

A COMPARISON OF LEADING PALM OIL CERTIFICATION STANDARDS



Forest Peoples
Programme

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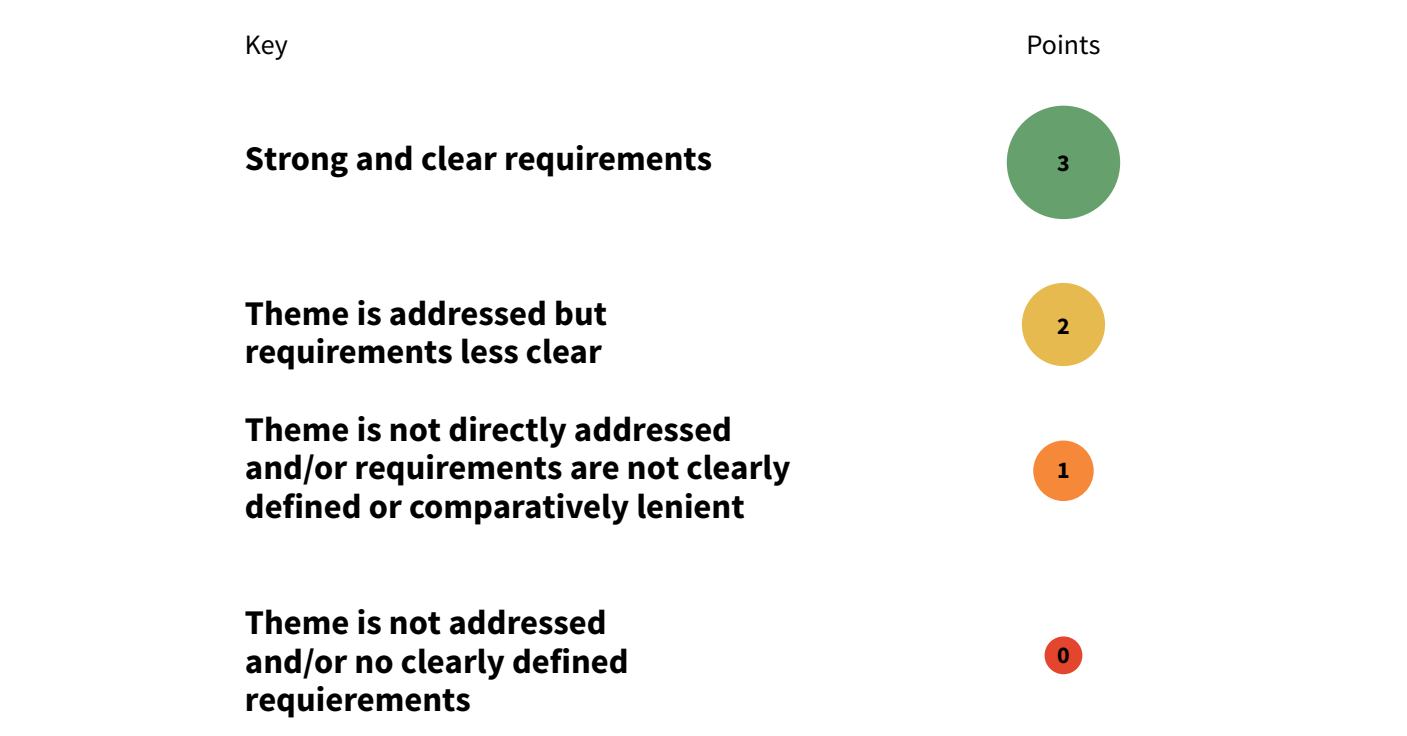
EXECUTIVE SUMMARY – PALM OIL COMPARATIVE STUDY

This study compares the world’s principal oil palm sustainability standards (RSPO, ISCC, ISPO, MSPO, SAN, HCS and RSB) by measuring them against a comprehensive set of over 39 social and human rights indicators within six different themes.

Methodology

The study is based on the requirements offered in each of the certification schemes tested. Forest Peoples Programme (FPP) identified a total of 39 different indicators, across six key themes, ranging from protection

of human rights defenders to requirements pertaining to minimum wage for workers. Depending on the provisions of the certification standard, each one of them was given a score between 0 and 3 based on the depth, detail, and stringency of requirements for compliance.



For example, when testing the standard strength against the indicator “Rights to water”, RSB standard scored 3 points, RSPO scored 2 points, HCS approach scored 1 point and ISPO scored 0 points.

3 points: RSB standard, criteria 9d states “Operations shall contribute to the enhancement or maintaining of the quality of the surface and ground water resources”, furthermore, it includes a number of minimum requirements relating to this criterion including minimum

requirement 6 which asserts “for existing operation, degradation of water resources that occurred prior to certification and for which the participating operator is directly accountable shall be reversed. Wherever applicable, operators shall participate in projects that aim to improve water quality at a watershed scale”. Such detailed and clear requirements earned the RSB standard 3 points.

2 points: RSPO standard, criteria 4.4 states “Practices maintain quality and availability of surface and ground

water, the water management plan will aim to ensure that local communities, workers and their families have access to adequate, clean water for drinking, cooking, bathing and cleaning purposes.” Whilst the indicator has been addressed, the specific requirements put on companies is less clear. Companies should aim to provide clean water, yet, there is no requirement to enhance the quality of water. As a result, the RSPO scored 2 points.

1 point: HCS approach, module 2.1 (social and baseline study) states “Access to water, health and education facilities and other social and economic infrastructure shall be considered...the social baseline study shall take into account the potential impacts of the proposed development of...water quality and availability...over the time frame of the development”. Water rights are only considered there is no requirement to maintain or enhance water quality, thus it is judged that the requirement is comparatively lenient and only scores 1 point.

0 points: ISPO standard only states within it that “water is to be monitored”. Since there are no clearly defined requirements, the ISPO standard scores 0 points. MSPO standard does not mention water rights either explicitly or implicitly and as a result also scores 0 points.

Themes:
Customary rights were assessed against eight different indicators including provisions for FPIC, participatory mapping, access to information and inclusive participation in negotiated agreements.

ISCC, SAN and RSB make little specific reference to indigenous peoples. Instead, they just refer to international conventions as safeguards of indigenous rights. RSPO, HCS and MSPO provisions on indigenous peoples, on the other hand, largely focus on land acquisition and on ensuring they are not taken advantage of in the process.

All standards require their members to demonstrate the legal right to use land. Critically, ISPO does not require this progress to be documented and instead it advocates one-off consultations with communities, making it the weakest standard in upholding basic customary rights. RSPO, in contrast, has the most comprehensive requirements for consultation and consent, emphasising transparency, participatory processes and strong measures for proof

of consultation, thus respecting indigenous peoples’ right to self-determination.

