered by accident insurance in compliance with prevailing legislation.	Article 41.7 stipulates that: "The employer or its representative shall organize continuous monitoring of compliance with the health and safety rules. Employees shall comply with any instructions given to them, use health and safety devices correctly and refrain from removing or modifying them without the employer's authorization .
4.7.7 Minor	Occupational injuries shall be recorded using Lost Time Accident (LTA) metrics.	Article 42.1 stipulates that: "An Occupational Health and Safety Committee shall be set up in any establishment or business employing more than fifty employees. Article 43.1 stipulates that: "Every employer shall provide an occupational health service for its employees. The occupational health service exists in two forms: - the autonomous medical service; - the inter-company medical service. Decree 96-206 of 7 March 1996 on the Health and Working Conditions Committee sets the composition, duties and functioning of the health, safety and working conditions committee. Decree 98-38 of 28 January 1998 on occupational hygiene measures

		<p>The Law 99-477 of 2 August 1999 on the Social Security Code defines the responsibilities and conditions for medical care of workers as part of the implementation of the occupational health and safety policy. Its article1 sets out the purpose of the public service of Social Welfare, which is to provide benefits to compensate for the financial consequences of certain risks or situations, in terms of (i) accidents at work and occupational diseases; (ii) retirement, invalidity and death; (iii) maternity; and (iv) family allowances.</p> <p>The Law 88-651 of 7 July 1988 on the Protection of Public Health and the Environment against the effects of industrial, toxic, nuclear and toxic harmful substances, in its article 1, prohibits throughout the territory all acts relating to the purchase, sale, import, transit, transport, deposit and storage of toxic and nuclear industrial waste and harmful substances. Articles 2 and 3 provide for penalties in the event of breach.</p> <p>Interpretation For 4.7.1: The occupational health and safety policy document must be signed by the employer to materialize its commitment. It must be displayed and known to all workers.</p> <p>A contact person at the facility must be designated to monitor the implementation of the occupational health and safety plan.</p> <p>The health and safety plan must include a risk assessment for each facility and each agricultural operation. Procedures in place for providing first aid and evacuation (Criterion 4.7.3) must comply with Decree 79-643 of 08 August 1979, organizing national disaster relief (ORSEC plan). Cote d'Ivoire is a signatory to the ILO conventions 155 1985 on occupational health and safety and the working environment and 161 on occupational health services, 187 on occupational health and safety.</p> <p>All employees must be covered by an insurance policy that covers accidents at work and occupational diseases in accordance with the Ivorian law, the institution of which is the CNPS (Criterion 4.7.6). CNAM National Health Insurance Fund for illnesses.</p> <p>Growers and millers must ensure that contracts signed with all subcontractors take into account all company policies and procedures</p>
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		<p>related to health and safety. Growers and millers must ensure that their subcontractors comply with these procedures (Criterion 4.7.4). Lost Time Accident (LTA) measurement shall include the following parameters (Criterion 4.7.7):</p> <ul style="list-style-type: none"> - Type of Accident - Material agent - Accident Frequency Rate - Accident severity rate - Severity index - Number of days lost (number of days off) <p>Public awareness campaigns on AIDS and HIV, and sexually transmitted diseases must be carried out on a regular basis by companies, as well as vaccination campaigns for all their employees.</p>
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Criterion 4.8 All staff, workers, smallholders and contractors are appropriately trained.		
Indicator.		Guidance
4.8.1 Major	A formal training programme shall be in place that covers all aspects of the RSPO Principles and Criteria, and that includes regular assessments of training needs and documentation of the programme.	<p>Specific Guidance: Workers should be adequately trained on: 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 workers' health.</p>
4.8.2 Major	Records of training for each employee shall be maintained.	<p>The training programme should include productivity and best management practice, and be appropriate to the scale of the organisation. Training should be given to all staff and workers by growers and millers to enable them to fulfil their jobs and responsibilities in accordance with documented procedures, and in compliance with the requirements of these Principles, Criteria, Indicators and Guidance.</p> <p>Contract workers should be selected for their ability to fulfil their jobs and responsibilities in accordance with documented procedures, and in compliance with the requirements of the RSPO Principles, Criteria, Indicators and Guidance.</p>

		<p>Growers and millers should demonstrate training activities for schemes smallholders who provide Fresh Fruit Bunches (FFB) on a contracted basis. Workers on smallholder plots also need adequate training and skills, and this can be achieved through extension activities of growers or millers that purchase fruit from them, by smallholders' organisations, or through collaboration with other institutions and organisations (refer to document on RSPO Management System Requirement and Guidelines for group certification of fresh fruit bunch (FFB) production. March 2016).</p> <p>For individual smallholder operations, training records should not be required for their workers, but anyone working on the farm should be adequately trained for the job they are doing (refer to 'Guidance for Independent Smallholders under Group Certification', June 2010, and 'Guidance on Smallholders' Scheme, July 2009). See P&C RSPO v 2013 FR).</p> <p>For National Interpretation:</p> <p>Appropriate occupational training qualifications will be identified.</p> <p><u>Interpretation</u></p> <p>In accordance with article 13-23 of the Law 2015-532 on the Labour Code, a worker is entitled to continuous vocational training and professional development as required to carry out his/her job, with a view to social promotion and adaptation to economic and technological developments.</p> <p>According to article 41-3: every employer is required to organise health and safety training for newly hired employees, and those who change jobs or technical positions. The training must be updated in the event of changes in legislation or regulations.</p> <p>Internal meetings and awareness-raising campaigns on RSPO are organised regularly at operational sites (Criterion 4.8.1).</p>
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Principle 5: Environmental responsibility and conservation of natural resources and biodiversity.		
Criterion 5.1 Aspects of plantation and mill management, including replanting, that have environmental impacts are identified, and plans to mitigate the negative impacts and promote the positive ones are made, implemented and monitored, to demonstrate continual improvement.		
	Indicator.	Guidance
5.1.1	An environmental impact assessment	

Major	(EIA) shall be documented.	Guidance:
5.1.2 Minor	Where the identification of impacts requires changes in current practices, in order to mitigate negative effects, a timetable for change shall be developed and implemented within a comprehensive management plan. The management plan shall identify the responsible person/persons.	<p>The EIA should cover the following activities, where they are undertaken:</p> <ul style="list-style-type: none"> • Building new roads, processing mills or other infrastructure; • Putting in drainage or irrigation systems; • Replanting and/or expansion of planting areas; • Management of mill effluents (Criterion 4.4); • Clearing of remaining natural vegetation; • Management of pests and disease-affected palms by controlled burning (Criteria 5.5 and 7.7).
5.1.3 Minor	This plan shall incorporate a monitoring protocol, adaptive to operational changes, which shall be implemented to monitor the effectiveness of the mitigation measures. The plan shall be reviewed as a minimum every two years to reflect the results of monitoring and where there are operational changes that may have positive and negative environmental impacts.	<p>Impact assessment can be a non-restrictive format e.g. ISO 14001 EMS and/or EIA report incorporating elements spelt out in this Criterion and raised through stakeholder consultation. Environmental impacts should be identified on soil and water resources (Criteria 4.3 and 4.4), air quality, greenhouse gases (Criterion 5.6), biodiversity and ecosystems, and people's amenity (Criterion 6.1), both on and off-site.</p> <p>Stakeholder consultation has a key role in identifying environmental impacts. The inclusion of consultation should result in improved processes to identify impacts and to develop any required mitigation measures.</p> <p>For smallholder schemes, the scheme management has the responsibility to undertake impact assessment and to plan and operate in accordance with the results (refer to <i>RSPO Management System Requirement and Guidelines for Group Certification of Fresh Fruit Bunch (FFB) Production. March 2016</i>).</p> <p>For National Interpretation:</p> <p>National Interpretation will consider any national legal requirements together with any other issues that are not required by law but are nevertheless important, e.g. independent environmental and social impact assessment (ESIA) for replanting may be desirable under specific situations.</p> <p><u>Regulatory Context in Cote d'Ivoire</u></p>

		<p>National regulations on environmental assessments and management are governed by the Law 2016-886 of November 8, 2016 establishing the Ivorian Constitution, in its articles 27 and 40, which recommend that all organizations have an environmental policy that integrates environmental protection, the right to a healthy environment and the fight against pollution.</p> <p>The Framework Law 96-766 of 3 October 1996 establishing the Environment Code, in its articles 20, 25 and 35, requires any developer of environmental development activity to identify potential risks and to take measures to control or substitute high-risk tasks with less dangerous ones. All measures taken must contribute to the preservation of biodiversity and natural resources and take into account the opinions of the population in order to contribute to decision-making on the preservation of the environment.</p> <p>The Decree 96-894 of 8 November 1996 determining the rules and procedures applicable to environmental impact assessments of development projects, in its Articles 2, 12, 16 and 17, identifies the characteristics of studies to be carried out for each type of project, taking into account the environmental impacts, the content of the impact study, the need for holding public consultation so as to take into account the stakeholders' contribution and measures for their validation by the environmental and social impact study office, which is the national authority responsible for validating environmental impact studies of any development project.</p> <p>The Decree 98-43 of 28 January 1998 relating to Facilities Classified for Environmental Protection (ICPE), defines the activities that require authorization and/or declaration.</p> <p>The Decree 2005-03 of 6 January 2005, relating to Environmental Audit, which defines in its article 2 the conditions for periodically assessing the impact that all or part of the activities, operating procedures or the existence of an organization or structure is likely, directly or indirectly, to have on the environment;</p> <p>It should be noted that, in accordance with the Decree 96-894 of 8 November 1996 determining the rules and procedures applicable to environmental impact assessments of development projects, these are subject to:</p> <ul style="list-style-type: none"> - environmental impact assessment (Projects referred to in Article 2, paragraph 1) <p>1 Agriculture:</p> <ol style="list-style-type: none"> a) Rural land consolidation project; b) Clearing and projects for the allocation of uncultivated land or semi-natural areas
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		<p>to intensive farming in an area greater than 999 ha.</p> <ul style="list-style-type: none"> - environmental impact statement (Projects referred to in Article 5) <p>2 Forest developments:</p> <p>(a) Reforestation operations covering an area between 100 ha and 999 ha</p> <p>(b) Clearing and projects for the allocation of uncultivated land or semi-natural areas to intensive farming in an area greater than 999 ha.</p> <p><u>Interpretation.</u></p> <p>Any development project in the area of palm oil production, irrespective of size, must be the subject of an environmental and social impact assessment carried out by a body approved by the national approval authority.</p> <p>The environmental and social impact assessment must be carried out in accordance with the conditions laid down by law and must be validated by the inter-departmental commission in accordance with the law.</p> <p>An Environmental and Social Impact Assessment (ESIA) report that includes an Environmental and Social Management Plan (ESMP) must be available and implemented (Indicator 5.1.1). The Environmental and Social Management Plan (ESMP) must clearly identify the role within the organization responsible for implementing the ESMP, as well as the timetable and resources allocated to the implementation of impact mitigation plans (Indicator 5.1.2). All activities related to palm oil production should be carried out as recommended in the ESMP and should be reviewed as required by the relevant authorities, or at least every three years to take into account the results of continuous monitoring (Indicator 5.1.3). The ESIA must detail the impacts of the proposed activities on their physical environment, biological resources and local population, as well as provide recommendations to minimize negative impacts and enhance positive impacts. The ESIA process must be participatory (Indicator 5.1.1).</p>
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<p>Criterion 5.2 The status of rare, threatened or endangered species and other High Conservation Value habitats, if any, that exist in the plantation or that could be affected by plantation or mill management, shall be identified and operations managed to best ensure that they are maintained and/or enhanced.</p>		
	<p>Indicator.</p>	<p>Guidance</p>
<p>5.2.1 Major</p>	<p>Information shall be collated in a High Conservation Value (HCV) assessment</p>	<p>Specific Guidance:</p>

	that includes both the planted area itself and relevant wider landscape-level considerations (such as wildlife corridors).	<p>For 5.2.1: This information will cover:</p> <ul style="list-style-type: none"> • Presence of protected areas that could be significantly affected by the grower or miller; • Conservation status (e.g. IUCN status), legal protection, population status and habitat requirements of rare, threatened, or endangered (RTE) species that could be significantly affected by the grower or miller; • Identification of HCV habitats, such as rare and threatened ecosystems, that could be significantly affected by the grower or miller; <p>For 5.2.2: These measures will include:</p> <ul style="list-style-type: none"> • Ensuring that any legal requirements relating to the protection of the species or habitat are met; • Avoiding damage to and deterioration of HCV habitats such as by ensuring that HCV areas are connected, corridors are conserved, and buffer zones around HCV areas are created; • Controlling any illegal or inappropriate hunting, fishing or collecting activities, and developing responsible measures to resolve human-wildlife conflicts (e.g. incursions by elephants). <p>For 5.2.5: If a negotiated agreement cannot be reached, there should be evidence of sustained efforts to achieve such an agreement. These could include third party arbitration (see Criteria 2.3, 6.3 and 6.4).</p> <p>Guidance: This information gathering should include checking available biological records and consultation with relevant government departments, research institutes and interested NGOs if appropriate. Depending on the biodiversity values that are present, and the level of available information, some additional field survey work may be required. Wherever HCV benefits can be realised outside of the management unit, collaboration and cooperation between other growers, governments and organisations should be considered.</p> <p>For National Interpretation:</p>
5.2.2 Major	Where rare, threatened or endangered (RTE) species, or HCVs, are present or are affected by plantation or mill operations, appropriate measures that are expected to maintain and/or enhance them shall be implemented through a management plan.	
5.2.3 Minor	There shall be a programme to regularly educate the workforce about the status of these RTE species, and appropriate disciplinary measures shall be instigated in accordance with company rules and national law if any individual working for the company is found to capture, harm, collect or kill these species.	
5.2.4 Major	Where a management plan has been created there shall be ongoing monitoring: <ul style="list-style-type: none"> • The status of HCV and RTE species that are affected by plantation or mill operations shall be documented and reported; • Outcomes of monitoring shall be fed back into the management plan. 	
5.2.5 Minor	Where HCV set-asides with existing rights of local communities have been identified, there shall be evidence of a negotiated agreement that optimally safeguards both the HCVs and these	

	rights	<p>Appropriate sources of information can include government or international lists of threatened species ('red data lists'), national wildlife protection legislation, authorities responsible for protected areas and species, or relevant NGOs.</p> <p>Note: Operators need to 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 can be considered. Where communities are asked to relinquish rights so that HCVs can be maintained 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 free, prior, and informed consent (see Criteria 2.2 and 2.3).</p> <p>Regulatory Context in Cote d'Ivoire</p> <p>Law 2016-886 of 8 November 2016 on the Ivorian Constitution Framework Law 96-766 of 3 October 1996 on the Environment Code Law 2014-390 of 20 June 2014 on Sustainable Development Guidelines Law 98-750 of 23 December 1998 on rural land tenure, as amended by Law 2004-412 of 14 August 2004 Law of 11 February 2002 on the Creation, Management and Financing of National Parks and Nature Reserves, 2002 Law 64-490 of 21 December 1964 on plant protection Law 98-755 of 23 December 1998 on the Water Code Law 94-442 of 16 August 2004 amending the Law 65-255 of 4 August 1965 on the protection of wildlife and the marketing of seeds and seedlings. Law 2014-427 of 14 July 2014 on the Forest Code Key Ivorian regulations include (see document on laws and conventions applicable in Côte d'Ivoire)</p> <p>Classification of forests according to the protection domain defined by the Forest Code of Cote d'Ivoire Chapter II of the Law 2014- 427 of 14 July 2014 on the Forestry Code The classified forest domain, which includes, according to Article 23: protective</p>
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		<p>forests; - production forests; - recreational forests; - experimental forests. The protected forest domain, which includes, according to Article 27: - Unclassified forests of the State and Territorial Governments; - Forests owned by physical persons; - Forests owned by legal persons under private law; - Forests located on lands with no owner.</p> <p>Cote d'Ivoire follows three international statutes relating to protected areas, biosphere reserves and sites</p> <p>National parks and reserves are what are called protected areas in Côte d'Ivoire's law. A network of 13 protected areas is managed by the Ivorian Office of Parks and Reserves (OIPR). There are 8 national parks, 3 wildlife reserves and 2 wilderness areas. We have:</p> <ul style="list-style-type: none"> - The national parks of Azagny (19,850 ha), Banco (3,200 ha), Comoé (1,149,150 ha), the Ehotilé Islands (550 ha), Marahoué (101,000 ha), Mount Péko (34,000 ha), Mont Sangbé (95,000 ha) and Taï (454,000 ha), for a total of 1,856,750 ha; - Wildlife reserves of Abokouamékro (20,430 ha), Haut Bandama (123,000 ha) and N'zo (96,000 ha); - The integral nature reserves of Mount Nimba (5,000 ha) and Lamto (2,585 ha), or 7,585 ha. <p>Three Ivorian protected areas are inscribed on the UNESCO List of World Heritage Sites (Comoé and Taï National Parks, Mount Nimba Integral Reserve), the first two also belonging to the Biosphere Reserves Network. Two other protected areas, Azagny National Park and Ehotile Islands, are on the Ramsar Sites list. Some specificities of the protected areas, according to the law n ° 2002-102 of February 11th, 2002:</p> <p>National park refers to space:</p> <ul style="list-style-type: none"> - placed under the control of the State and the limits of which cannot be changed, or any part alienated, except by the competent legislative authority; - exclusively intended for the propagation, protection, conservation and
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		<p>management of vegetation and wildlife populations, and the protection of sites, landscapes or geological formations of particular scientific or aesthetic value in the interest and recreation of the public;</p> <ul style="list-style-type: none"> - in which slaughter, hunting, capture of animals and destruction or collection of plants are prohibited except for scientific reasons or for the purposes of management and provided that such operations take place under the control of the competent authority; <p>Total natural reserve refers to space:</p> <ul style="list-style-type: none"> - placed under the control of the State and the limits of which can not be changed, or any part alienated, except by the competent legislative authority; - to the extent of which any form of hunting or fishing, any forestry, agricultural or mining operation, any grazing, any excavation or prospection, any survey or earthworks, any construction, any work tending to modify the appearance of the land or vegetation, any pollution of the waters and, in general, any act likely to bring disturbances to the fauna or flora, any introduction of zoological or botanical species, either native or imported, wild or domestic will be strictly forbidden; - where it will be forbidden to reside, enter, drive or camp and it will be forbidden to overfly at low altitude, without special written authorization from the competent authority and in which scientific research can only be carried out with permission from this authority. <p>Partial natural reserve refers to space:</p> <ul style="list-style-type: none"> - managed for the purpose of in situ conservation of natural ecosystems or specific species or stands or biotopes, for their sustainable use or recreation and public education. <p>Partial wildlife reserve refers to space:</p> <ul style="list-style-type: none"> - except for the conservation, management and propagation of wild animal life, as well as for the protection and management of its habitat; - in which hunting, slaughter or the capture of wildlife is prohibited, except with
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		<p>the authorization of the establishment in charge of the management of the parks and reserves</p> <ul style="list-style-type: none">- where housing and other human activities are regulated or prohibited. <p>Classified forests</p> <p>Côte d'Ivoire has approximately 223 classified timber forests for timber production managed by SODEFOR. These forests cover an area of 3,400,000 ha but those still meeting forest characteristics are now only 181 in an area of 1,650,000 ha.</p> <p>Côte d'Ivoire Clearinghouse (CHM) http://ci.chm-cbd.net/biodiversity provides information on biodiversity in Côte d'Ivoire and the measures implemented by the Ivorian state to ensure their protection.</p>
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Criterion		
	Indicator.	Guidance
5.3.1 Major	All waste products and sources of pollution shall be identified and documented	<p>Guidance: The waste management and disposal plan should include measures for:</p> <ul style="list-style-type: none"> Identifying and monitoring sources of waste and pollution. Improving the efficiency of resource utilisation and recycling potential wastes as nutrients or converting them into value-added products (e.g. through animal feeding programmes). <p>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 (e.g. returned to the vendor or cleaned using a triple rinse method), such that there is no risk of contamination of water sources or risk to human health. The disposal instructions on the manufacturers' labels should be adhered to.</p> <p>For National Interpretation:</p> <p>National Interpretation (or an RSPO recognised parallel means) should include, as appropriate: details of relevant national laws or policies, a list of waste types (hazardous, non-hazardous, domestic, etc.) which must be considered, any types of disposal which are not acceptable (e.g. untreated waste water may not be discharged directly into streams or rivers (see Criterion 4.4), existing best practice guidelines on recycling and re-use of nutrients, managing effluent ponds, increasing mill extraction efficiency and appropriate disposal of wastes.</p> <p>Regulatory Context in Cote d'Ivoire</p> <p>Waste management is regulated by the Law 96-766 on the Environment Code, in its following articles: Article 27: Burial of non-toxic waste in the soil and subsoil shall be made only after authorisation and subject to compliance with the technical regulations and special rules laid down by decree.</p>
5.3.2 Major	All chemicals and their containers shall be disposed of responsibly.	
5.3.3 Minor	A waste management and disposal plan to avoid or reduce pollution shall be documented and implemented.	

Article 28:

Waste disposal shall comply with current standards and be designed to facilitate recovery.

To this end, the organizations concerned are required to:

- Develop and disclose knowledge of appropriate techniques;
- Sign contracts for the reuse of waste;
- Regulate manufacturing methods

Numerous legal measures in favour of environmental protection have been taken by several decrees. These include but are not limited to: - Decree 98-42 of 28 January 1998 on the organisation of an emergency plan aimed at combating pollution from any source or threat of pollution that could lead to massive or dangerous discharge at sea, in aquatic environments and coastal areas, of products or substances likely to cause major damage to lagoon waters and coastal areas;

- o Law 98-755 of 23 December 1998 on the Water Code;
- o Law 2002-102 of 11 February 2002 on the creation, management and financing of national parks and nature reserves;
- o Decree 96-894 of 8 November 1996 determining the rules and procedures applicable to studies on the environmental impact of development projects;
- o Decree 2005-03 of 6 January 2005 on Environmental Auditing; Decree 2012-1047 of 24 October 2012 laying down the procedures for enforcing the polluter-pays principle;
- o Decree 2012-988 of 10 October 2012 on the creation, powers, organisation and functioning of the Risk Reduction and Disaster Management Platform;
- o Decree 2012-1049 of 24 October 2012 on the establishment, organization and operation of the National Commission on the Reduction of Greenhouse Gas Emissions from Deforestation and Forest Degradation;
- o Decree 2013-22 of 9 January 2013 on the procedures for accreditation of the officials and agents of national parks and nature reserves and water and forests to act as judicial police officers;
- o Decree 2013-41 of 30 January 2013 on Strategic Environmental Assessment of Policies, Plans and Programs;

		<ul style="list-style-type: none"> ○ Decree 2013-327 of 22 May 2013 prohibiting the production, importation, marketing, possession and use of plastic bags. <p>Moreover, many draft regulations are currently being considered for adoption. These include: the Chemicals Management Draft Bill; the Coastline Draft Bill; and the Climate Change Draft Decree.</p> <p>To date, Cote d'Ivoire has ratified 39 conventions and 03 are in the process of ratification. The country has acceded to several Multilateral Environmental Agreements, both regional and international.</p> <p>Interpretation Growers need to raise the awareness of all their employees and to develop operational procedures for proper waste treatment and disposal. Such awareness should be documented in written reports. Waste disposal sites located within the operations area must be protected and clearly marked/indicated (Indicator 5.3.2). The volume of waste produced should be reported once a quarter to CIAPOL according to the reporting form provided by CIAPOL. A waste register should be available as well as evidence of waste disposal and reduction.</p>
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Criterion 5.4 Efficiency of fossil fuel use and the use of renewable energy is optimised.		
	Indicator.	Guidance
5.4.1 Minor	A plan for improving efficiency of the use of fossil fuels and to optimise renewable energy shall be in place and monitored.	<p>Guidance:</p> <p>Renewable energy use per tonne of Crude Palm Oil (CPO) or palm product in the mill should be monitored.</p> <p>Direct fossil fuel use per tonne of CPO or FFB (FFB) should be monitored.</p> <p>Energy efficiency should be taken into account in the construction or upgrading of all operations.</p> <p>Growers and millers should assess the direct energy use of their operations, including fuel and electricity, and energy efficiency of their operations. This should include estimation of fuel use by on-site contract workers, including all transport and machinery operations.</p>

		The feasibility of collecting and using biogas should be studied if possible.
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Criterion 5.5 Use of fire for preparing land or replanting is avoided, except in specific situations as identified in the ASEAN guidelines or other regional best practice.

Indicator.		Guidance
5.5.1 Major	There shall be no land preparation by burning, other than in specific situations as identified in the 'Guidelines for the Implementation of the ASEAN Policy on Zero Burning' 2003, or comparable guidelines in other regions.	<p>Guidance:</p> <p>Fire should be used only where an assessment has demonstrated that it is the most effective and least environmentally damaging option for minimising the risk of severe pest and disease outbreaks, and exceptional levels of caution should be required for use of fire on peat. This should be subject to regulatory provisions under respective national environmental legislation. Extension/training programmes for associated smallholders may be necessary.</p> <p>For National Interpretation:</p> <p>National Interpretation will identify any specific situations where such use of fire may be acceptable, for example through reference to 'Guidelines for the Implementation of the ASEAN Policy on Zero Burning' 2003, or comparable guidelines in other regions.</p> <p>The preparation of the ground by burning must be prohibited, except for the specific situations identified below:</p> <ul style="list-style-type: none"> -Difficulties of access to field preparation machines without burning. (Hydromorphic, peaty, etc ...); -Infestation of the area by a parasite which the only method to fight against is fire. If fire was used for land preparation as part of a replanting programme, a preliminary expert report issued by an approved structure must be available. <p>Interpretation</p> <p>There is no specific guideline on the prohibition of burning in Côte d'Ivoire. However, the use of fire in land preparation is prohibited, even for smallholders seeking RSPO certification. Land preparation must comply with a standard operating procedure, and all land preparation operations must be monitored and documented. A management plan</p>
5.5.2 Minor	Where fire has been used for preparing land for replanting, there shall be evidence of prior approval of the controlled burning as specified in 'Guidelines for the Implementation of the ASEAN Policy on Zero Burning' 2003, or comparable guidelines in other regions.	

		for prevention of burning and use of fire, covering the entire operations and proportionate to the risk of fire (forest fires) must be developed and monitored.
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Criterion 5.6 Plans to reduce pollution and emissions, including greenhouse gases, are developed, implemented and monitored.		
Indicator.		Guidance
5.6.1 Major	An assessment of all polluting activities shall be conducted, including gaseous emissions, particulate/soot emissions and effluent (see Criterion 4.4).	<p>Specific Guidance:</p> <p><i>Growers and millers commit to reporting on operational greenhouse gas emissions. However, it is recognised that these significant emissions cannot be monitored completely or measured accurately with current knowledge and methodology. It is also recognised that it is not always feasible or practical to reduce or minimise these emissions.</i></p> <p><i>Growers and millers commit to an implementation period until the end of December 2016 for promoting best practices in reporting to the RSPO, and thereafter to public reporting. Growers and millers make this commitment with the support of all other stakeholder groups of the RSPO.</i></p> <p>For 5.6.2: Plans will include objectives, targets and timelines. These should be responsive to context and any changes should be justified.</p> <p>For 5.6.2 and 5.6.3: The treatment methodology for POME will be recorded.</p> <p>For 5.6.3 (GHG): For the implementation period until December 31st 2016, an RSPO-endorsed modified version of Palm GHG which only includes emissions from operations (including land use practices) can be used as a monitoring tool.</p> <p>For 5.6.3: In addition, during the implementation period, growers will start to assess, monitor and report emissions arising from changes in carbon stocks within their operations, using the land use in November 2005 as the baseline. The implementation period for Indicator. 5.6.3 is the same implementation period for Criterion 7.8.</p> <p>During the implementation period, reporting on GHG will be to a relevant RSPO working group (composed of all membership categories) which will use the information</p>
5.6.2 Major	Significant pollutants and greenhouse gas (GHG) emissions shall be identified, and plans to reduce or minimise them implemented.	
5.6.3 Minor	A monitoring system shall be in place, with regular reporting on progress for these significant pollutants and emissions from estate and mill operations, using appropriate tools.	

		<p>reported to review and fine tune the tools, emission factors and methodologies, and provide additional guidance for the process. Public reporting is desirable, but remains voluntary until the end of the implementation period.</p> <p>During the implementation period the RSPO working group will seek to continually improve Palm GHG, recognising the challenges associated with measuring GHG and carbon stock.</p> <p>Palm GHG or RSPO-endorsed equivalent will be used to assess, monitor and report GHG emissions. Parties seeking to use an alternative to Palm GHG will have to demonstrate its equivalence to the RSPO for endorsement.</p> <p>Guidance:</p> <p>Where practically feasible, operations should follow best management practices to measure and reduce emissions. Advice on this is available from the RSPO.</p>
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Principle 6: Responsible consideration of employees and of individuals and communities affected by growers and mills.

Criterion 6.1 Aspects of plantation and mill management that have social impacts, including replanting, are identified in a participatory way, and plans to mitigate the negative impacts and promote the positive ones are made, implemented and monitored, to demonstrate continual improvement.