Other standards fall between these two extremes. ISCC does not require participatory mapping. SAN only requires FPIC in critical activities when use rights are affected and not in all communications with indigenous peoples. MSPO lacks an explicit requirement to prevent coercion outside of the context of FPIC. The absence of a requirement in RSB standard for all communication with communities to be recorded makes it weaker than RSPO standard which provides the strongest safeguard for indigenous rights.

Treatment of smallholders was scored against four indicators which took into account smallholders’ access to fair credit, their ability to access markets to sell their Fresh Fruit Bunches (FFB) and whether the standard gives provisions to ensure smallholders are paid fair prices for their FFB.

Much improvement is needed across the board. HCS approach has yet to be adapted to smallholders, whilst ISPO has no requirements at all for smallholder contracts. MSPO is only slightly better in requiring all smallholders to receive training to improve productivity. Meanwhile RSB provides its own smallholder standard with its own set of restrictions which only serve to limit their access to markets and fair treatment. Alarming, none of the standards require fair credit to smallholders, where instead credit has been decided without involving farmers in a participatory manner.

Standards must also be reformed if smallholder palm oil productivity is to grow while mitigating negative social and environmental impacts. Even though RSPO has broader and more tightly defined requirements on growers’ responsibilities towards smallholders, the significant shortfall between the costs for smallholders of compliance with RSPO standards, their ability to secure fair credit, and to get access to higher premium markets creates a disincentive for smallholders to become certified or maintain their certificates.

Social and environmental safeguards were judged against eight indicators including participatory social and environmental impact assessments, rights to water, protection of human rights defenders and whether the standards offered conditions for providing community development.

In terms of environmental standards, ISCC provides the most restrictive safeguards particularly when addressing peat land conversion, while RSPO is stronger on the social impact of oil palm. MSPO provides strict standards for plantation management while ISPO is based on existing Indonesian regulations that pertain to palm oil cultivation and processing and is by far the weakest at reducing the negative environmental and social impacts of oil palm.

RSPO standard, by comparison, provides some of the most restrictive requirements on land use rights, customary rights, core labour standards and the rights and wellbeing of people affected by plantations. RSB standard also has a lot of similarities with RSPO standard and is the most progressive in its approach to food security and water rights, something which should be mirrored in all the standards.

It is worth noting that RSPO is the only standard pioneering work on human rights defenders although the resolution, passed in November 2016, requiring the adoption of a mechanism to protect human rights defenders has yet to be acted on.

Core Labour Standards were assessed against eight indicators including commitments to no child labour, no slavery-like practices, as well as requirements pertaining to minimum wage, protection of migrant workers and free collective bargaining.

Almost all standards have strong provisions for employee contracts that must be fair and clearly understood, provide minimum wage requirements, support workers’ rights to form trade unions and bargain collectively. However, overall relatively weak protections are offered to migrant workers, something especially troubling given the high reliance on plantations on migrant labour.

ISPO is noticeably poor on labour standards which raises concern about the exploitation of workers within Indonesia particularly considering reports of forced and child labour on plantations.¹ The standard simply states that child labour is prohibited, but offers no further details on the restrictions for different age groups or even until what age one is considered a child.

Gender and discrimination looks specifically at provisions for gender sensitive complaints procedures, the protection of reproductive rights, and no

discrimination and sexual harassment commitments.

ISCC, RSB, ISPO and MSPO do not have any criteria specifically aimed at supporting women but they do include gender in their categories for which discrimination is not permitted. RSPO and HCS are the only standards that have a policy specifically aimed at protecting women from sexual harassment in the workplace and at supporting their reproductive rights. Both standards also state the need to have a company policy specifically aimed at addressing gender-based abuses.

All standards have mandatory criteria prohibiting discrimination, but definitions of what constitutes discrimination vary widely. Whilst RSPO, ISCC and HCS require publicly available equal opportunity policies, ISPO and MSPO require more generic commitments from companies which are requested not to engage or support discriminatory practices (there is no mention of whether or not these should be made public).

Quality Assurance scored certification schemes against five indicators including requirements to provide independent third-party verification of adherence to the schemes principles and criteria, to accredit certification bodies and to include formal public consultations during the audit process.



¹ Amnesty International. The Great Palm Oil Scandal: Labour Abuses Behind Big Brand Names, Amnesty International (2016), London.

RSB, ISCC, SAN and RSPO apply a two-tiered system involving various certification and accreditation bodies. SAN and ISCC, on the other hand, do not allow for public summaries of the audit reports to be produced. ISPO and MSPO also rely upon accredited third-part certification bodies to conduct audits, but it is the ISPO and MSPO commissions respectively that issue certificates based on reviews of audit reports. Both commissions maintain an elevated level of control over the entire certification process, which does raise questions about transparency and the independence of supply chain verification.

Audit quality remains a major challenge for many certification systems. The level of ambiguity which arises in the implementation of standards is deeply concerning as well as the apparent disparity between principles and criteria and their interpretation by certification bodies.

Another serious gap across all standards is the lack of a clear requirement to include a formal public consultation during the audit process. It is vital that all key stakeholders are independently interviewed during the audit process to provide a complete picture of a company’s performance.

Access to remedy scored standards against their ability to provide fair and transparent grievance and complaints mechanisms, indicators included the presence of an appeals procedure, ombudsman type processes and how the standard addressed land disputes.

RSPO, HCS, MSPO, RSB, ISPO and ISCC have established complaints procedures. Surprisingly, SAN provides no materials on how this remedy can be obtained unless at the micro- level through the farms grievance procedure. Details of the systems and timelines for resolution vary widely across the standards, where RSPO and ISCC offer appeals procedures and ombudsman type processes for mediation whilst MSPO and ISPO rely on national laws and bodies to deliver redress and compensation. In terms of land disputes, all the standards except ISCC

and ISPO turn to the FPIC standard to safeguard land rights. If these two standards are to provide protection to land rights holders this process must be integrated into their certification schemes.

In general, the grievance mechanism is best defined within the RSPO system which has undergone a process of evolution based on the past decade of experience and implementation of the standards principles and criteria, providing on-line status updates of cases and a relatively high-level of transparency throughout the complaints process.

Conclusion

The principal finding of the study is that the RSPO has the most robust scheme for certification whilst the ISPO has the weakest certification process and carries the least requirements on social issues. Despite the strength of elements of ISCC and SAN standards not all the criteria are mandatory, whilst RSPO, ISPO and MSPO require compliance with their principles and criteria to successfully achieve certification. These considerations have been taken into account when analysing the strength of each corresponding provision.

MSPO and ISPO, whilst requiring compliance with their respective national legal frameworks, do not provide the same level of protection that multi-stakeholder international certification schemes offer. This is most apparent in the way in which ISPO and MSPO standards provide very weak access to remedy compared to the complex multi-tiered approach of multi-stakeholders initiatives to ensure that certification holders comply with criteria set out in the standards.