Indicator.		Guidance
6.1.1 Major	A social impact assessment (SIA) including records of meetings shall be documented.	<p>Indicators</p> <p>Guidance:</p> <p>Identification of social impacts should be carried out by the grower with the participation of affected parties, including women and migrant workers as appropriate to the situation. The involvement of independent experts should be sought where this is considered necessary to ensure that all impacts (both positive and negative) are identified.</p> <p>Participation in this context means that affected parties 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>
6.1.2 Major	There shall be evidence that the assessment has been done with the participation of affected parties.	
6.1.3 Major	Plans for avoidance or mitigation of negative impacts and promotion of the positive ones, and monitoring of impacts identified, shall be developed in consultation with the affected parties, documented and timetabled, including responsibilities for implementation.	

<p>6.1.4 Minor</p>	<p>The plans shall be reviewed as a minimum once every two years and updated as necessary, in those cases where the review has concluded that changes should be made to current practices. There shall be evidence that the review includes the participation of affected parties.</p>	<p>Potential social impacts may result from activities such as: building new roads, processing mills or other infrastructure; replanting with different crops or expansion of planting area; disposal of mill effluents; clearing of remaining natural vegetation; changes in employee numbers or employment terms; smallholder schemes.</p> <p>Plantation and mill management may have social impacts (positive or negative) on factors such as:</p> <ul style="list-style-type: none"> • Access and use rights; • Economic livelihoods (e.g. paid employment) and working conditions; • Subsistence activities; • Cultural and religious values; • Health and education facilities;
<p>6.1.5 Minor</p>	<p>Particular attention shall be paid to the impacts of smallholder schemes (where the plantation includes such a scheme).</p>	<p>Other community values, resulting from changes such as improved transport /communication or arrival of substantial migrant labour force.</p> <p>The review can be done (once every two years) internally or externally.</p> <p>For National Interpretation: As social impacts are particularly dependent on local social conditions, National Interpretation will identify the important issues, and methodologies for collecting data and using the results. This should include adequate consideration of the impacts on the customary or traditional rights of local communities and indigenous people, where these exist (Criteria 2.3 and 6.4).</p> <p>Regulatory Context in Côte d'Ivoire</p> <p>As a signatory to the Convention on Biological Diversity (CBD), Côte d'Ivoire made efforts on 29 November 1994 to ensure lasting respect for its commitments to the international community. Among these:</p> <ul style="list-style-type: none"> - the National Monograph on Biodiversity; - national consultations for the implementation of the Strategy and Action Plan for National Biological Diversity 2016-2020

		<p>- The adoption of Law No. 2002-102 of 11 February 2002 on the establishment, management and financing of national parks and nature reserves.</p> <p>Interpretation A palm oil development project may have an impact on the following elements (non-exhaustive list):</p> <ul style="list-style-type: none"> <input type="checkbox"/> Customary rights; <input type="checkbox"/> Local development, livelihoods (e. g. employment) and working conditions; <input type="checkbox"/> Subsistence activities; <input type="checkbox"/> Cultural and religious values; <input type="checkbox"/> Health and education infrastructure; <input type="checkbox"/> Transport infrastructure / communications and migration trends; <input type="checkbox"/> Competition for the use of natural resources. <p>Customary rights must be explicitly part of compliance with Criterion 2.2 / 2.3. The results of the Environmental and Social Impact Assessment (ESIA), including measures for mitigation of social impacts and compensation, should be integrated into the sustainable local development plan (Indicator 6.1.1). Local populations should be consulted during the preparation of the ESIA. The results of the ESIA and the ESMP are to be presented in all impacted and affected villages. Public consultations are to be held in the presence of local authorities and other relevant stakeholders to incorporate their comments before validation of the ESIA. A record of these consultations, signed by the relevant stakeholders, should be available. Physical copies of the ESIA and the ESMP must be sent to the relevant administration for local distribution. The ESIA and the ESMP must be made available by the operators. Official minutes of meetings with representatives of local institutions and communities must be available (Indicator 6.1.2).</p>
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Criterion 6.2 There are open and transparent methods for communication and consultation between growers and/or mills, local communities and other affected or interested parties.		
Indicator.		Guidance
6.2.1 Major	Consultation and communication procedures shall be documented.	<u>Guidelines</u> Any decisions envisaged by growers or millers should be clearly communicated, so that local communities and other interested parties understand the purpose of the
6.2.2 Minor	A management official responsible for these issues shall be nominated.	

<p>6.2.3 Minor</p>	<p>A list of stakeholders, records of all communication, including confirmation of receipt and that efforts are made to ensure understanding by affected parties, and records of actions taken in response to input from stakeholders, shall be maintained.</p>	<p>communication and/or consultation. Communication and consultation mechanisms should be designed in collaboration with local communities and other relevant or interested parties. They should provide for the use of appropriate existing local languages and channels. Consider using an existing multi-stakeholder forum or creating one. Communications should take into account the difference in access to information between men and women, village chiefs and day labourers, new and long-established communities and communities, and between various ethnic groups. It should be considered involving third parties such as neutral community groups, NGOs, or the government (or a combination of them) to assist smallholder groups, communities and other potential parties in these communications.</p> <p>For National Interpretation: National Interpretation should consider issues such as appropriate levels of consultation and the types of organization or individual to be included.</p> <p>Interpretation</p> <p>Ensure that all stakeholder groups in villages are identified and included in the awareness-raising and consultation processes. Groups to be considered include (non exhaustive list):</p> <ul style="list-style-type: none"> <input type="checkbox"/> The elites; <input type="checkbox"/> Non-indigenous groups (permanent residents from outside the area under consideration); <input type="checkbox"/> Indigenous groups; <input type="checkbox"/> Women; <input type="checkbox"/> Youths; <input type="checkbox"/> Elders. <p>Communication strategies should take into account challenges in communication and access to information faced by the different groups listed above. The language used is an important aspect, as well as using the local mother tongue.</p> <p>Growers and millers will need to identify third parties, such as community groups, NGOs/CSOs or government agencies (or a combination thereof) that can assist smallholders, communities and other potential parties during consultation or communication campaigns.</p>
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Criterion 6.3 There is a mutually agreed and documented system for dealing with complaints and grievances, which is implemented and accepted by all parties.

Indicator.		Guidance
6.3.1 Major	<p>The system, open to all affected parties, shall resolve disputes in an effective, timely and appropriate manner, ensuring anonymity of complainants and whistle-blowers, where requested.</p> <p>The system should distinguish different types of complaints that may occur and the procedures to resolve each of them. Complaints can be internal (employees) and external.</p> <p>Mechanisms should be set up to resolve conflicts through open and consensual agreements with the appropriate parties.</p>	<p>Specific Guidance:</p> <p>For 6.3.1: The system should aim to reduce the risks of reprisal.</p> <p>Dispute resolution mechanisms should be established through open and consensual agreements with relevant affected parties.</p> <p>Complaints should be dealt with by mechanisms such as Joint Consultative Committees (JCC), with gender representation as necessary. Grievances may be internal (employees) or external.</p> <p>For scheme and independent smallholders, refer to ‘<i>Guidance for Independent Smallholders under Group Certification</i>’, June 2010, and ‘<i>Guidance on Scheme Smallholders</i>’, July 2009.</p> <p>Where a resolution is not found mutually, complaints can be brought to the attention of the RSPO Complaints System.</p>
6.3.2 Major	Documentation of both the process by which a dispute was resolved and the outcome shall be available.	Refer to helpful texts for guidance, such as the Human Rights Commission (HRC) endorsed ‘ <i>Guiding Principles on Business and Human Rights: Implementing the UN “Protect, Respect and Remedy” Framework</i> ’, 2011.

Criterion 6.4 Any negotiations concerning compensation for loss of legal or customary rights are dealt with through a documented system that enables indigenous peoples, local communities and other stake holders to express their views through their own representative institutions.

Indicator.		Guidance
6.4.1 Major	A procedure for identifying legal, customary or user rights, and a procedure for identifying people entitled to compensation, shall be in place.	<p>Specific Guidance:</p> <p>For 6.4.2: Companies should make best efforts to ensure that equal opportunities have been provided to both female and male heads of households to hold land titles in smallholder schemes.</p>
6.4.2 Minor	A procedure for calculating and distributing fair compensation (monetary	

	or otherwise) shall be established and implemented, monitored and evaluated in a participatory way, and corrective actions taken as a result of this evaluation. This procedure shall take into account: gender differences in the power to claim rights, ownership and access to land; differences of transmigrants and long-established communities; and differences in ethnic groups' proof of legal versus communal ownership of land.	Guidance: This criterion should be considered in conjunction with Criteria 2.2 and 2.3, and the associated Guidance.
6.4.3 Major	The process and outcome of any negotiated agreements and compensation claims shall be documented, with evidence of the participation of affected parties, and made publicly available.	

Criterion 6:5: The remuneration and working conditions of employees and contract workers always meet at least minimum legal or industrial standards and are sufficient to provide a decent standard of living		
Indicator.		Guidance
6.5.1 Major	Documentation of pay and conditions shall be available.	For National Interpretation:
6.5.2 Major	Labour laws, union agreements or direct contracts of employment detailing payments and conditions of employment (e.g. working hours, deductions, overtime, sickness, holiday entitlement, maternity leave, reasons for dismissal, period of notice, etc.) shall be available in the languages understood by the workers or explained carefully to them by a management official.	<p>National Interpretation will define a Decent Living Wage. Where there is no National Interpretation, the legal minimum wage will be used.</p> <p>Regulatory Context in Côte d'Ivoire Cote d'Ivoire does not have a definition of a "salary for a decent standard of living". However, the decree 2015-855/ MEMEASFP/CAB of 30 December 2015 on the application of the minimum wage categories agreed upon in 2015. This decree refers to the Decree 2013-791 of 20 November 2013 on the upgrading of the inter-professional minimum wage (SMIG) that sets minimum wages in Ivory Coast.</p> <p>The agro-industrial sector is governed by the Ivorian Labour Code (Law 2015-532 of 20 July 1015 on the Labour Code, particularly for (i) contracts of employment, (ii) general</p>
6.5.3	Growers and millers shall provide	

Minor	adequate housing, water supplies, medical, educational and welfare amenities to national standards or above, where no such public facilities are available or accessible.	working conditions, and (iii) health and safety at operational sites. Côte d'Ivoire has been a member of the International Labour Organization (ILO) since 1960 and has approved sixty-seven (67) of its Conventions. With regard to wages and working conditions, Côte d'Ivoire has approved:
6.5.4 Minor	Growers and millers shall make demonstrable efforts to monitor and improve workers' access to adequate, sufficient and affordable food.	<input type="checkbox"/> ILO Convention 62 on Minimum Wages; <input type="checkbox"/> ILO Convention 52 on paid leave; <input type="checkbox"/> ILO Convention 95 on the Protection of Wage Law; <input type="checkbox"/> ILO Convention 101 on paid leave in the agricultural sector; <input type="checkbox"/> ILO Convention 99 on Minimum Wages in the Agricultural Sector (1951) 13 June 1961 Interpretation Côte d'Ivoire has no definition of a "wage for a decent standard of living", so the "legal minimum wage" must be respected. The company's salary grid must comply with regulatory levels. The company must be able to prove that the salary classes used correspond to the legal national wage level.

Criterion 6.6 The employer 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.

Indicator.		Guidance
6.6.1 Major	A published statement in local languages recognising freedom of association shall be available.	Guidance: The right of employees, including migrant and transmigrant workers and contract workers, to form associations and bargain collectively with their employer should be respected, in accordance with Conventions 87 and 98 of the International Labour Organisation (ILO). Labour laws and union agreements, or in their absence direct contracts of employment detailing payments and other conditions, should be available in the languages understood by the workers or explained carefully to them by a management official. For National Interpretation: National Interpretation will define migrant and transmigrant workers. ILO definitions and other international protocols, instruments and explanations should be used throughout.
6.6.2 Minor	Minutes of meetings with main trade unions or workers representatives shall be documented.	

Regulatory Context in Ivory Coast

The Ivorian Constitution stipulates that "(...) The right to form associations, political parties or formations, trade unions, societies, institutions of social interest and religious communities shall be guaranteed to all under the conditions laid down by law (...)".

And Chapter 4 of the Labour Code (Law 2015-532 of 20 July 2015) on the employment of foreign labour (Art. 104): "Recruitment of foreign workers must be subject to prior authorization issued by the Minister of Labour, and to a contract of employment authorized by the relevant departments of the Ministry of Labour.

The Law 23/2008 on sustainable agricultural development provides for the possibility of creating "agricultural and para-agricultural organisations in the form of associations, cooperative groups, economic interest groups, trade unions, professional production, processing, marketing, distribution groups or any other groups" (Art. 26)

The Labour Code specifies the union and association rights. Companies with more than 10 employees must have staff representatives (Art. 291), who are elected for a term of three years, and whose dismissal must be subject to the opinion of the labour inspector (Art. 195). Staff representatives have a mandate (Art. 299). The most representative trade union organisations are entitled to discuss collective agreements and establishment-level collective agreements (Art. 280). Trade unions may be represented within the company by union representatives. The terms of their appointment, the performance of their duties and the duration of their term of office are determined by collective agreements (Art. 301).

Cote d'Ivoire has been a member of the International Labour Organization (ILO) since 1960 and has approved the following conventions on the right to association and unionization:

- Convention 87 on Freedom of Association and Protection of the Right to Organize, relating to the right to join any organizations, federations and confederations of their choice;
- Convention 98 on the Right to Organize and Collective Bargaining;
- ILO Convention 11 concerning the Rights of Association and Combination of Agricultural Workers;
- ILO Convention 135 on Workers' Representatives;
- ILO Convention 154 on Collective Bargaining.

		<p><u>Interpretation</u></p> <p>The Ivorian regulations do not provide any definition for the terms "migrant" worker or "transmigrant" worker.</p> <p>Chapter 4 of the Labour Code (Law No. 2015-532 on the Labor Code) however stipulates with regard to the employment of foreign labour (Art.11-1): "Employers can hire their workers directly. They can also use the services of the public employment agency and private employment offices or agencies. Any duty post vacancy must be declared to the public employment agency, and published in a major national daily newspaper and possibly through any other means of communication.</p> <p>If after one month of the first publication no national has satisfactorily met the requirements, the employer is allowed to recruit any other candidate.</p> <p>Businesses are required to report their hiring and firing to the public employment agency.</p> <p>ORDER No. 4810 MEFPPS AGEPE of 21 April 1997 to regulate the recruitment and expenses of the establishment of the visa form for the employment contract of non-Ivorian staff spells out in: Article 1: Prior to joining a company established in Côte d'Ivoire, any worker of another nationality must hold a contract of employment or a letter of employment endorsed by the Minister of Employment on a form established for this purpose.</p> <p>The employment contract or the letter of employment must be obtained before the worker's admission on Ivorian territory.</p> <p>Within a maximum of three months from the date of his/her hiring, the non-Ivorian worker must request from the competent administrative services the issue of a work permit established on their behalf.</p> <p>This work permit, renewable once a year, is required at all checkpoints operated by the competent administrative services.</p>
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Criterion 6.7 Children are not employed or exploited.		
	Indicator.	Guidance
6.7.1 Major	There shall be documentary evidence that minimum age requirements are met.	<p>Guidance:</p> <p>Growers and millers should clearly define the minimum working age, together with working hours. Only workers above the minimum school leaving age in the country or</p>

		<p>who are at least 15 years old may be employed. The minimum age of workers will not be less than stated under national regulations. Any hazardous work should not be done by those under 18, as per International Labour Organisation (ILO) Convention 138.</p> <p>(Refer to the RSPO Management System Requirement and Guidelines for Group Certification of Fresh Fruit Bunch (FFB) March 2016 production, for additional guidelines on family farms.).</p>
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Criterion 6.8 Any form of discrimination based on race, caste, national origin, religion, disability, gender, sexual orientation, union membership, political affiliation, or age, is prohibited.

Indicator.		Guidance
6.8.1 Major	A publicly available equal opportunities policy including identification of relevant/affected groups in the local environment shall be documented.	<p>Guidance:</p> <p>Examples of compliance can be appropriate documentation (e.g. job advertisements, job descriptions, appraisals, etc.), and/or information obtained via interviews with relevant stakeholders such as affected groups which may include women, local communities, foreign workers, and migrant workers, etc.</p> <p>Notwithstanding national legislation and regulation, medical conditions should not be used in a discriminatory way.</p> <p>The grievance procedures detailed in Criterion 6.3 apply. Positive discrimination to provide employment and benefits to specific communities is acceptable as part of negotiated agreements.</p> <p>Interpretation</p> <p>Ivorian regulations do not provide any definition for the terms "migrant worker" or "transmigrant worker". Chapter 4 of the Labour Code (Law No. 2015-532 on the Labor Code) however stipulates with regard to the employment of foreign labour (Art.11-1): "Employers can hire their workers directly. They can also use the services of the public employment agency and private employment offices or agencies. Any duty post vacancy must be declared to the public employment agency, and published in a major national daily newspaper and possibly through any other means of communication. If after one month of the first publication no national has satisfactorily met the requirements, the employer is allowed to recruit any other candidate.</p>
6.8.2 Major	Evidence shall be provided that employees and groups including local communities, women, and migrant workers have not been discriminated against.	
6.8.3 Minor	It shall be demonstrated that recruitment selection, hiring and promotion are based on skills, capabilities, qualities, and medical fitness necessary for the jobs available.	

	<p>Businesses are required to report their hiring and firing to the public employment agency.</p> <p>ORDER No. 4810 MEFPPS AGEPE of 21 April 1997 to regulate the recruitment and expenses of the establishment of the visa form for the employment contract of non-Ivorian staff spells out in: Article 1: Prior to joining a company established in Côte d'Ivoire, any worker of another nationality must hold a contract of employment or a letter of employment endorsed by the Minister of Employment on a form established for this purpose.</p> <p>The employment contract or the letter of employment must be obtained before the worker's admission on Ivorian territory.</p> <p>Within a maximum of three months from the date of his/her hiring, the non-Ivorian worker must request from the competent administrative services the issue of a work permit established on their behalf.</p> <p>This work permit, renewable once a year, is required at all checkpoints operated by the competent administrative services.</p>
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Criterion 6.9 There is no harassment or abuse in the work place, and reproductive rights are protected.		
Indicator.		Guidance
6.9.1 Major	A policy to prevent sexual and all other forms of harassment and violence shall be implemented and communicated to all levels of the workforce.	<p>Specific Guidance:</p> <p>For 6.9.1 and 6.9.2: These policies should include education for women and awareness of the workforce. There should be programmes provided for particular issues faced by women, such as violence and sexual harassment in the workplace. A gender committee specifically to address areas of concern to women will be used to comply with this Criterion. This committee, which should include representatives from all areas of work, will consider matters such as: training on women's rights; counselling for women affected by violence; child care facilities to be provided by the growers and millers; women to be allowed to breastfeed up to nine months before resuming chemical spraying or usage tasks; and women to be given specific break times to enable effective breastfeeding.</p> <p>For 6.9.2: see Indicator 4.6.12.</p> <p>Guidance:</p> <p>There should be a clear policy developed in consultation with employees, contract workers and other relevant stakeholders, and the policy should be publicly available.</p>
6.9.2 Major	A policy to protect the reproductive rights of all, especially of women, shall be implemented and communicated to all levels of the workforce.	
6.9.3 Minor	A specific grievance mechanism which respects anonymity and protects complainants where requested shall be established, implemented, and communicated to all levels of the workforce.	

		<p>Progress in implementing the policy should be regularly monitored, and the results of monitoring activities should be recorded.</p> <p>Notwithstanding national legislation and regulation, reproductive rights are respected.</p>
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Criterion 6.10 Growers and mills deal fairly and transparently with smallholders and other local businesses.		
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Indicator.		Guidance
6.10.1 Minor	Current and past prices paid for FFB (FFB) shall be publicly available.	<p>Guidance:</p> <p>Transactions with smallholders should consider issues such as the role of middle men, transport and storage of FFB, quality and grading. The need to recycle the nutrients in FFB (see Criterion 4.2) should also be considered; where it is not practicable to recycle wastes to smallholders, 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 6.3 if they consider that they are not receiving a fair price for FFB, whether or not middle men are involved.</p> <p>The need for a fair and transparent pricing mechanism is particularly important for outgrowers who are contractually obliged to sell all FFB to a particular mill.</p> <p>If mills require smallholders to change practices to meet the RSPO Principles and Criteria, consideration should be given to the costs of such changes, and the possibility of advance payments for FFB can be considered.</p> <p><u>Interpretation</u></p> <p>Minutes of fresh fruit pricing by the inter-professional organization are available at the beginning of each month.</p> <p>The miller displays the prices of FFB. Cooperative Societies display and explain the prices of FFB.</p> <p>Pricing of inputs/services is documented if they are under the control of millers or Cooperative Societies.</p> <p>Payment for the FFB must be made within the period agreed by the parties</p>
6.10.2 Major	Evidence shall be available that the growers/millers explained the price of the FFB. The pricing mechanisms for the FFB and the inputs/services must be documented (in case they are under the control of the miller and the plantation).	
6.10.3 Minor	Evidence shall be available that all parties understand the contractual agreements they enter into, and that contracts are fair, legal and transparent.	
6.10.4 Minor	Agreed payments shall be made in a timely manner.	

Criterion 6.11 Growers and mills contribute to local sustainable development wherever appropriate	
Indicator.	Guidance
<p>6.11.1 Minor</p> <p>Contributions to local development that are based on the results of consultation with local communities shall be demonstrated.</p>	<p>Guidance:</p> <p>Contributions to local development should be based on the results of consultation with local communities. (See also Criterion 6.2.). 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 and women. 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 6.8. Efforts should be made to identify independent smallholders in the supply base. Where sourcing of fruit is from identified independent smallholders, efforts should be made to contribute to the improvement of their farming practices.</p> <p>For National Interpretation:</p> <p>National Interpretation will consider specific parameters or thresholds such as use of local and national goods and services where possible, whether a certain percentage of the plantation's profit/turnover should be used for social development projects, and minimum quotas for local employment.</p> <p>Interpretation</p> <p><i>Contributions to local development should be based on the results of the consultation with local communities around the oil palm plantation. There must be evidence that a local/community development plan is part of the consent agreements signed between growers/millers and smallholders.</i></p> <p><i>For smallholders forming an association, growers/millers must prove that efforts and/or (technical and financial) resources have been allocated to improve the yields of smallholders. The sustainable local development plan must set targets for local recruitment, and give priority of employment to local communities over national workers at equal skill.</i></p> <p><i>Employment priorities must be subject to a written procedure. Vacancies must be documented and published in accordance with regulatory and legal requirements. A participatory monitoring system should be set up to ensure local development.</i></p>
<p>6.11.2 Minor</p> <p>Where there are scheme smallholders, there shall be evidence that efforts and/or resources have been allocated to improve their productivity.</p>	

		<ul style="list-style-type: none"> • Where FFB are procured from identified small outgrowers, efforts must be made to help improve their farming practices. • Minutes of local consultations are available • Minutes of the commissioning of structures and of the allocation of resources used for local development are available. <p>Documents or supporting materials attesting to the efforts and/or resources allocated to improve the productivity of small farms are available.</p>
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Criterion 6.12 No forms of forced or trafficked labour are used.		
Indicator.		Guidance
6.12.1 Major	There shall be evidence that no forms of forced or trafficked labour are used.	<p>Specific Guidance:</p> <p>For 6.12.1: 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. For 6.12.3: The special labour policy should include: <input type="checkbox"/> Statement of the non-discriminatory practices; <input type="checkbox"/> No contract substitution; <input type="checkbox"/> Post-arrival orientation programme to focus especially on language, safety, labour laws, cultural practices etc.; <input type="checkbox"/> Decent living conditions to be provided.</p> <p>Guidance:</p> <p>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 jeopardise a decent living wage. Passports should only be voluntarily surrendered. There should be evidence of due diligence in applying this to all sub-contract workers and suppliers. National guidance should be used on contract substitution.</p> <p>For National Interpretation:</p> <p>National Interpretation will define the following: temporary workers; migrant workers; special labour policy; contract substitution; and decent living wage. International Labour Organisation (ILO) definitions (ILO Convention 29 and 105) and other international protocols, instruments and explanations should be used throughout. See Criterion 6.5 for further guidance.</p>
6.12.2 Minor	Where applicable, it shall be demonstrated that no contract substitution has occurred.	
6.12.3 Major	Where temporary or migrant workers are employed, a special labour policy and procedures shall be established and implemented.	

		<p>Interpretation</p> <p>Salary for a decent standard of living The company's rates of pay must comply with applicable regulatory and legal requirements (Criterion 6.5).</p> <p>Temporary workers</p> <p>"Temporary workers" are workers hired by the day or the week according to the definition contained in the Labour Code. All types of work must be subject to a written contract, which is explained to the worker in French and in his/mother tongue.</p> <p>In particular CHAPTER 4: Conclusion of the Employment Contract states in:</p> <p>Art.14.1.- The employment contract is an agreement of will whereby a natural person undertakes to put his professional activity under the direction and authority of another natural person or a legal person for remuneration.</p> <p>Art.14.2.- The employment contract is agreed upon freely and, subject to the provisions of this Code, recorded in the manner appropriate for the contracting parties to adopt. When it is written, the employment contract is exempt from all stamp and registration duties.</p> <p>Year. 14.3.- The employment contract may be concluded for an indefinite period or for a fixed period, according to the rules outlined in Chapter 5 of this Section.</p> <p>Art.14.4.- The existence of the work contract can be proved by any means.</p> <p>Foreign labour</p> <p>Refer to the law governing foreign labour. A foreign worker must be covered by a written contract that will be explained in French or in his/her mother tongue.</p> <p>In Côte d'Ivoire the regulation on working conditions is defined by the following texts:</p> <p>Law 2016-886 of 8 November 2016 on the Ivorian Constitution: Article 05 stipulates that: Slavery, trafficking in human beings, forced labour, physical or moral torture, inhuman, cruel, degrading and humiliating treatment, physical violence, female genital mutilation and all other forms of degrading treatment of human beings are prohibited. This provision is repeated in the Labour Code (Law 2015-532 of 20 July 2015), particularly in its Article 3.</p>
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	<p>Article 16 states that: Child labour is prohibited and punished by law. It is prohibited to use a child in any activity that endangers him/her or affects his/her health, growth, physical and mental well-being.</p> <p>Law 2015-532 of 20 July 2015 on the Labour Code, in its Chapter 4, (Art.11-1) : "Employers can hire their workers directly. They may also use the services of the public employment agency and private employment offices or agencies. All duty post vacancies must be declared to the public employment agency, and published in a major national daily newspaper and possibly through any other means of communication. If after one month of the first publication no national has satisfactorily met the requirements, the employer is allowed to recruit any other candidate. Businesses are required to report their hiring and firing to the public employment agency.</p> <p>ORDER No. 4810 MEFPPS AGEPE of 21 April 1997 to regulate the recruitment and expenses of the establishment of the visa form for the employment contract of non-Ivorian staff spells out in: Article 1: Prior to joining a company established in Côte d'Ivoire, any worker of another nationality must hold a contract of employment or a letter of employment endorsed by the Minister of Employment on a form established for this purpose. The employment contract or the letter of employment must be obtained before the worker's admission on Ivorian territory.</p> <p>Within a maximum of three months from the date of his/her hiring, the non-Ivorian worker must request from the competent administrative services the issue of a work permit established on their behalf. This work permit, renewable once a year, is required at all checkpoints operated by the competent administrative services.</p> <p>Article 23.2 provides that: children may not be employed in any enterprise before the age of 16 and apprenticed before the age of 14, except in the case of a regulatory derogation, (...) the employer keeps a register of all persons under the age of 18 employed in his company, with for each of them an indication of the date of birth.</p> <p>Specific provisions in the labour policy:</p> <ul style="list-style-type: none"> - Irrespective of the employment priorities set out in Criterion 6.11, the grower must maintain a non-discriminatory employment policy and recruitment conditions in terms of race, ethnic or cultural background, country of origin, religion, disability, gender, sexual orientation, membership of a trade union or political party, or age. - The grower, in collaboration with the Occupational Health and Safety Committee (OHSC), must
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		<p>describe all operational positions and associated risks for which special measures must be put in place (especially for the protection of pregnant and breastfeeding women).</p> <ul style="list-style-type: none"> - Growers and millers must provide other opportunities or reassignment for people having suffered an accident at work. - Substitution of contract is prohibited (in line with the job description). - A professional induction programme is to be set up by the company in collaboration with corporate partners (e. g. employee representatives, trade unions, etc.). It must be conducted in French and, where necessary, in the local language, and must include workplace safety, staff rights, internal regulations and job-specific procedures. <p><input type="checkbox"/> Workers housed on site must be provided with housing and access to basic services (such as drinking water, food, electricity, etc.), at least in accordance with national legal requirements.</p>
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Criterion 6.13 Growers and millers respect human rights.

Indicator.		Guidance
6.13.1 Major	<p>A policy to respect human rights shall be documented and communicated to all levels of the workforce and operations (see Criteria 1.2 and 2.1).</p>	<p>Guidance:</p> <p>See also Criterion 6.3. “All levels of operations” will include contracted third parties (e.g. those involved in security).</p> <p>Note:</p> <p>From the UN Guiding Principles on Business and Human Rights: <i>“The responsibility of business enterprises to respect human rights refers to internationally recognised human rights – understood, at a minimum, as those expressed in the International Bill of Human Rights and the principles concerning fundamental rights set out in the International Labour Organization’s Declaration on Fundamental Principles and Rights at Work” (“The corporate responsibility to respect human rights” in Guiding Principles on Business and Human Rights).</i></p> <p>The RSPO Working Group on Human Rights will provide a mechanism to identify, prevent, mitigate and address human rights issues and impacts. The resulting Guidance will identify the relevant issues on human rights to all RSPO Members.</p>

Principle 7: Responsible development of new plantings.