The RSB standard has a lot of similarities with RSPO standard, falling short on the protection of women and migrant workers. Both standards offer the most comprehensive and nuanced approach to human rights protections and social safeguards across the schemes

explored, with detailed and thoroughly explained requirements for compliance, reflecting a broad consideration of the social issues facing the industry and communities affected by it.

The HCS Approach is not a stand-alone certification scheme but has been included in this review as its standard may apply to uncertified producers that are supply companies seeking to demonstrate their compliance with No Deforestation, No Peat, No Exploitation commitments. HCA Approach draws heavily on RSPO principles and criteria but to date lacks a clearly defined mechanism to ensure the calibre of social assessments. Furthermore, the approach does not yet provide standards on the treatment of smallholders, a shortcoming common across the certification scheme landscape. Standards must address this core challenge to provide credible protection and acknowledge smallholder realities.

FPP concludes that on paper the RSPO should be the standard of choice when it comes to palm oil certification. Building on its experience over the last ten years of implementation, RSPO now provides the most robust standard for palm oil certification, although as the study reveals there are still some gaps. The main challenges for RSPO are ensuring RSPO members actually apply the standard in practice and the unreliability of challenge and remedy procedures when non-compliances are identified.

What next?

These differences caution against drawing conclusions about the impact of different standards on the ground. FPP notes that there is a significant shortfall in practice of certification schemes upholding and enforcing their standards. Despite RSPO being the most outspoken on the issue of gender, for instance, evidence from analysis of RSPO audits and NGO investigations suggest that abuses regarding terms and conditions of oil palm plantation workers, including gender discrimination, continue to be widespread.²

The RSPO NEXT, a set of ‘add on’ criteria to bolster RSPO standard, and the development of the POIG certification are encouraging steps forward for the industry. POIG outlines specific requirements to strengthen food security and more detailed indicators related to workers’ rights in order to address the rising incidence of forced

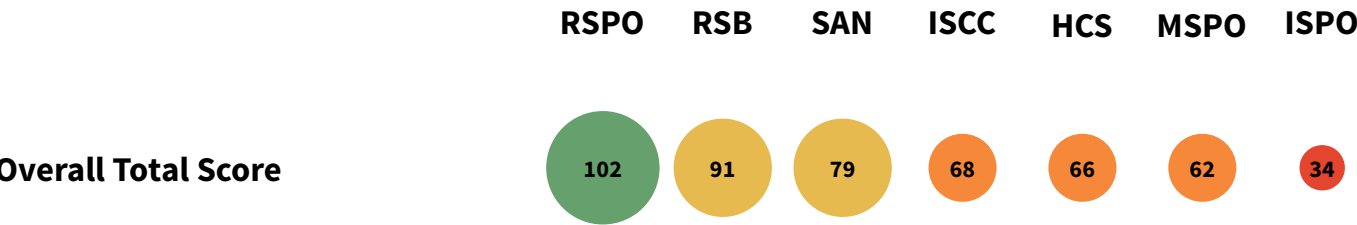
or child labour. RSPO NEXT, on the other hand, tackles the growing inequalities faced by migrant workers and offers a forward-looking approach to eradicating gender discrimination and harassment.

Both these new standards attempt to address the question of protecting smallholders’ rights whilst ensuring that they also respect human rights. POIG articulates specific guidance on smallholder support, including the development of a group certification plan, something echoed in the RSPO NEXT through its outreach program. POIG crucially requires companies to develop a strategy for smallholder inclusion in the supply chain which is a positive step forward for the development of smallholders.

Recommendations for RSPO

In view of the next revision in RSPO Principles and Criteria and accompanying Certification Systems document, which is to be concluded in 2018, FPP highlights some key areas of needed improvement:

- Audits: To avoid the current conflict of interest experienced by auditors who are directly paid by the companies they are verifying, audits should be paid out of an ESCROW fund into which the companies seeking certification pay their contributions. RSPO or a fourth party should choose which audit teams are allocated to which companies and arrange for them to be paid from the ESCROW account.
- Remedy: The provision of remedy to the communities remains elusive for the loss of lands taken or damaged and their resulting economic and environmental losses. To bring itself into compliance with the norms for non-judicial remedies set out by the UN Guiding Principles on Business and Human Rights, a mechanism to hold RSPO certified companied accountable for human rights violations and other damages (even if the company ceases to be RSPO-certified) is required. We recommend the use of a bond. The bond would act as an agreement between the certificate holder and RSPO to uphold the standard’s principles and to provide remedy to a third party in circumstances where these are violated.
- Human rights defenders: By using RSPO complaints procedures, communities have been able to expose land grabbing, violations of standards and human rights abuses. This has allowed dialogues between



² Amnesty International. The Great Palm Oil Scandal: Labour Abuses Behind Big Brand Names, Amnesty International (2016), London.

companies and the communities, but has also resulted in the harassment and criminalisation of community spokespersons and complainants. Proper protection mechanisms must be put in place to avoid escalations of violence.

- Smallholder protection: Promote the development of support mechanisms to reduce the barriers for smallholders to adopt sustainable production practices and RSPO certification.

- RSPO governance: Indigenous people are poorly represented in RSPO scheme’s governance, we recommend the establishment of a Permanent Indigenous Peoples Committee which liaises with RSPO’s Board of Representatives to mirror similar structures found in Forest Stewardship Council (FSC) and the Aluminium Sustainability Initiative (ASI).

Disclaimer: This review has been carried out as a desk-based study of the documents that are available through the websites of the various schemes. Some schemes’ websites are quite hard to navigate and so this review may have omitted reviewing some documents. We also recognise that all the schemes examined are constantly evolving, so the findings soon go out of date. The views expressed are those of FPP and do not imply any endorsement of the findings by other parties or by the sources cited. FPP would welcome any comments on this report. Comments should be sent to:

info@forestpeoples.org with the subject line: comparative study.

INTRODUCTION

Presented below is a structured, in-depth comparison of environmental and social requirements of the leading palm oil certification standards. The study highlights areas of commonality and difference, and draws attention to noticeable gaps in each of the standards human rights obligations. Our aim is to determine which of these standards provides the most comprehensive coverage of social safeguards.

To make the comparison accessible, a theme-based approach has been used, in which certification criteria are organized around 40 indicators reflecting priorities in terms of protection of customary rights, the fair treatment of smallholders, core labour standards, quality assurance and access to remedy.

The comparison has been divided into two parts. The first part compares eight different global certification standards where a quick-view, high-level scoring of standards is provided, capturing overall features of how the standards compare. The second part looks at two new certification schemes RSPO NEXT and POIG which are not stand-alone standards but build on the work of RSPO.