Note: See Annex 1 for definition of new planting.

Criterion 7.1 A comprehensive and participatory independent social and environmental impact assessment is undertaken prior to

establishing new plantings or operations, or expanding existing ones, and the results incorporated into planning, management and operations.	
Indicator.	Guidance
<p>7.1.1 Major</p> <p>A comprehensive, independent and participatory environmental and social impact assessment is carried out prior to the development of new plantations or holdings, or prior to the extension of existing plantations or holdings, and the results are integrated into the planning, management and operation.</p>	<p>Guidance:</p> <p>See also Criteria 5.1 and 6.1.)</p> <p>The terms of reference should be defined and impact assessment should be carried out by accredited independent experts, in order to ensure an objective process. Both should not be done by the same body. A participatory methodology including external stakeholder groups is essential to the identification of impacts, particularly social impacts. Stakeholders such as local communities, government departments and NGOs should be involved through the use of interviews and meetings, and by reviewing findings and plans for mitigation.</p>
<p>7.1.2 Minor</p> <p>Appropriate management planning and operational procedures shall be developed and implemented to avoid or mitigate identified potential negative impacts.</p>	<p>It is recognised that oil palm development can cause both positive and negative impacts. These developments can lead to some indirect/secondary impacts which are not under the control of individual growers and millers. To this end, growers and millers should seek to identify the indirect/secondary impacts within the SEIA, and where possible work with partners to explore mechanisms to mitigate the negative indirect impacts and enhance the positive impacts.</p>
<p>7.1.3 Minor</p> <p>Where the development includes an outgrower scheme, the impacts of the scheme and the implications of the way it is managed shall be given particular attention.</p>	<p>The potential impacts of all major proposed activities should be assessed in a participatory way prior to development. The assessment should include, in no order of preference and as a minimum:</p> <ul style="list-style-type: none"> • Assessment of the impacts of all major planned activities, including planting, mill operations, roads and other infrastructure; • Assessment, including stakeholder consultation, of High Conservation Values (see Criterion 7.3) that could be negatively affected; • Assessment of potential effects on adjacent natural ecosystems of planned developments, including whether development or expansion will increase pressure on nearby natural ecosystems; • Identification of watercourses and wetlands and assessment of potential effects on hydrology and land subsidence of planned developments. Measures should be planned and implemented to maintain the quantity, quality and access to

		<p>water and land resources;</p> <ul style="list-style-type: none"> • Baseline soil surveys and topographic information, including the identification of steep slopes, marginal and fragile soils, areas prone to erosion, degradation, subsidence, and flooding; • Analysis of type of land to be used (forest, degraded forest, cleared land); • Analysis of land ownership and user rights; • Analysis of current land use patterns; • Assessment of potential social impacts on surrounding communities of a plantation, including an analysis of potential effects on livelihoods, and differential effects on women versus men, ethnic communities, and migrant versus long-term residents; • Identification of activities which may generate significant GHG emissions. <p>Plans and field operations should be developed and implemented to incorporate the results of the assessment. One potential outcome of the assessment process is that the development may not proceed because of the magnitude of potential impacts.</p> <p>For smallholder schemes, the scheme management should address this Criterion. For individual smallholders, this Criterion does not apply.</p> <p>Where there is no National Interpretation, for land areas greater than 500ha, a full independent assessment will be required. For land areas less than 500ha, an internal assessment using selected components of SEIA and HCV assessments can be used. Where such internal assessments identify significant environmentally or socially sensitive areas or issues, an independent assessment will be undertaken.</p> <p>For National Interpretation:</p> <p>National Interpretation will identify the relevant accreditations for independent experts.</p> <p>National Interpretation will consider setting an appropriate threshold for the size of new plantings, below which an internal assessment is allowed, and above which an independent SEIA is required. This will list negative social impacts (e.g. displacement, loss of the livelihoods of local peoples, etc.) in the national context.</p>
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		<p>Regulatory Context in Côte d'Ivoire</p> <p>National regulations on environmental assessments and management are governed by Law No. 2016-886 of 8 November 2016 on the Ivorian Constitution in Articles 27 and 40, which recommends that any organization should have an environmental policy that incorporates the following aspects: environmental protection, the right to a healthy environment and the fight against pollution.</p> <p>The framework law n ° 96-766 of 3 October 1996, setting up the Environmental Code in its articles 20, 25 and 35 impose on any promoter of development activity of the environment to identify the potential risks and to make provisions controlling or substituting high-risk tasks with less dangerous ones. All the measures taken must contribute to preserving biodiversity, natural resources and take into account the opinions of the populations to contribute to the decision-making aimed at preservation of the environment.</p> <p>Decree No. 96-894 of 8 November 1996, setting out the rules and procedures applicable to environmental impact studies of development projects, in particular Articles 2, 12, 16 and 17: identify the characteristics of the studies to be carried out for each type of project, taking into account environmental impacts, the content of the impact study, the need for a public consultation to take into account the contribution of stakeholders and the provisions for their validation by the Office for environmental and social impact study, as the national authority that validates environmental impact studies of any development project.</p> <p>Decree No. 98-43 of 28 January 1998, relating to Installations Classified for the Protection of the Environment (ICPE): defines the assets that must be authorized and / or declared.</p> <p>Decree No. 2005-03 of 6 January 2005, on Environmental Audit which in its article 2 defines the conditions for periodically assessing the impact that all or part of the activities, the operating methods or the existence of an organization or work is likely, directly or indirectly, to generate on the environment;</p> <p>It should be noted, according to the provisions of Decree No. 96-894 of 8 November 1996, setting the rules and procedures applicable to environmental impact studies that, development projects are subject to:</p> <ul style="list-style-type: none"> - environmental impact study (Projects referred to in Article 2 (1)) <p>1 Agriculture:</p>
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		<p>a) Rural consolidation project; (b) Clearings and projects for the allocation of uncultivated lands or semi-natural areas to intensive agricultural cultivation with an area of more than 999 ha.</p> <p>- environmental impact statement (Projects referred to in Article 5) 2 Forest development:</p> <p>a) Reforestation operations covering an area of 100 ha and 999 ha b) Clearings and projects for the allocation of uncultivated lands or semi-natural areas for intensive agricultural operation ranging from 100 ha to 999 hectares.</p> <p>Interpretation</p> <p>The ESMP must be implemented with the participation of relevant stakeholders, and all monitoring reports must be available. For farms of more than 999 ha, in addition to the ESIA, a full and independent assessment of HVCs as well as a carbon assessment will have to be carried out. If the size of the farm is less than 999 ha, it is not necessary to conduct a full and independent assessment of HVCs and a carbon assessment, but an in-house HVC assessment by an employee with the right skills is required. The ESIA Certificate of Validity, issued by the administration, must be available (Indicator 7.1.1). The ESMP must include specific measures for management (compensation or mitigation, etc.) of negative impacts identified by the ESIA. Periodic monitoring of the ESMP must be conducted by the competent authorities in accordance with the provisions in force. (Indicator 7.1.2).</p>
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Criterion 7.2 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.		
Indicator.		Guidance
7.2.1 Major	Soil suitability maps or soil surveys adequate to establish the long-term suitability of land for oil palm cultivation shall be available and taken into account in plans and operations.	Guidance: These activities can be linked to the Social and Environmental Impact Assessment (SEIA) (see Criterion 7.1) but need not be done by independent experts.
7.2.2 Minor	Topographic information adequate to guide the planning of drainage and	

	<p>irrigation systems, roads and other infrastructure shall be available and taken into account in plans and operations.</p>	<p>moisture availability, stoniness and fertility to ensure long-term sustainability of the development. Soils requiring appropriate practices should be identified (see Criteria 4.3 and 7.4). This information should be used to plan planting programmes, etc. 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 will be delineated in plans and included in operations for conservation or rehabilitation as appropriate (see Criterion 7.4). Assessing soil suitability is also important for smallholders, particularly where there are significant numbers operating in a particular location. Information should be collected on soil suitability by companies planning to purchase FFB (FFB) from potential developments of independent smallholders in a particular location. Companies 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) provide information in order to assist independent smallholders to grow oil palm sustainably.</p> <p>For National Interpretation</p> <p>National Interpretation will specify the local or national code of practice or other guidelines that should be followed, or set out what ‘good practice’ constitutes within the local and national context.</p> <p>Interpretation</p> <p>There are no specific regulations, or national codes or guidelines on good practice to be used in soil and topographic surveys when planning for new plantations. Soil surveys must be based on available maps of Côte d’Ivoire, particularly the ORSTOM soil maps and national geological maps. For each soil unit (see ORSTOM Explanatory Notes) identified, an exploration pit and soil profile must be prepared and validated, and soil samples collected for laboratory analysis. Minimum analysis parameters include:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Particle size; <input type="checkbox"/> Soil texture and structure;
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		<p>☐ pH; ☐ Biological and chemical fertility indicators. Note: Pay particular attention to soil units with a particular risk of erosion.</p> <p>Operational planning in terms of hydrology, topography, and erosion control:</p> <p>Roads: minimize the number of intersections between roads and watercourses; restrict the gradient of roads to a maximum of 10% in the direction of the road (if roads must be made on gradients of more than 10%, erosion prevention measures must be put in place); Provide ford crossings of sufficient size to allow for uninterrupted flow of water in all seasons to avoid restriction and blocking problems; plan and maintain good flow of water along roads (ditches and drains).</p> <p>Plantation drainage: a water management plan must be available and implemented. If there is drainage and discharge from the plantation, where possible, mitigation measures must be taken and maintained to promote sedimentation and decontamination of such waters.</p> <p>Irrigation: where necessary, diversify the source of irrigation water so as not to use only surface water and avoid causing too much variation in water level, thus ensuring that downstream ecosystem services are always maintained by the water body.</p>
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Criterion 7.3 New plantings since November 2005 have not replaced primary forest or any area required to maintain or enhance one or more High Conservation Values. Note: See definition of new planting.

	Indicator.	Guidance
7.3.1 Major	<p>There shall be evidence that no new plantings have replaced primary forest, or any area required to maintain or enhance one or more High Conservation Values (HCVs), since November 2005. New plantings shall be planned and managed to best ensure the HCVs identified are maintained and/or enhanced (see Criterion 5.2).</p>	<p>Specific Guidance:</p> <p>For 7.3.1: Evidence should include historical remote sensing imagery which demonstrates that there has been no conversion of primary forest or any area required to maintain or enhance one or more HCV Satellite or aerial photographs, land use maps and vegetation maps should be used to inform the HCV assessment. Where land has been cleared since November 2005, and without a prior and adequate HCV assessment, it will be excluded from the RSPO certification programme until an adequate HCV compensation plan has been developed and accepted by the RSPO.</p>

<p>7.3.2 Major</p>	<p>A comprehensive HCV assessment, including stakeholder consultation, shall be conducted prior to any conversion or new planting. This shall include a land use change analysis to determine changes to the vegetation since November 2005. This analysis shall be used, with proxies, to indicate changes to HCV status.</p>	<p>For 7.3.5: The management plan will be adaptive to changes in HCV 5 and 6. Decisions will be made in consultation with the affected communities.</p>
<p>7.3.3 Minor</p>	<p>Dates of land preparation and commencement shall be recorded.</p>	<p>Guidance</p> <p>This Criterion applies to forests and other vegetation types. This applies irrespective of any changes in landownership or farm management that have taken place since November 2005. HCVs may be identified in restricted areas of a landholding, and in such cases new plantings can be planned to allow the HCVs to be maintained or enhanced.</p>
<p>7.3.4 Major</p>	<p>An action plan shall be developed that describes operational actions consequent to the findings of the HCV assessment, and that references the grower's relevant operational procedures (see Criterion 5.2).</p>	<p>The HCV assessment process requires appropriate training and expertise, and will include consultation with local communities, particularly for identifying social HCVs. HCV assessments should be conducted according to the National Interpretation of the HCV criteria or according to the Common Guidance on HCV Identification, HCV Resource Network 2013 (http://www.hcvnetwork.org/resources/folder.2006-09-29.6584228415/2013_commonguidancev5) if a National Interpretation is not available (see Definitions). Developments should actively seek to utilise previously cleared and/or degraded land on mineral soil. Plantation development should not put indirect pressure on forests through the use of all available agricultural land in an area. Where landscape level HCV 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.</p>
<p>7.3.5 Minor</p>	<p>Areas required by affected communities to meet their basic needs, taking into account potential positive and negative changes in livelihood resulting from proposed operations, shall be identified in consultation with the communities and incorporated into HCV assessments and management plans (see Criterion 5.2).</p>	<p>In case of small areas located either in hydrologically sensitive landscapes or in HCV areas where conversion can jeopardise large areas or species, an independent assessment will be required. HCV areas can be very small. Once established, new developments should comply with Criterion 5.2.</p> <p>For National Interpretation</p> <p>National Interpretation should refer to existing national definitions of HCVs (or where these do not exist refer to definitions in this document), or equivalent land-use/conservation plans or consider how growers and the audit team can identify High Conservation Values. This may involve collaboration with other bodies.</p>

		<p>Interpretation</p> <p>Refer to the existing documents on HVC in Côte d'Ivoire: The HVC identification process should also refer to the Generic Guide for the Identification of HVCs (HCVRN, 2013) and Common Guidance for the Management and Monitoring of HCVs (HCVRN, 2014). https://www.hcvnetwork.org/resources/folder.2006-09-29.6584228415</p> <p>The types of protected areas defined by the Ivorian Forest Code include, as per the Law 2014- 427 of 14 July on the Forestry Code:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Integral nature reserves; <input type="checkbox"/> Zoological gardens; <input type="checkbox"/> National parks; <input type="checkbox"/> Hunting reserves; <input type="checkbox"/> Biosphere reserves; <input type="checkbox"/> World Heritage Sites. <p>National specific guidelines for Indicator 7.3.5: a participatory map should be developed and validated by local populations. The boundaries of the operations and the plantation must be agreed with affected local populations during the FPIC process.</p>
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Criterion 7.4 Extensive planting on steep terrain, and/or marginal and fragile soils, including peat, is avoided.		
Indicator.		Guidance
7.4.1 Minor	Maps identifying marginal and fragile soils, including excessive gradients and peat soils, shall be available and used to identify areas to be avoided	<p>Guidance:</p> <p>This activity should be integrated with the social and environmental impact assessment (SEIA) required by Criterion 7.1.</p> <p>Planting on extensive areas of peat soils and other fragile soils should be avoided (see Criterion 4.3).</p> <p>Adverse impacts may include hydrological risks or significantly increased risks (e.g. fire risk) in areas outside the plantation (see Criterion 5.5).</p> <p>For National Interpretation:</p> <p>National Interpretation will determine specific controls and thresholds, such as slope</p>
7.4.2 Major	Where limited planting on fragile and marginal soils, including peat, is proposed, plans shall be developed and implemented to protect them without incurring adverse impacts.	

		<p>limits, listing soil types on which planting should be avoided (especially peat soils), the proportion of plantation area that can include marginal/fragile soils, and definitions of 'extensive', 'marginal', 'fragile', and 'excessive'.</p> <p>Interpretation</p> <p>A limit of not more than 25 degrees is established for the development of plantations according to the fragility of soils, as determined by the ESIA and integrated into the ESMP (Indicator 7.4.1). In catchment basins located upstream of areas considered critical for conservation (e.g. protected areas, RAMSAR, HVC), the permissible slope limit for plantation development must be supported by a specific study and documented in a written report.</p> <p>The ESMP must take into account the soil map and the nature of soils, and must detail specific management measures to be taken for identified fragile and marginal soils. The ESMP must specify measures to be taken for erosion control, which must then be put in place and followed (Indicator 7.4.1).</p> <p>A soil map must be available at an operational scale for the concession (Indicator 7.4.2). The ESIA refers to the national soil typology, as with the national geological map. Highly sandy soils, including podzols and hydromorphs must be specifically studied (Indicator 7.4.2).</p>
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Criterion 7.5 No new plantings are established on local peoples' land where it can be demonstrated that there are legal, customary or user rights, without their free, prior and informed consent. This is dealt with through a documented system that enables these and other stakeholders to express their views through their own representative institutions.

	Indicator.	Guidance
7.5.1 Major	Evidence shall be 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 grower/miller is signed and ratified by these local peoples.	<p>Guidance:</p> <p>This activity should be integrated with the Environmental and Social Impact Assessment (ESIA) required by Criterion 7.1.</p> <p>Where new plantings are considered to be acceptable, management plans and operations should maintain sacred sites. Agreements with indigenous peoples, local communities and other stakeholders should be made without coercion or other undue influence (see Guidance for Criterion 2.3).</p> <p>Relevant stakeholders include those affected by or concerned with the new plantings.</p>

		<p>Free, prior and informed consent (FPIC) is a guiding principle and should be applied to all RSPO members throughout the supply chain. Refer to RSPO approved FPIC guidance (<i>'FPIC and the RSPO; A Guide for Companies'</i>, October 2008).</p> <p>Customary and user rights will be demonstrated through participatory user mapping as part of the FPIC process.</p>
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Criterion 7.6 Where it can be demonstrated that local peoples have legal, customary or user rights, they are compensated for any agreed land acquisitions and relinquishment of rights, subject to their free, prior and informed consent and negotiated agreements.		
Indicator.		Guidance
7.6.1 Major	Documented identification and assessment of demonstrable legal, customary and user rights shall be available.	<p>Specific Guidance:</p> <p>For 7.6.1: This activity shall be integrated with the social and environmental impact assessment (SEIA) required by Criterion 7.1.</p> <p>For 7.6.6: Growers and millers will confirm that the communities (or their representatives) gave consent to the initial planning phases of the operations prior to the new issuance of a concession or land title to the operator.</p> <p>Guidance:</p> <p>Refer to Criteria 2.2, 2.3 and 6.4 and associated Guidance.</p> <p>This requirement includes indigenous peoples (see Annex 1).</p> <p>Refer to RSPO approved FPIC guidance (<i>'FPIC and the RSPO; A Guide for Companies'</i>, October 2008).</p>
7.6.2 Major	A system for identifying people entitled to compensation shall be in place.	
7.6.3 Major	A system for calculating and distributing fair compensation (monetary or otherwise) shall be in place.	
7.6.4 Minor	Communities that have lost access and rights to land for plantation expansion shall be given opportunities to benefit from plantation development.	
7.6.5 Minor	The process and outcome of any compensation claims shall be documented and made publicly available.	
7.6.6 Minor	Evidence shall be available that the affected communities and rights holders have access to 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.
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Criterion 7.7 No use of fire in the preparation of new plantings other than in specific situations, as identified in the ASEAN guidelines or other regional best practice.	
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Indicator.		Guidance
7.7.1 Major	There shall be no land preparation by burning, other than in specific situations, as identified in the ' <i>Guidelines for the Implementation of the ASEAN Policy on Zero Burning</i> ' 2003, or comparable guidelines in other regions.	<p>Specific Guidance:</p> <p>For 7.7.2: This activity shall be integrated with the social and environmental impact assessment (SEIA) required by Criterion 7.1.</p> <p>Guidance:</p> <p>Fire should be used only where an assessment has demonstrated that it is the most effective and least environmentally damaging option for minimising the risk of severe pest and disease outbreaks, and exceptional levels of caution are required for use of fire on peat. This should be subject to regulatory provisions under respective national environmental legislation. Extension/training programmes for smallholders may be necessary.</p> <p>For National Interpretation:</p> <p>National Interpretation will identify any specific situations where such use of fire may be acceptable, for example through reference to '<i>Guidelines for the Implementation of the ASEAN Policy on Zero Burning</i>' 2003, or comparable guidelines in other regions.</p> <p>Interpretation</p> <p>The use of fire for land preparation is prohibited in Côte d'Ivoire, including for smallholders seeking RSPO certification. Land preparation procedures must be developed, implemented and monitored (Indicator 7.7.1). The incidence rate of deliberate or accidental fires must be monitored and reported on (Indicator 7.7.1). A management plan for the prevention of burning and use of fire, commensurate with the risk of fire incidence (e.g. forest fires) must be developed and monitored.</p>
7.7.2 Minor	In exceptional cases where fire has to be used for preparing land for planting, there shall be evidence of prior approval of the controlled burning as specified in ' <i>Guidelines for the Implementation of the ASEAN Policy on Zero Burning</i> ' 2003, or comparable guidelines in other regions.	

Criterion 7.8 New plantation developments are designed to minimise net greenhouse gas emissions.	
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Indicator.		Guidance
7.8.1	The carbon stock of the proposed	<i>It is noted that oil palm and all other agricultural crops emit and sequester greenhouse</i>

Major	development area and major potential sources of emissions that may result directly from the development shall be identified and estimated.	<i>gases (GHG). There has already been significant progress by the oil palm sector, especially in relation to reducing GHG emissions relating to operations. Acknowledging both the importance of GHGs, and the current difficulties of determining emissions, the following new Criterion is introduced to demonstrate RSPO's commitment to establishing a credible basis for the Principles and Criteria on GHGs. Growers and millers commit to reporting on projected GHG emissions associated with new developments. However, it is recognised that these emissions cannot be projected with accuracy with current knowledge and methodology. Growers and millers commit to plan development in such a way to minimise net GHG emissions towards a goal of low carbon development (noting the recommendations agreed by consensus of the RSPO GHG WG2). Growers and millers commit to an implementation period for promoting best practices in reporting to the RSPO, and after December 31st 2016 to public reporting. Growers and millers make these commitments with the support of all other stakeholder groups of the RSPO.</i>
7.8.2 Minor	There shall be a plan to minimise net GHG emissions which takes into account avoidance of land areas with high carbon stocks and/or sequestration options.	<p>Specific Guidance: For 7.8.1: GHG identification and estimates can be integrated into existing processes such as HCV and soil assessments.</p> <p>The RSPO carbon assessment tool for new plantings will be available to identify and estimate the carbon stocks. It is acknowledged that there are other tools and methodologies currently in use; the RSPO working group will not exclude these, and will include these in the review process.</p> <p>The RSPO Palm GHG tool or an RSPO-endorsed equivalent will be used to estimate future GHG emissions from new developments using, amongst others, the data from the RSPO carbon assessment tool for new plantings.</p> <p>Parties seeking to use an alternative tool for new plantings will have to demonstrate its equivalence to the RSPO for endorsement.</p> <p>For 7.8.2: Growers are strongly encouraged to establish new plantings on mineral soils, in low carbon stock areas, and cultivated areas, which the current users are willing to develop into oil palm. Millers are encouraged to adopt low-emission management practices (e.g. better management of palm oil mill effluent (POME),</p>

	<p>efficient boilers etc.) in new developments.</p> <p>Growers and millers should plan to implement RSPO best management practices for the minimisation of emissions during the development of new plantations.</p> <p>Guidance:</p> <p>This Criterion covers plantations, mill operations, roads and other infrastructure. It is recognised that there may be significant changes between the planned and final development area, hence the assessment may need to be updated before the time of implementation.</p> <p>Public reporting is desirable, but remains voluntary until the end of the implementation period.</p> <p>During the implementation period until December 31st 2016 (as specified in Criterion 5.6), reporting on GHG will be to a relevant RSPO working group (composed of all membership categories) which will use the information reported to review and fine tune the tools, emission factors and methodologies, and provide additional guidance on the process. During the implementation period the RSPO working group will seek to further develop and continually improve the RSPO carbon assessment tool for new plantings, recognising the challenges associated with estimating carbon stocks and projecting GHG emissions from new developments.</p> <p>Thereafter growers and millers will ensure that new plantation developments are designed to minimise net GHG emissions and commit to reporting publicly on this.</p> <p>Once established, new developments should report on-going operational, land use and land use change emissions under Criterion 5.6.</p> <p>For National Interpretation:</p> <p>National Interpretation will provide guidance within the national context for national requirements (e.g. high and low carbon stock lands or emission reduction requirements).</p>
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Regulatory framework in Côte d'Ivoire

National Regulations

Since 1992, following the United Nations Conference on Environment and Development held in Rio de Janeiro, Brazil, Côte d'Ivoire has adopted a National Action Plan for the Environment (PNAE), which provides a framework for better understanding the reality and complexity of environmental issues. Thus, in 1994, the "White Paper" on Côte d'Ivoire's environment was published by the PNAE Coordination Unit.

Côte d'Ivoire's legislative and legal framework on the environment, water and forests is the current reference point of the legislative and legal framework governing issues related to climate change. It includes legislative and regulatory texts as well as international commitments. Key texts governing the Environment Sector (PNE, 2011) include: Law 65-255 of 4 August 1965 on the protection of wildlife and the exercise of hunting; - Law 65-425 of 20 December 1965 on the Forestry Code, as amended by Law 66-37 of 7 March 1966 on the Finance Act for 1966, Article 14 of the Fiscal Annex; Law 88-651 of 7 July 1988 on the protection of public health and the environment against the effects of toxic and nuclear industrial waste and harmful substances; - Law 96-766 of 3 October 1996 on the Environment Code; Law. 98-388 of 2 July 1998 laying down general rules on national public establishments and establishing categories of public establishments and repealing the Law 80-1070 of 13 September 1980; - Law 98-755 of 23 December 1998 on the Water Code; Law 2005-553 of 17 July 1995 on the Mining Code – Law 2002-102 of 11 February 2002 on the creation, management and financing of national parks and nature reserves; - Law 2005-521 of 27 October 2005 entitling the President of the Republic to authorize the State of Cote d'Ivoire to accede to the Kyoto Protocol relating to the United Nations Framework Convention on Climate Change, adopted on 11 December 1997 in Kyoto.

At the regulatory level, key implementing regulations include: Decree 60-365 of 2 November 1960 establishing the Nation Committee for Nature Protection; Decree 66-422 of 15 September 1966 establishing the State-owned forest development corporation named Société pour le Développement des plantations forestières (SODEFOR); This corporation later became a public company with an industrial and commercial character; then Decree 93-206 of 03 February 1993 restored its status of

		<p>state-owned corporation named Société de Développement des Forêts (SODEFOR); Decree 66-428 of 15 September 1966 defining the procedures for the classification and decommissioning of state-owned forests; Law 70-489 of 3 August 1970 on the Petroleum Code (amended on 31 May 1996) - Decree 93-31 of 24 January 1973, establishing the National Environment Commission; - Order 003 SEPN cab of 20 February 1974, banning hunting throughout Cote d'Ivoire;</p> <p>Interpretation</p> <p>Growers are encouraged to establish any new plantation on mineral soils in low-carbon and already cultivated areas where current users are willing to grow oil palm trees (Indicator 7.8.2). Millers are encouraged to adopt low-carbon management practices in any new development (e.g., management and capture of methane emissions from mill effluents, more efficient boilers, etc.).</p>
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Principle 8: Commitment to continual improvement in key areas of activity.		
Criterion 8.1 Growers and millers regularly monitor and review their activities, and develop and implement action plans that allow demonstrable continual improvement in key operations.		
	Indicator.	Guidance
8.1.1 Major	<p>The action plan for continual improvement shall be implemented, based on a consideration of the main social and environmental impacts and opportunities of the grower/mill, and shall include a range of Indicators covered by these Principles and Criteria. As a minimum, these shall include, but are not necessarily be limited to:</p> <ul style="list-style-type: none"> • Reduction in use of pesticides (Criterion 4.6); • Environmental impacts (Criteria 4.3, 5.1 and 5.2); • Waste reduction (Criterion 5.3); • Pollution and greenhouse gas (GHG) emissions (Criteria 5.6 and 	<p>Guidance:</p> <p>At a minimum, the areas covered must include but are not limited to:</p> <ul style="list-style-type: none"> ○ Reduction of pesticide use (criterion 4.6); ○ Reduction of negative environmental impacts (Criteria 4.3,5.1 and 5.2); ○ Waste reduction (Criterion 5.3); ○ Reduction of pollution and greenhouse gas (GHG) emissions (Criteria 5.6 and 7.8); ○ Reduction of negative social impacts (Criterion 6.1) ○ Optimization of the performance of the supply base. <p>Guidance</p>

	<p>7.8);</p> <ul style="list-style-type: none"> • Social impacts (Criterion 6.1); • Optimising the yield of the supply base. 	<p>Growers 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 continual improvement.</p> <p>For National Interpretation:</p> <p>National Interpretation will include specific minimum performance thresholds for key indicators (Criteria 4.2,4.3, 4.4, and 4.5).</p> <p>Interpretation</p> <p><i>Operating performance vis-à-vis criteria 4.2 to 4.5 shall be assessed at least annually, and more often in cases of non-compliance or poor performance. A plan must be in place to identify any technical innovations pertaining to criteria 4.2 to 4.5.</i></p> <p>The Environmental and Social Impact Assessment (ESIA) report is available.</p> <p>The action plan (at least over three years) for continuous improvement is available and implemented based on a review of key social and environmental impacts and production/mill opportunities.</p> <p>It includes a set of indicators covered by all the principles and criteria contained in this standard.</p> <p>Reduction of pesticide use (criterion 4.6);</p> <p>Reduction of negative environmental impacts (Criteria 4.3,5.1 and 5.2);</p> <p>Waste reduction (Criterion 5.3);</p> <p>Reduction of pollution and greenhouse gas (GHG) emissions (Criteria 5.6 and 7.8);</p> <p>Reduction of negative social impacts (Criterion 6.1)</p> <p>Optimization of the performance of the supply base</p> <p>The periodic (at least once a year) report of the assessment of the action plan and the revised action plan must be available.</p>
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ANNEX 1