BACKGROUND ON EACH STANDARD



Roundtable on Sustainable Palm Oil (RSPO)

RSPO was formed in 2004 with the objective of promoting the growth and usage of sustainable palm oil products through credible international standards. It adopted its first Principles and Criteria (P&C) in 2005, revised them in 2007, and again in 2013. They comprise of eight basic principles. The P&C's require compliance with key indicators ('majors') of all criteria to gain RSPO certification. To claim compliance with the P&C and achieve RSPO certification, growers must be assessed by a third-party RSPO-accredited certification body every five years, with an annual audit for continued compliance.



Indonesian Sustainable Palm Oil (ISPO)

ISPO was established on 6th July 2009 to implement a certification policy system designed by the Indonesian Ministry of Agriculture. In 2011 Indonesia's Ministry of Agriculture decreed the mandatory Indonesian Sustainable Palm Oil (ISPO) standard. Under ISPO, all producers must bring operations into compliance with the standard by 2014, or face risk of losing their license to operate. ISPO is now part of the wider Sustainable Palm Oil (SPO) Initiative, developed with the support of the United Nations Development Programme (UNDP).

By design, ISPO criteria are strongly aligned with existing legal and regulatory requirements, and for this reason it is sometimes referred to as Indonesia's "legality standard" for palm oil. It requires full compliance with all criteria to gain ISPO certification.



Malaysian Sustainable Palm Oil (MSPO)

The Malaysian standard was published in September 2013. MSPO provides general principles for the implementation, establishment and improvement of the operational practices of a sustainability system incorporated in Malaysia to ensure the sustainable production of palm oil. Like the ISPO, the standard is strongly aligned with existing national legal and regulatory requirements. This standard currently covers the oil palm industry supply chain comprising independent and organised smallholders, plantations and oil palm mills. It requires full compliance with all criteria to gain MSPO certification.



International Sustainability & Carbon Certification (ISCC)

ISCC is a biomass standard, it was fully financed by a government agency (German Federal Ministry of Food, Agriculture and Consumer Protection) until 2012 when it became independent. ISCC is a system for certifying the biomass and bioenergy industries, oriented towards the reduction of greenhouse gas emissions, sustainable land use, protection of the natural biosphere and social sustainability. We focus on two ISCC certifications – ISCC EU and ISCC PLUS. Only a subset of specified criteria must be met to achieve ISCC certification - It divides its criteria into 'major' and 'minor' musts, where all major and at least 60% of minor musts shall be met to achieve certification.

ISCC EU, a certification scheme developed in 2011, was the first certification standard to demonstrate compliance with EU Renewable Energy Directive (RED)

requirements¹ which aims to ensure that biomass is not produced at the expense of valuable natural habitats. ISCC PLUS standard was published in 2012, and allows producers under the ISCC EU to convert to certified food. The system currently certifies over 3,000 operations worldwide, of which at least 300 are palm related.

Both standards have been assessed and included within the evaluation of ISCC standard.



Roundtable on Sustainable Biomaterials (RSB)

RSB was established in 2007. It launched its global certification system in 2011 as a set of comprehensive sustainability criteria to encourage the sustainable production of biofuels and other biomaterials. In 2013, it increased its scope to include all biomaterials. It was originally launched as a partnership between WWF and biofuel/feedstock producers and was administered by the University of Lausanne. RSB's minimum requirements require full compliance. Not all the principles and criteria apply equally to all operators. RSB recognises the SAN standard which is implemented by the Rainforest Alliance. Like ISCC, RSB certificates are recognised by the EU's RED initiative.



Sustainable Agriculture Network (SAN)

The Rainforest Alliance, established in 1987, aims to change land use and business practices to reduce their impacts on biodiversity and local people. SAN is a coalition

of independent non-profit organisations that promote social and environmental sustainability which was formed in 1997. Together these two organisations operate a global system for certifying the sustainability of farms in a variety of sectors. In 2009 the Rainforest Alliance launched its Sustainable Agriculture standard which continues to be developed – in 2017 it published an updated version. Only a subset of specified criteria must be met for certification – it requires compliance with 50% of criteria within each principle, and 80% of total applicable criteria, except critical criteria, which must be fulfilled.



High Carbon Stocks Approach (HCS)

The HCS Approach is a methodology designed to enable companies to put their no deforestation commitments into practice in their operations and supply chains. The HCS Approach calls for the rigorous implementation of High Conservation Value (HCV) assessment, and mapping of peatland and riparian areas. It integrates Free, Prior and Informed Consent (FPIC) processes for the recognition of rights and interests of local communities.

The HCS Approach identifies types of HCS forest class that require protection and prioritizes the allocation of two degraded land classes (low-carbon scrub areas and open land) for any proposed development.

It is not conceived as a stand-alone certification system but, as its social requirements are designed to be applied to companies that are not part of certification schemes, it is assessed here against the other schemes. In practice, most palm oil companies so far applying the HCS Approach in their own operations are also RSPO members.

¹ <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009L0028&from=EN>

METHODOLOGY

The study is based on a comprehensive analysis of the principles and criteria (and supporting documentation) of nine palm oil certification schemes. FPP evaluated the requirements of each certification scheme’s standard, and the strength of each standard quality assurance.

Each standard’s strength was evaluated – the requirements that palm oil operations need to fulfil to become certified or recognised. This covers social and environmental safeguards, protections for customary rights, provisions for smallholders to ensure fair treatment and policies relating to discrimination and gender. The quality assurance of each standard was considered i.e. the rules and procedures that regulate how the standard is implemented, assessed and governed. This includes how the standard is audited and verified, the control of the certification bodies, scheme governance and grievance procedures.

FPP identified a total of 36 different indicators, across six key themes, ranging from protection of human rights defenders to requirements pertaining to minimum wage for workers. Depending on the provisions of the certification standard, each certification standard was given a score between 0 and 3 based on the depth, detail, and stringency of requirements for compliance.

Treatment of each indicator was scored in accordance with the following scoring methodology:

Key	Points
Strong and clear requirements	3
Theme is addressed but requirements less clear	2
Theme is not directly addressed and/or requirements are not clearly defined or comparatively lenient	1
Theme is not addressed and/or no clearly defined requirements	0

For example, when testing the standard strength against the indicator “Rights to water”, RSB standard scored 3 points, RSPO scored 2 points, HCS approach scored 1 point and ISPO scored 0 points.

3 points: RSB standard, criteria 9d states “Operations shall contribute to the enhancement or maintaining of the quality of the surface and ground water resources”, furthermore, it includes a number of minimum requirements relating to this criterion including minimum requirement 6 which asserts “for existing operation, degradation of water resources that occurred prior to certification and for which the participating operator is directly accountable shall be reversed. Wherever applicable, operators shall participate in projects that aim to improve water quality at a watershed scale”. Such detailed and clear requirements earned the RSB standard 3 points.

2 points: RSPO standard, criteria 4.4 states “Practices maintain quality and availability of surface and ground water, the water management plan will aim to ensure local communities, workers and their families have access to adequate, clean water for drinking, cooking, bathing and cleaning purposes.” Whilst the indicator has been addressed, the specific requirements put on companies is less clear. Companies should aim to provide clean water, yet, there is no requirement to enhance the quality of water. As a result, the RSPO scored 2 points.

1 point: HCS approach, module 2.1 (social and baseline study) states “Access to water, health and education facilities and other social and economic infrastructure shall be considered...the social baseline study shall take into account the potential impacts of the proposed development of...water quality and availability...over the time frame of the development”. Water rights are only considered there is no requirement to maintain or enhance water quality, thus it is judged that the requirement is comparatively lenient and only scores 1 point.

0 points: ISPO standard only states within it that “water is to be monitored”. There are no clearly defined requirements. MSPO standard does not mention water rights either explicitly or implicitly and as a result also scores 0 points.

When testing the indicator quality assurance against each of the standards, RSPO scored 3 points, ISCC scored 2 points, ISPO scored 1 point.

3 points: Within the RSPO standard, public summaries of audit reports are available on the RSPO website. RSPO passed a resolution in November 2015 that committed the organisation to ensuring the quality, oversight and credibility of RSPO assessments by developing clear and mandatory guidelines and to improve the quality and performance of all RSPO Certification Body’s auditors and 3rd party assessors.

2 points: ISCC requires all six of its principles to be fulfilled and audited. Under ISCC, compliance with the standard is evaluated and certificates issued by accredited third-party certification bodies. Although in 2016, it was agreed summaries of audit reports will be made publicly available for each issued certificate, this has yet to come into effect. Whilst the indicator has been addressed, the lack of realization of public summaries means that the standard scores 2 points (as it does not offer the same level of stringency as the RSPO standard).

1 point: Within the ISPO framework, plantation and environmental management practices are assessed by independent third-party auditors (from a government approved certification body). ISPO audits are undertaken in two stages, the first stage is an audit requiring compliance with all legal plantation licences, the second stage is a full plantation audit assessing all documentation concerning adherence to ISPO’s Principles and Criteria. ISPO Commission itself, not the certification bodies, issues certificates based on reviews of audit reports and recommendations provided by the certification body. However, there are no public summaries of these audit reports. Whilst the indicator is addressed, it is unclear how the audit process can undergo public scrutiny introducing a high level of leniency to the process.

Information sources used were current standard documents as well as publicly available information, or accessible via standard organisation’s homepages and other relevant external organisations’ websites.

SUMMARY OF KEY FINDINGS

A. Customary Rights

	RSPO	RSB	SAN	ISCC	HCS	MSPO	ISPO
Legality	3	3	2	3	1	3	1
Customary Rights	3	3	3	3	3	2	1
Land Tenure Study	3	2	3	3	3	3	1
Participatory Mapping	3	3	3	0	3	1	2
Free Prior Informed Consent	3	3	3	0	3	3	0
Negotiated Agreements	3	3	3	2	3	3	1
Access to Information	3	1	3	1	2	3	1
No Coercion	3	2	2	0	2	2	0
Total Score	24	20	22	12	20	20	7

Legality
3 points: RSPO is explicit in its legal compliance requirement. A principle is dedicated to legality accompanied by an appendix listing social and environmental treaties applicable to countries that have signed them. ISCC has a similarly all-encompassing principle for legality, its social and labour criteria closely mirror core ILO standards but this similarity is not made explicit.² RSB takes a similar approach to RSPO explicitly stating in its first principle the legal compliance requirement. As a regional standard, the MSPO³ does not

offer the same level of legal compliance as RSPO, RSB and ISCC because it is limited to the international laws ratified by the State of Malaysia, nevertheless, the standard requires subscribed parties to be in compliance with the applicable local, state, national and ratified international laws and regulations.
2 points: SAN has a non-critical criterion for compliance with national laws. Because it is non-critical, the criterion is not binding for audit purposes, weakening the criterion to a form of guidance rather than a requirement.

1 point: The development of criteria under ISPO was driven initially by the goal to align its provision with Indonesia’s legal framework as closely as possible. This said, it is not a legality standard so though compliance with specific legal procedures are made explicit there is no overarching principle requiring legal compliance as does the RSPO. Removal of any references to laws or regulations that underlie many ISPO criteria has in practice eliminated much of the detailed guidance on requirements for complying with them. The HCS Approach turns to the UN Guiding Principles to guide companies to comply with national laws and regulations protecting human rights, but requirements are vague and only state that “it is important to ground the HCS process within these company obligations to respect...international laws”.

Recognition of community land rights – customary rights
3 points: RSPO, SAN, HCS, RSB and ISCC require the company to demonstrate a legal right to use land. RSPO, RSB and HCS have an additional provision whereby companies must prove absence of conflict over land rights/use, create a map of the area displaying legal use rights through participatory mapping, and provide evidence that individuals with rights have had access to information and advice, independent of the proponent, on the implications of the proposed development.

2 points: MSPO requires that where lands are encumbered by customary rights, “the company shall demonstrate that these rights are understood and are not being threatened or reduced”. This said, it does not offer the same level of protection as other provisions and could be tightened to ensure against illegal land acquisition.

1 point: ISPO does not require the land title process to be documented and makes no reference to customary rights allowing for certification of land grabs if the land acquisition process is not properly documented.

Land Tenure Study
3 points: RSPO, MSPO, ISCC, SAN and HCS provide strong and clear requirements regarding land tenure and land use assessments. SAN and ISCC include this provision

as a critical/major requirement for certification under their respective schemes. MSPO, RSPO and HCS are comparatively insistent on the importance of the inclusion of such provision.

2 points: RSB states that “if there are disputes about the tenure agreement of the land among stakeholders, operations shall not be certified”. This provision is more reactionary than premeditative in its prevention of human rights abuses, unlike the standards detailed above.

1 point: ISPO provides no appropriate explanation in the indicator relating to land sustainability maps or soil surveys to plan for long term suitability of the land for cultivation of oil palm. It does not detail how legal land boundaries are to be mapped and preserved nor is there a measurable indicator to map the status of lands in dispute.

Participatory Mapping
3 points: RSPO, RSB, HCS and SAN provide clear guidelines on the participatory mapping process to indicate the location, boundaries and planned uses of lands and other resources over which communities have legal, customary or use rights. RSB also states that in the absence of participatory methodologies “satellite images can help identify areas of cultivated land, and participatory mapping and transects can be undertaken with residents to identify the spatial distribution of the population and various land and resource uses”. It notes the all members of the community must meaningfully participate in the process.