Annex 1. Definitions.
Environmental Impact Assessment: A process of predicting and evaluating the effects of an action or series of actions on the environment, then using the conclusions as a tool in planning and decision-making.
Family farm: A farm operated and mostly owned by a family, for the growing of oil palm, sometimes along with subsistence production of other crops, and where the family provides the majority of the labour used. Such farms provide the principal source of income, and the planted area of oil palm is below 50 hectares in size. 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.
Grower: The person or entity that owns and/or manages an oil palm plantation.
High Conservation Value (HCV) Areas: The areas necessary to maintain or enhance one or more High Conservation Values (HCVs): <ul style="list-style-type: none">• HCV 1 – Species diversity. Concentrations of biological diversity including endemic species, and rare, threatened or endangered species, that are significant at global, regional or national levels.• HCV 2 - Landscape-level ecosystems and mosaics. Large landscape-level ecosystems and ecosystem mosaics 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.• HCV 3 - Ecosystems and habitats. Rare, threatened, or endangered ecosystems, habitats or refuge.• HCV 4 - Critical ecosystem services. Basic ecosystem services in critical situations, including protection of water catchments and control of erosion of vulnerable soils and slopes.• HCV 5 - Community needs. Sites and resources fundamental for satisfying the basic necessities of local communities or indigenous peoples (for livelihoods, health, nutrition, water, etc.), identified through engagement with these communities or indigenous peoples.• HCV 6 - Cultural values. Sites, resources, habitats and landscapes of global or national cultural, archaeological or historical significance, and/or of critical cultural, ecological, economic or religious/sacred importance for the traditional cultures of local communities. Note: RSPO will develop coherent guidance for standardised identification, management and monitoring (and other types of relevant guidance) of HCVs which would include guidance for compatibility of national toolkits as necessary
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 minimize risks to human health and the environment. IPM emphasizes the growth of a healthy crop with the least possible disruption to agro-ecosystems and encourages natural pest control mechanisms. (FAO 2013: http://www.fao.org/agriculture/crops/corethemes/theme/pests/ipm/en/)
Livelihood: A person's or a group's way of making a living, from their environment or in the economy, including how they provide 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. 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. The risk of livelihood failure determines the level of vulnerability of a person or a group to income, food, health and nutritional insecurity. Therefore, livelihoods are secure when they have secure ownership of, or access to, resources and income earning activities, including reserves and assets, to offset risks, ease shocks and meet contingencies. (Compiled from various definitions of livelihoods from DfID, IDS and FAO and academic texts from: http://www.fao.org/docrep/X0051T/X0051t05.htm).
Miller: A person or entity that operates a Palm Oil Mill.
Natural vegetation: Areas where many of the principal characteristics and key elements of native ecosystems such as complexity, structure and diversity are present.
New planting: The clearance of the following categories of land for the planting of oil palm and which will require HCV assessments:

<ul style="list-style-type: none"> • Structurally complex forest, regenerating, selectively logged forests with elements of high canopy. • Structurally degraded but ecologically functional natural forest. • Degraded but still functional low-canopy secondary forest and pioneer dominated, heavily and / or repeatedly logged or previously burned forest and regenerating forest. • Land that is used for agricultural purposes that was converted from any of the above, including primary forest, since November 2007.
<p>Operations: All activities planned and/or undertaken by the management unit within the boundaries of the palm oil mill and its supply base.</p>
<p>Operator: A person or entity that runs a business, machine, facility etc.</p>
<p>Origin of FFB (FFB): Source of FFB entering a mill (see Indicator 4.1.4). RSPO members acknowledge the need for responsible operators to practise due diligence in sourcing of FFB from third parties to reduce the risk that unsustainable products are entering the certified supply chain. However, it is also recognised that there are significant challenges in tracing all such supplies back to their point of origin. Therefore, as a minimum the mill must record the particulars of the party from which the FFB was sourced at the mill gate.</p> <p>Note: As stated in the preamble, the millers will commit to a process whereby they aim to source third party FFB from identified, legal and responsible sources</p>
<p>Outgrowers: Farmers, where the sale of FFB is exclusively contracted to the grower/miller. Outgrowers may be smallholders.</p>
<p>Pesticide: Substances or mixture of substances intended for preventing, destroying, repelling or mitigating any pest. Pesticides are categorized into four main substituent chemicals: herbicides; fungicides; insecticides and bactericides.</p>
<p>Primary Forest: A primary forest is a forest that has never been logged and has developed following natural disturbances and under natural processes, regardless of its age. Also included as primary, are forests that are used inconsequentially by indigenous and local communities living traditional lifestyles relevant for the conservation and sustainable use of biological diversity. The present cover is normally relatively close to the natural composition and has arisen (predominantly) through natural regeneration. (From FAO Second Expert Meeting On Harmonizing Forest related Definitions for Use by Various Stakeholders, 2001, http://www.fao.org/documents/show_cdr.asp?url_file=/DOCREP/005/Y4171E/Y4171E11.htm).</p> <p>Note: National interpretations should consider whether a more specific definition is required.</p>
<p>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. (From World Bank Operational Policy 4.10 - http://go.worldbank.org/6L01FZTD20).</p>
<p>Legal rights: Rights given to individual(s), entities and others through applicable local, national or ratified international laws and regulations</p>
<p>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. (From FSC Principles & Criteria: https://ic.fsc.org/download.revised-fsc-pc-v-5-0-high-resolution.a-871.pdf)</p>
<p>Demonstrable rights are those rights that are demonstrated through participatory user mapping as part of an FPIC process. Note: Where there is a national interpretation, these rights shall be further defined taking into account national obligations, constitutions, local laws and regulations, consistent with the generic definitions, including development of adequate guidance on a process to avoid or resolve any conflicts between customary rights (as defined above) and the nationally recognised customary rights.</p>
<p>Smallholders: Farmers growing oil palm, sometimes with subsistence crops, the labor can be provided by the family, the farm providing the main source of income, the area planted with oil palm being less than or equal to 50 ha.</p>
<p>Scheme smallholders– Smallholders who can be formally bound by contract, credit commitment or attached to an oil mill, the association is not necessarily limited to these links.</p>
<p>Independent smallholders– Smallholders not formally bound by contract, credit commitment or attached to an oil mill.</p>
<p>Independent growers - Independent growers are growers of oil palm who are free to sell their FFB to any POM or to any FFB trader and where the farm provides the principal source of income. Independent growers include small holders but are not exclusively small holders.</p>
<p>Stakeholders: An individual or group with a legitimate and/or demonstrable interest in, or who is directly affected by, the activities of an organisation and the consequences of those activities.</p>
<p>Workforce: The total number of workers employed by the management unit either directly or indirectly. This includes contract workers and consultants.</p>
<p>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</p>

who move within a country for the purposes of employment.

Transmigrant worker: a person who migrates from one part of the country to another with a view to being employed otherwise than on his own account.

ANNEX 2: National regulations and international convention

Current regulations relevant to the national interpretation of RSPO

- Law 2016-886 of 8 November 2016 on the Constitution of the Republic of Côte d'Ivoire

Land

- Law 98-750 of 23 December 1998 on rural land and its implementing legislation;
- Decree 99-594 of 13 October 1999 laying down the rules for the customary rural land use of Law ° 98-750 of 23 December 1998
- Decree 99-593 of 13 October 1999 on the organization and powers of the Rural Land Management Committees (CGFR)
- Order ° 041 MEMID / MINAGRA of 12 June 2001 on the establishment and operation of the Rural Land Management Committees.
- Inter-ministerial Order 247 / MINAGRI / MPMB of 17 June 2014 setting the scale of compensation for crops destroyed

Agriculture

- Law ° 63-490 of December 21, 1964 relating to the protection of plants
- Law 2015-537 of 20 July 2015 on the agricultural orientation of Côte d'Ivoire
- Law 63-400 of 26 June 1963 on the punishment of fraud in the sale of goods and falsification of foodstuffs and agricultural products;
- Decree 74-388 of 7 August 1974 on the approval of pesticides;
- Decree 63-457 of 7 November 1963 laying down the conditions for the introduction and exportation of plants and other materials capable of transporting organisms which are dangerous to cultivation;

Job

- Law 2015-532 of 20 July 2015 on the Labour Code;
- Law 2010-272 of 30 September 2010 on the prohibition of trafficking and the worst forms of child labour in Cote d'Ivoire;
- Law ° 99-477 of 2 August 1999 relating to the Social Security Code, amended by Ordinance 2012-03 of 11 January 2012.
- Decree 67-265 of 2 June 1967 in Title 3 on hazardous work for women and pregnant women;
- Decree ° 67-321 of July 21, 1967 codifying the regulations adopted for the application of Title 4 on health and safety at work;
- Order 009 MEMEASS / CAB of 14 March 2005 establishing the list of hazardous work prohibited for children under 18 years.

Environment

- Law 88-651 of 7 July 1988 on the protection of public health and the environment from the effects of toxic and nuclear industrial wastes and harmful substances, the specificity of which lies in the regional approach to environmental problems;
- Law 96-766 of 3 October 1996 on the Environment Code;
- Law 98-755 of 23 December 1998 on the Water Code,
- Law 2014-132 of 24 March 2014 relating to the electricity code in Article 2;
- Law 2014-390 of 20 June 2014 on guidance on sustainable development;
- Law ° 2002-102 of 11 February 2002 on the creation, management and financing of national parks and nature reserves
- Decree 98-43 of 28 January 1998 on ICPE
- Decree 2005-03 of 6 January 2005 on environmental auditing
- Decree 96-894 of 8 November 1996 laying down the rules and procedures applicable to environmental impact assessments;
- Decree 94-327 of 9 June 1994 on the accession of the Republic of Côte d'Ivoire to the Basel Convention
- Decree 2013-41 of 30 January 2013 on the strategic environmental assessment of policies, plans and programs;
- Order ° 011-64 of 04 November 2008 regulating liquid discharges and emissions from Classified Installations for the Protection of the Environment (ICPE);

Forest

- Law 2014-427 of 14 July 2014 on the new forestry code
- Decree 66-122 of 31 March 1966 determining the so-called protected tree species;
- Decree 2012-1049 of 24 October 2012 establishing, organizing and operating the National Commission for the Reduction of GHG Emissions from Deforestation and Forest Degradation.

National parks

- Law 2002-102 of 11 February 2002 on the establishment, management and financing of national parks and nature reserves;

Economy

- Investment Code 07 June 2012,
- Ivorian Civil Code of 2 February 1933
- Code of Civil Procedure December 21, 1972

- Ordinance 2012-487 of 7 June 2012 on the Investment Code
- Article 31 Paragraph 1 of Law No 91-999 of 27 December 1991 on competition (relating to the display of prices)

Regulations

- Regulation ° C / REG.13 / 12/12 on the quality control of fertilizers in the ECOWAS area "
- OHADA Uniform Law of 17 October 1993 revised at Québec on 17 October 2008, in particular Articles 2, 5 to 10 and 12 thereof;

ILO Conventions:

- ILO Convention 3 on Maternity Protection, 1919
- ILO Convention 3 4 on night work for women, 1919
- ILO Convention 3, 29 on Forced Labour, 1930;
- ILO Convention 3 Revised 41 of Night Work of Women, 1934
- ILO Convention 3 on the underground work of women, 1935
- ILO Convention 3 101 on Holidays with Pay (Agriculture), 1952
- Convention ILO 3 105 on the abolition of forced labour, 1957;
- Convention ILO 3 138 on Minimum Age, 1973;
- ILO Convention 3, 155, on the safety and health of workers, 1981;
- ILO Convention 3 159 on vocational rehabilitation and employment of persons with disabilities, 1983;
- ILO Convention 3 161 on Occupational Health Services, 1985;
- ILO Convention 3 182 on the worst forms of child labour, 1999;
- ILO Convention 3 183 on Maternity Protection.
- ILO Convention 3 184 on Safety and Health in Agriculture, 2001;
- ILO Convention 3 187 on the promotional framework for safety and health at work, 2006.
- ILO Convention 3 The Interprofessional Collective Agreement of 19 July 1977.

Environmental conventions:

- RAMSAR Convention on Wetlands of International Importance especially as Waterfowl Habitat, ratified on 27 June 1996 by the State of Cote d'Ivoire.
- 1992 RIO Convention on Biological Diversity

Annex 2. International Laws and Conventions.			
Principles	International Standards	Key provisions	Summary of Protections
Just Land Acquisition	ILO Convention 169 (1989) on Indigenous and Tribal Peoples	Articles 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.
	UN Declaration on the Rights of	Articles 25, 26	Right to distinctive relationship with land; right to own, use, develop

	Indigenous Peoples (2007)		and control their lands, territories and other resources.
	UN Convention on Biological Diversity (1992)	Article 10(c)	Protect and encourage customary use of biological resources in accordance with traditional practices.
Fair Representation And Participation of Indigenous and Tribal Peoples	ILO Convention 169 (1989) on Indigenous and Tribal Peoples	Articles 6-9	Represent themselves through their own representative institutions; consultations with objective of achieving agreement or consent; rights to decide their own priorities, retain their own customs and resolve offences according to customary law (compatible with international human rights).
	UN Declaration on the Rights of Indigenous Peoples (2007)	Articles 10, 11(2), 19, 28(1), 29(2) and 32(2).	Right to free, prior and informed consent to any project affecting their lands as expressed through their own representative institutions.
	Convention on the Elimination 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 Cultural and Economic Rights, Inter-American Commission on Human Rights 3	Free, Prior and Informed Consent for decisions that may affect indigenous peoples. (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).
No Forced Labour	ILO Convention 29 (1930) Forced Labour	Article 5	No concession to companies shall involve any form of forced or compulsory labour.
	ILO Convention 105(1957) Abolition of Forced Labour	Article 1	Not make use of any form of forced or compulsory labour.
Protection of Children	ILO Convention 138(1973) Minimum Age	Articles 1-3	Abolition of child labour and definition of national minimum age for labour not less than 15-18 years (depending on occupation).
	ILO Convention 182 (1999) Worst Forms of Child Labour	Articles 1-7	Abolition of child slavery, debt bondage, trafficking and procurement for prostitution; suitable methods to monitor and enforce compliance.
	UN Declaration on the Rights of Indigenous Peoples (2007)	Articles 17(2), 21, 22(2)	No exploitation or exposure to hazard or discrimination against indigenous women and children.
Freedom of Association and Collective Bargaining	ILO Convention 87 (1948) Freedom of Association and Protection of Right to Organise	Articles 2- 11	Freedom to join organisations federations and confederations of their own choosing; with freely chosen constitutions and rules measures to protect the right to organise.
	ILO Convention 98(1949) Right to Organise and Collective Bargaining	Articles 1-4	Protection against anti-union acts and measures to dominate unions; established means for voluntary negotiation of terms and conditions of employment through collective agreements
	LO Convention 141 (1975) Rural Workers' Organizations	Articles 2-3	Right of tenants, sharecroppers and Smallholders to organize; freedom of association; free from interference and coercion.
	UN Declaration on the Rights of Indigenous Peoples (2007)	Article 3	Indigenous peoples have the right to self-determination and to freely pursue their economic, social and cultural development
Non-Discrimination and Equal Remuneration	ILO Convention 100(1951) Equal Remuneration	Articles 1-3	Equal remuneration for men and women for work of equal value.
	ILO Convention 111 (1958) Discrimination (Employment and Occupation)	Articles 1-2	Equality of opportunity and treatment in respect to employment and occupation; no discrimination on the basis of race, colour, sex, religion, political opinion, national extraction or social origin.