2 points: ISPO follows Indonesian regulations which refer to the importance of the participatory approach and require participatory mapping to be conducted with affected parties and with the involvement of the local district office. However, details about how this process is carried out remain ambiguous and the documentation of such a process is required in ISPO standard.

1 point: MSPO only requires maps of an appropriate scale demonstrating the extent of recognised customary rights to be made available. There is no indication of how these

² ISCC EU certification system requires compliance with the legal sustainability requirement specified in the RED - Renewable Energy Directive, Directive 2009/28/EC - of the European Commission. For markets not regulated by RED or FQD (Fuel Quality Directive), ISCC PLUS requires through an audit all farms and plantations to comply with relevant laws and regulations.
³ Both Malaysia and Indonesia have not endorsed ILO Convention 169 and thus do not offer the same level of protection to indigenous peoples as multi-stakeholder initiatives like RSPO, HCS and RSB which cite this convention.

maps are made nor if they require a participatory process.

0 points: ISCC does not explicitly mention mapping or participatory mapping in the standards requirements.

FPIC (Free Prior Informed Consent)

3 points: RSPO, RSB, SAN, HCS and MSPO provide straightforward guidelines on the FPIC process.

0 points: ISPO standard does not require no land conflicts in the development of palm oil plantations and does not adopt the FPIC⁴ requirement. Despite Indonesian laws and regulations on human rights, ISPO makes no explicit reference to respecting these rights. ISCC makes no explicit reference to FPIC process.

Negotiated agreements and inclusive participation

3 points: RSPO, RSB, SAN, HCS and MSPO all provide requirements that the community may decide whether to enter negotiations, and if negotiations do occur between a community and a certified operator the terms of relinquishment of rights is clarified with the inclusion of the whole community. RSB states “FPIC shall form the basis of all negotiated agreements for any compensation, acquisition or voluntary relinquishment of rights”, this is mirrored in the other standards which provide for agreements to be documented and shared between all relevant parties.

2 points: ISCC provides for a participatory social impact assessment with two-way communication between communities and local government through regular meetings. This is only a minor consideration, it is not viewed as a critical requirement.

1 point: ISPO does not recognise FPIC and does not facilitate balanced negotiations between large plantation companies and local communities despite requiring mutually agreed negotiation processes for land acquisition and compensation within its requirements.⁵ ISPO fails to improve the bargaining position of local communities in negotiation processes.⁶ ISPO only recognises customary communities if they are supported by local government which may further induce social conflicts.⁷

Access to information

3 points: RSPO, MSPO and SAN require that documents are made publicly available so relevant stakeholders can

access information relevant to environmental, social and legal issues. All three standards explicitly note that this information should be in an appropriate language for effective participation in decision-making.

2 points: HCS while allowing for ample documents to be publicly available and sufficient time to be provided for these to be processed and analysed by a community does not specify the language in which the information should be presented.

1 point: ISPO provides no indicator expressly obliging the request and response of information to be maintained and managed responsibly and transparently. RSB and ISPO do not require for information to be presented in the appropriate form or language. ISCC, while requiring documentation of negotiations between communities to be documented, relies on a self-declaration of good social practice to provide for community access to information, which poses problems particularly if there is a conflict of interest.

No coercion

3 points: RSPO stands out as the only standard that explicitly prohibits the use of mercenaries and paramilitaries where company policy should prohibit extra-judicial intimidation and harassment by contracted security forces.

2 points: RSB, MSPO, SAN and HCS all provide safeguards against coercion, intimidation and duress to force communities to alter existing land rights, however, they do not go as far as RSPO standard in explicitly prohibiting the use of private armies and paramilitaries.

0 points: ISPO does not require open and transparent methods of communication and consultation between affected parties or other interested parties. Likewise, ISCC has no explicit safeguard against coercion. ISCC provides for a self-declaration of good social practice where there is a commitment to solve social conflicts but again it does not state how this is to be achieved and whether the use of force is to be prohibited.

Conclusion

ISCC, SAN and RSB make little specific reference to indigenous peoples. Instead, they quote international conventions to safeguard indigenous rights. RSPO, HCS

and MSPO provisions on indigenous peoples, on the other hand, largely focus on land acquisition and on requirements to ensure they are not taken advantage of in the process.

All standards require their members to demonstrate the legal right to use land. Critically, ISPO does not require this process to be documented and instead it advocates one-off consultations with communities, making it the weakest standard in upholding basic land rights and customary rights. RSPO, in contrast, has the most comprehensive requirements for consultation and consent, emphasising transparency, participatory processes and strong

measures for proof of consultation, thereby seeking to ensure respect for indigenous peoples’ right to self-determination.

Other standards fall between these two extremes. ISCC does not require participatory mapping. SAN only requires FPIC in critical activities when use rights are affected and not in all communications with indigenous peoples. MSPO lacks an explicit requirement to prevent coercion outside of the context of FPIC. The absence of a requirement for all communications with communities to be recorded makes the RSB standard a bit weaker than the RSPO standard.

⁴ This is clearly not consistent with National Forestry Council Policy Recommendations on the implementation of FPIC and Indonesian National REDD+ Strategy which requires a process and implementation of FPIC with communities affected by REDD+ proposed projects.

⁵ A NGO working with smallholders has demonstrated numerous examples where local communities did not actively participate in negotiations with companies at all, communities were unable to refuse new plantation establishments and instead had to accept the company’s plantations with negotiated compensation. The NGO notes that this situation did not only result from a lack of regulation about the negotiation processes, but also from the way in which companies interpret existing ISPO regulations. For example, companies noted that they do follow the requirements to inform local communities, however often do not give a balanced overview of the situation (only referring to potential positive impacts of establishing a plantation and ignoring potential negative ones) – see footnote 7.

⁶ Hidayat, N.K. et al, 2017. Sustainable palm oil as a public responsibility. On the governance capacity of Indonesian Standard for Sustainable Palm Oil (ISPO).

⁷ Suharto, R. et al, 2015. *Studi Bersama Persamaan dan Perbedaan Sistem Sertifikasi ISPO dan RSPO*. Jakarta: Kementerian Pertanian Republik Indonesia dan Roundtable on Sustainable Palm Oil (RSPO).

B. Treatment of Smallholders

	RSPO	RSB	SAN	ISCC	HCS	MSPO	ISPO
Fair Treatment of Smallholders	3	2	2	1	0	2	0
Fair Credit for Smallholders	1	0	0	0	0	0	0
Fair Prices for Smallholders	3	0	2	1	0	0	0
Smallholders Access to Market	1	2	0	0	0	0	0
Total Score	8	4	4	2	0	2	0

Fair treatment of Smallholders

3 points: RSPO provides the most comprehensive protection for smallholders. Although other standards provide standalone policies on smallholders they are not as stringent in considering smallholders’ needs. RSPO requires fair and transparent dealings with smallholders, and smallholders to be considered in applicable management planning.

2 points: RSB is one of the standards that provides a standalone smallholder standard which requires the group management to provide that any common benefit is fairly shared among all the group members. There is no mention of transparency in these dealings although principles and criteria are regularly audited. Nevertheless, it appears to tailor the RSB global standard to the needs of smallholders but relates more to their obligations rather than their rights. SAN strives to ensure that certification is affordable, feasible and contributes to significant positive value to smallholders’ farming operations. The standard provides safeguards including freedom from discrimination, the right to organise and collectively bargain and payment of at least the minimum wage. The standard also states that “less-advantaged group members, those in remote areas, and those with limited literacy” will have access to training and support to implement best practices outlined in the

SAN standard. To verify that each smallholder complies with SAN standard, an internal control-system to evaluate each member against the standard’s criteria is applied. Under the SAN group certification approach, smallholders are organised into groups that are managed and supported by a group administrator. The criteria that apply to group administrators who help smallholders achieve certification are not deemed critical criteria, it can take up to three years for these requirements to be addressed in which time smallholders may face unfair treatment. MSPO requires that smallholders are appropriately trained, however it offers little information on other rights i.e. that the impacts and implication of how each scheme is managed is to be monitored and reviewed.

1 point: ISCC is very prescriptive in the dealings with smallholders, requiring fair and transparent contracts to be in place. There is little mention of smallholders’ rights, training schemes or benefit sharing.

0 points: To date the HCS method has not been adapted to suit palm oil smallholders. A separate working group has been set up to develop suitable guidance for smallholders and HCS.⁸ ISPO has no specific measurable indicator or standard for smallholders. Not all palm oil plantations are eligible for an ISPO audit or certification

program. ISPO certification can only be filed by large palm oil plantations. There are no specific measurable indicators for partnerships with farmers, or that there must be resources allocated to improve the productivity or welfare of smallholders.

Fair Credit for Smallholders

1 point: RSPO, in its additional guidelines surrounding smallholders’ states that “scheme smallholders while also very diverse, are characterised as smallholders who are structurally bound by contract, by a credit agreement or by planning to a particular mill”. It does not go into detail surrounding these credit agreements and so cannot be judged to be fair.

0 points: All other standards provide no information on whether credit agreements are in place and what these may look like.

Fair Prices for Smallholders

3 points: RSPO requires that smallholders are dealt with fairly. Current and past prices of FFB should be publicly available, contractual agreements are understood, payments are agreed and made in a timely manner and any transactions made consider the role of middlemen. Furthermore, smallholders should have access to a grievance procedure if they consider they are not receiving a fair price for FFB, whether middlemen are involved or not.

2 points: SAN is the other standard that provides for fair prices for smallholders where a mechanism is implemented for “the non-discriminatory calculation and distribution of revenues” to smallholders. However, this is not a critical criteria and for this reason has been awarded only 2 points.

1 point: ISCC provides for fair and transparent arrangements to be in place where “payments for harvest are, calculated...and handed over to the contract farmer for his/her record keeping. Provisions governing price-quality parameters are clearly defined in the contract”. Further details on how this is calculated are not offered and provide rather vague protection for smallholders.

0 points: RSB, ISPO, MSPO and HCS provide no significant provisions that require that smallholders receive fair prices for FFBs.

Smallholder access to markets

2 points: RSB standard enables small-scale farmers to access RSB-certified supply chains, however these come with their own set of restrictions – smallholders are gathered as legal groups, with an appointed representative.

1 point: Within RSPO, where there are scheme smallholders, there shall be evidence that efforts and/or resources have been allocated to improve smallholder productivity. RSPO’s Generic Guidance for Independent Smallholders under Group Certification aims “to provide workable and equitable means by which smallholders can get their produce certified so they are not unfairly excluded from the emerging market”. However, specific guidance on this is weak.

0 points: ISCC requires companies to offer training to smallholders, but it is not stated whether this is specifically to enable them better access to markets or to improve productivity. Specific guidance on smallholder access to markets is missing. Similarly, SAN has made several steps to include smallholder in its certification standard where many of the requirements in the SAN standard are not applicable to smallholders. However, how this specifically guarantees fair access to emerging markets is unclear. MSPO, ISPO and HCS similarly provide little guidance on this matter.

Conclusion

Much improvement is needed across the board. HCS approach has yet to be adapted to smallholders, whilst ISPO has no requirements at all for smallholders. MSPO is only slightly better in requiring all smallholders to receive training to improve productivity. Meanwhile, RSB provides its own smallholder standard with its own set of restrictions which may limit their access to markets and fair treatment. Alarminglly, none of the standards offer fair credit to smallholders who often need to replant and increase yields to access financial support at the expense of the environment.

Standards need to be reformed if smallholder palm oil productivity is to grow while mitigating negative social and environmental impacts. Even though RSPO has broader and more tightly defined requirements on responsibilities towards smallholders, the significant shortfall between RSPO compliance costs, the ability to secure fair credit, and access to higher premium markets creates a disincentive for smallholders to become certified.

C. Social and Environmental Safeguards

	RSPO	RSB	SAN	ISCC	HCS	MSPO	ISPO
Social Development	2	3	3	1	1	3	2
Protection of HRDs	1	0	0	0	0	0	0
SEIAs	3	3	3	3	3	3	3
Participatory SEIAs	3	3	3	3	3	3	1
Rights to Food	1	3	1	3	3	0	0
Rights to Water	2	3	1	3	1	0	0
Rights to a Clean Environment	2	3	1	1	1	2	1
Total Score	14	18	12	14	12	11	7

Social Development – Community benefits
3 points: RSB provides that in regions of poverty, the socio-economic status of impacted local stakeholders should be improved, encouraging the participation of indigenous communities in the design and implementation of such projects. MSPO requires growers to contribute to local development in consultation with local communities and SAN requires growers to support identified needs and priorities of the community.

2 points: RSPO is less forceful with its words stating growers should only contribute to local sustainable development where appropriate, it does not specifically mention the inclusion of the community in this process. This said, it does provide for positive discrimination in favour of local communities. ISPO members are required to have a program for increasing the welfare of local

customary community and culture. ISPO requires 20% of a plantation area to be developed for the community, which follows the national law, and that the company empowers indigenous peoples, supports local business, and contributes to community development. Again, there is no mention of consultation with the community, opening the possibility for social development projects to be imposed on communities rather than with their conscious involvement.

1 point: ISCC approach to social development is through incentivising employees, families and communities for work-related performance. Other standards require growers to support the communities where they work. ISCC is slightly different, whilst it does require that all children living on the farm should have access to quality primary education, other forms of social development

such as the provision of health care services, social support, or professional development training, are only required where communities maintain responsible relations with the grower/employer. HCS acknowledges the developmental aspirations and options of affected communities and local stakeholders but only through their access to information as opposed to concrete measures to improve their welfare.