	UN Declaration on the Rights of Indigenous Peoples (2007)	Articles 2, 8(2e), 9, 15(2), 16(1), 21(2), 22, 24(1), 29(1), 46(3)	No discrimination based on origin or identity; free to express identity based on custom; special attention to and full protection of rights of indigenous women.
Just Employment of Migrants	ILO Convention 97 (1949) Migration for Employment	Articles 1-9	Provision of information; no obstacles to travel; provision of health care; non-discrimination in employment, accommodation, social security and remuneration; no forced repatriation of legal migrant workers; repatriation of savings.
	ILO Convention 143 (1975) Migrant Workers (Supplementary Provisions)	Articles 1- 12	Respect basic human rights; protection of illegal migrants from abusive employment; no trafficking in illegal migrants; fair treatment of migrant labour.
Protection of Plantation Workers 4	ILO Convention 110 (1958) Plantations	Articles 5- 91	Protection of members of families of recruited workers; protection of workers' rights during recruitment and transport; fair employment contracts; abolition of penal sanctions; fair wages and conditions of work; no coercion or obligation to use company stores; adequate accommodation and conditions; maternity protection; compensation for injuries and accidents; of association; right to organise and collective bargaining; proper labour inspection; decent housing and medical care.
Protection of Tenants and Sharecroppers	ILO Recommendation 132 (1968) Tenants and Sharecroppers	Articles 4-8	Fair rents; adequate payment for crops; provisions for well-being; voluntary organisation; fair contracts; procedures for the settlement of disputes.
Protection of Smallholders	ILO Convention 117(1962) Social Policy(Basic Aims and Standards)	Article 4	Alienation with due regard to customary rights; assistance to form cooperatives; tenancy arrangements to secure highest possible living standards
Health and Safety	ILO Convention 184(2001) Safety and Health in Agriculture	Articles 7- 21	Carry out risk assessments and adopt preventive and protective measures to ensure health and safety with respect to workplaces, machinery, equipment, chemicals, tools and processes; ensure dissemination of information, appropriate training, supervision and compliance; special protections for youth and women workers; coverage against occupational injuries and disease.
Control or Eliminate Use of Dangerous Chemicals and Pesticides	Stockholm Convention on Persistent Organic Pollutants (2001)	Articles 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. Hex chlorobenzene).
	FAO International Code of Conduct on the Distribution and Use of Pesticides (1985, Revised 2002)	Article 5	Curtail use of dangerous pesticides where control is difficult; ensure use of protective equipment and techniques; provide guidance for workers on safety measures; provide extension service to Smallholders and farmers; protect workers and bystanders; make available full information on risks and protections; protect biodiversity and minimize impacts on environment; ensure safe disposal of waste and equipment; make provisions for emergency treatment for poisoning.
	Rotterdam Conventions on Prior and	Articles 1, 5 and 6	Curb trade in banned and hazardous chemicals and pesticides;

	Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (1998)		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)	Articles 21(1), 23, 24, 29(3)	Improvement of livelihood in sanitation, health and housing; participate in health delivery; maintain traditional health systems; effective monitoring of health.

ANNEXE 3: Glossaries

Annex 3. Glossary of terms.	
AI	Active ingredient.
ASEAN	The Association of Southwest Asian Nations.
BOD	Biological Oxygen Demand.
CBD	Convention on Biodiversity.
CPO	Crude Palm Oil.
CRS	Community Relations Strategy.
EFB	Empty Fruit Bunches.
EIA	Environmental Impact Assessment.
EMP	Environmental Management Plan.
EPA	Environmental Protection Agency.
FFB	FFB.
GAP	Good Agricultural Practices.
HCV	High Conservation Value.
ILO	International Labour Organisation.
IPM	Integrated Pest Management.
ISO	International Standard Organisation.
IUCN	International Union for Conservation of Nature and Natural Resources.
KW	Kilowatt.
LD50	Lethal Dose 50.
LTA	Lost Time Accident.
MSDS	Material Safety Data Sheet.
NGO	Non-Government Organisation.
OER	Oil Extraction Rate.
OSH	Occupational Safety and Health.
POME	Palm Oil Mill Effluent.
PPE	Personal Protective Equipment.
PER	Preliminary Environmental Report.
P&C	Principles and Criteria.

RSPO	Roundtable on Sustainable Palm Oil.
ESIA	Environmental and Social Impact Assessment.
SOP	Standard Operating Procedure.

Annex 4: List of Technical Committee Members

TECHNICAL COMMITTEES	ORGANISATIONS	PARTICIPANTS
Group 1: LAND Land	MINAGRI	SEYNOU Idrissa
	APROSAPCI	
	FENACOPAH-CI	GUIBRE Guy-Noel
	FER PALMIER	KRA Kouamé Daniel
	CNRA	Dr ALLOU Désiré
	Forum of Kings and Traditional Chiefs	Nanan AKA Patrisc Chef ZAGBA Olivier Blanchard
	ENVAL	HOUNGNONVI Olivier
	BNETD	Dr KONE K. Karidjatou
	Direction du Cadastre de la DGI	ZIZONHI Robert
	ANOPACI	DAGO Dadié
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	DEKEL OIL	OSHO Kouakou Roland Michael
	Group 2: AGRICULTURE Good Agricultural Practices Development of new plantations - agricultural inputs	MINAGRI
APROSAPCI		SOUMAHORO Bouaké
FENACOPAH-CI		TRAORE W. Laurent
PALMCI		KANGA Marie Colombe
CNRA		Dr HALA N'Klo
BNETD		SOUAGA Kouadio Fulbert

	ENVAL	MEHEFOLO Camara
	Oil palm growers	N'GORAN Nanou
	PALMAFRIQUE	ADOU Kissi Théophile
	DEKEL OIL	OURA N. Jean Norbert
	ECOFIND	YAO Kouadio
	CCI - CI	N'GUESSAN Eugène
	PSAC	YAO Kouamé François
	MINAGRI	DOH BI DJE Alain
	PALMCI	gbongue Able Ghislain
	ADAMAFRIQUE	ANASSIN Bony Germain
	GITHP	
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	CODINORM	ASSA Alain Constant
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	Ministry of Industry and Mining	IRIGO G. Hyacinthe
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	ANDE	BONAVENTURE KOUAME
		ATTROBRA Atcho Albert
	BUREAU VERITAS	KOUAME Kouassi Séraphin
	BNETD	KISSIEDOU Epouse DROH Pélagie
	CODINORM	KOUAME Elgar
	OIPR	MALAN Sey Blandine
	LANADA	SORO Kolo
	CIAPOL	Mrs. DJEDJE Irène
	CN-REDD+	ZAKO Bi Iritié Marc
	ONG GENIE BIO	UE BI Gouli Alain
	ONG AMISTAD	ADJEHI Aya Rachel
	ONG JVE	BAIMEY Charles
		KOFFI Salomon

Group 3: ENVIRONMENT
Environmental protection
waste management
High conservation values (HCV)

	PSAC	YEBOUE Konan Jean Claude
	SIFCA	N'GUESSAN Barthélemy
	AGRIVAR	BROU Hermann
	Oil palm growers	AHOURE Félix Claude
Group 4: WORKING CONDITIONS Occupational safety and health Compliance with legislation & labour regulations	ADAMAFRIQUE	KOUAME Wognin Alphonse
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		AHUI Vanin Ernest
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	Directorate General of Labour	Mrs. AMON Perpétue
	Union Confederation UGTCI	NIANGORAN Koffi
Union Confederation DIGNITE	AMON Assouan Stanislas	
Union Confederation FESACI		
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	Directorate General of Economy	AKA Vangah Marcelin
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	Ministry of Trade	GROTTO Bada Alain
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ENVAL	MEHEFOLO Kamara	

Oil palm growers	AMANI Niangoran Félix
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SETAB-CI	KABA Souleymane
CIRES	CORE Elvis
	DIARRA Lancina

Annex 4 : List of Technical Committee Members

TECHNICAL COMMITTEES	STRUCTURES	PARTICIPANT NAMES
Group 1: LAND Land	MINAGRI	SEYNOU Idrissa
	FENACOPAH-CI	GUIBRE Guy-Noel
	FER PALMIER	KRA Kouamé Daniel
	CNRA	Dr. ALLOU Désiré
	Forum of Traditional rulers	Nanan AKA Patrisc Chef ZAGBA Olivier Blanchard
	ENVAL	HOUNGNONVI Olivier
	BNETD	Dr. KONE K. Karidjatou
	Direction du Cadastre de la DGI	ZIZONHI Robert
	ANOPACI	DAGO Dadié
	Palm oil producers	ASSOHO Assohou
		Mrs. KRA CISSE Amenan Héléne
		GONETCI Richard
DEKEL OIL	OSHO Kouakou Roland Michael	
Group 2: AGRICULTURE Good agricultural practices - development of new plantations – agricultural inputs	MINAGRI	KRAMO Sylviane Elodie
		LOUKOU Koffi Bernard
	APROSAPCI	SOUMAHORO Bouaké
	FENACOPAH-CI	TRAORE W. Laurent
	PALMCI	KANGA Marie Colombe
	CNRA	Dr. HALA N'Klo
	BNETD	SOUAGA Kouadio Fulbert
	ENVAL	MEHEFOLO Camara
	Palm oil producers	N'GORAN Nanou
	PALMAFRIQUE	ADOU Kissi Théophile
	DEKEL OIL	OURA N. Jean Norbert
	ECOFIND	YAO Kouadio

	CCI - CI	N'GUESSAN Eugène
	PSAC	YAO Kouamé François
Group 3: ENVIRONMENT Environmental protection, waste management High Conservation Value (HCV)	MINAGRI	DOH BI DJE Alain
	PALMCI	GBONGUE Able Ghislain
	ADAMAFRIQUE	ANASSIN Bony Germain
	FER - PALMIER	KAPEU Sami Alain
	ENVAL	YAPO Clément
	FENACOPAH-CI	KOUAME K. Lazare
	CODINORM	ASSA Alain Constant
	Ministry of Water and Forestry	KOFFI Kouamé Mathurin
	Ministry of Industry and Mines	IRIGO G. Hyacinthe
	MINESUDD - CNDD	Mrs. DIALA Elisabeth Sehi
	ANDE	BONAVENTURE Kouame
		ATTROBRA Atcho Albert
	BUREAU VERITAS	KOUAME Kouassi Séraphin
	BNETD	KISSIEDOU Epouse DROH Pélagie
	CODINORM	KOUAME Elgar
	OIPR	MALAN Sey Blandine
	LANADA	SORO Kolo
	CIAPOL	Mrs. DJEDJE Irène
	CN-REDD+	ZAKO Bi Iritié Marc
	ONG GENIE BIO	UE BI Gouli Alain
	ONG AMISTAD	ADJEHI Aya Rachel
	ONG JVE	BAIMEY Charles
		KOFFI Salomon
	PSAC	YEBOUE Konan Jean Claude
	SIFCA	N'GUESSAN Barthélemy
	AGRIVAR	BROU Hermann
	Palm oil producers	AHOURE Félix Claude

Group 4: WORKING CONDITIONS Safety and health at work- Compliance with labour laws and regulations	ADAMAFRIQUE	KOUAME Wognin Alphonse
	UCOOPEL	AHIN Yao Augustin
		AHUI Vanin Ernest
	Ministry of Industry and Mines	ACHI Guy Mathieu
	CNPS	Mme TRAORE Salimata
		KONAN Eurelien
	SIPEF-CI	ROUAMBA Soumaila
	ANOPACI	TANO Amon Marc Frédéric
	General Directorate of Labour	Mme AMON Perpétue
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DIGNITE union federation	AMON Assouan Stanislas	
Group 5: VIABILITY AND DEVELOPMENT Economic viability & Development in favour of local communities Equitable remuneration & producers' buying prices	MINAGRI	KONAN Kouamé
	FENACOPAH-CI	MENSAH Tété Victor
	FER PALMIER	DAMA Roland
	General Directorate of the Economy	AKA Vangah Marcelin
	Ministry of Industry and Mines	EFFOLI Edmond
	Ministry of Commerce	GROTTO Bada Alain
	Ministry of State, Ministry of Planning and Development	Mme DIE Mohanna Grâce
	CEPICI	GUILLAO Ulysse
	SOLIDARIDAD	KOUTOU K, Alphonse
	APEX-CI	CAMARA Euloge
	ENVAL	MEHEFOLO Kamara
	Palm oil producers	AMANI Niangoran Félix
	BNETD	Mme GNEPA Estelle
	SETAB-CI	KABA Souleymane
	CIRES	CORE Elvis
DIARRA Lancina		

Annex 5: List of members of the National Technical Working Group

ORGANISATION	FUNCTION	PARTICIPANTS
AIPH	Presidency	BERTE Abdoulaye
		BROUZRO Hermann
		BLESSE Yves
		YEO YEHOUA DIT DJIBRIL
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FENACOPAH-CI	Member	MEITE Inza
		KOGBO DOUOBA
FIRCA	Secretariat	N'DIAYE Oumar
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		NAI Naï Serge
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		HOUNGNONVI Olivier
		BROU HERMANN
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Technical Committee on Agriculture	Member	TRAORE LAURENT (FENACOPAH-CI)
		KANGA MARIE COLOMBE (PALMCI)
Technical Committee on Environment	Member	Mrs. DIALA ELISABETH SEHI (CNDD)
		UE BI GOULI ALAIN (GENIE BIO)
Technical Committee on Working Conditions	Member	TRAORE SALIMATA (CNPS)

		KONAN EURELIN (CNPS)
		TANOH AMON MARC (ANOPACI)
Technical Committee on Sustainability and Development	Member	CORE ELVIS (CIRES)
		DAMA ROLAND (FER PALMIER)
CODINROM	Member	YAO YAO FRANCOIS
MINAGRI	Member	KRAMO YAHA Yvette Mireille
		KRAMO Sylviane Elodie
MINISTRY OF ENVIRONMENT	Member	DJEDJI Benjamin Onamoun
Agence Nationale de l'Environnement (ANDE)	Member	KOUASSI Brou N'Gbin
Projet d'Appui au Secteur Agricole (PSAC)	Member	YAO Kouamé François
		YEBOUE Konan Jean Claude

Annex 6: List of members of the National Technical Secretariat

ORGANISATION	FUNCTION	PARTICIPANTS
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MINAGRI	Member	GOORE BI KOUAKOU Marcel
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FIRCA	Secretariat	N'DIAYE Oumar
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		NAI NAI Serge
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