Protection of human rights defenders
1 point: RSPO passed resolution 6e (2016) on the “Protection of human rights defenders, whistle-blowers, complainants and community spokesperson”. The resolution has yet to be put into effect. It is the only standard currently developing a HRD protocol to protect human rights defenders and fundamental freedoms.

0 points: All other standards have no specific requirements protecting human rights defenders.

Social and Environmental Impact Assessments (SEIAs)
3 points: RSPO, RSB, ISCC, MSPO require that independent environmental and social impact assessments are conducted prior to land conversion. SAN goes one step further and integrates SEIAs into developments and expansion plans. HCS approach requires baseline study reports from both socio-economic and biological and ecological surveys. ISPO evaluates impacts to the environment through AMDAL, UKL, HCV and UPL assessments. Social impacts are not evaluated separately but are covered in the AMDAL and HCV assessments.

Participatory SEIAs
3 points: RSPO, RSB, MSPO, ISCC, SAN and HCS provide safeguards for participatory social impact assessments enabling meaningful stakeholder engagement.

1 point: ISPO makes to explicit requirement that assessments are participatory but AMDAL procedures do require assessors to interview impacted communities. There is no indicator to mitigate the negative impacts on communities or indigenous groups identified by assessments or to monitor the identified impacts.

Right to food – Local Food Security
3 points: HCS, RSB and ISCC all mention food security explicitly. HCS requires that areas, which are part of active subsistence food production cycles to meet the

food security needs of communities, are enclaved from consideration as HCS forest or plantation development. ISCC provides safeguards to guarantee that biomass production does not impair food security. RSB goes even further, requiring assessments and mitigation plans to reduce risks of food security in the region and locality resulting from operations. Where assessments indicate food security is at risk, “operations shall enhance the local food security of the directly affected stakeholders”.

1 point: RSPO provides definitions and some guidance on livelihoods in which it notes that this is the means in which communities “assure themselves and following generations secure access to food”. Specific indicators, however, are lacking. Livelihoods are mentioned in indicators relating to SEIAs and RSPO’s New Planting Procedure, however, these only acknowledge potential scarcity of food resources and do not provide instructions to mitigate against the possible lack of access to food. SAN, similarly, acknowledges how proposed plantation operations can diminish community rights over land for primary subsistence activities but only requires for community members to be made aware of this fact in the FPIC process.

0 points: ISPO and MSPO offer no indicator to assess the food security needs of communities, nor require any consideration of the positive and negative changes to the source of livelihood of communities resulting from planned plantation activities.

Rights to water
3 points: RSB and ISCC are the only standard to explicitly reference water rights. RSB states “operations shall contribute to the enhancement or maintaining of the quality of the surface and ground water resources”, furthermore, it includes a number of minimum requirements relating to this criterion which assert “for existing operation, degradation of water resources that occurred prior to certification and for which the participating operator is directly accountable shall be reversed. Wherever applicable, operators shall participate in projects that aim to improve water quality at a watershed scale”. ISCC requires the producer to respect existing water rights, both formal and customary, and must justify irrigation activities considering accessibility of water for human consumption.

2 points: Although RSPO requires HCV assessments which should identify and protect critical ecosystem services (HCV4), the RSPO standard’s only explicit safeguard of water rights is the requirement that whereby “Practices maintain quality and availability of surface and ground water, the water management plan will aim to ensure local communities, workers and their families have access to adequate, clean water for drinking, cooking, bathing and cleaning purposes”. The specific requirements put on companies is unclear.

1 point: HCS approach states “Access to water, health and education facilities and other social and economic infrastructure shall be considered...the social baseline study shall take into account the potential impacts of the proposed development of...water quality and availability...over the time frame of the development”. Water rights are only considered, there is no requirement to maintain or enhance water quality. This is mirrored in the SAN standard where water rights only have to be identified in the FPIC process, no guidance is offered on how this should be protected.

0 points: ISPO standard only states within it that “water is to be monitored”. There are no clearly defined requirements. MSPO standard does not mention water rights either explicitly or implicitly.

Rights to a clean environment

3 points: RSB offers the most comprehensive protection of the environment. RSB requires provisions for conservation values and ecosystem functions to be maintained and enhanced. Operations shall protect, restore and create buffer zones. Ecological corridors shall be protected and restored and operations shall implement practices to maintain and enhance soil conditions.

2 points: RSPO offers protection but less comprehensively whereby the standard mitigates against any negative environmental impacts, where waste is reduced,

recycled, re-used and disposed of in an environmentally responsible manner. HCV habitats existing in a plantation are identified and operations managed “to best ensure they are maintained and/or enhanced”. MSPO provides similar safeguards including a programme to promote the positive impacts of environmental management which must be included in the continual improvement plan.

1 point: SAN, ISCC and HCS recognise the negative impacts to the environment that operations may cause but offer very little in guidance over how these should be mitigated in the long term. ISPO provides indicators to monitor environmental impacts but the details of a monitoring protocol and what constitutes best practice is absent from the standard.

Conclusion

In terms of environmental standards, ISCC provides the most restrictive safeguards particularly when addressing peat land conversion, while RSPO is stronger on the social impact of palm oil. MSPO provides strict standards for plantation management while ISPO is based on existing Indonesian regulations that pertain to palm oil cultivation and processing, and is by far the weakest at reducing the negative environmental and social impacts of palm oil.

RSPO standard, by comparison, provides some of the most restrictive requirements on land use rights, customary rights, core labour standards and the rights and wellbeing of people affected by plantations. RSB standard also draws a lot of similarities with RSPO standard and is the most progressive in its approach to food security and water rights, something which should be mirrored in all the standards.

It is worth noting that RSPO is the only standard pioneering work on human rights defenders although the details of the resolution, passed in November 2016, have yet to be published.

D. Core Labour Standards

	RSPO	RSB	SAN	ISCC	HCS	MSPO	ISPO
Conditions and Benefits	3	3	3	3	3	3	1
Minimum Wage	3	3	3	3	3	3	3
Free Collective Bargaining	3	3	3	3	3	2	2
No Child Labour	3	3	3	3	3	2	2
No Slavery-Like Practices	3	3	3	3	2	0	0
Contracting Third Parties	2	3	2	2	2	2	2
Accessible Grievance Mechanisms	3	3	2	1	0	1	0
Protection of Migrant Labour	3	0	1	1	1	0	0
Total Score	23	21	20	19	17	13	8

Conditions and benefits

3 points: RSPO, RSB, MSPO, ISCC, SAN and HCS provide multiple safeguards requiring safe working conditions, fair employment conditions and social benefits. These range from access to health and education services for family members to the provision of safe working conditions through training and education programs integrated into the standard or as standalone labour policies.

1 point: ISPO only provides one criterion relating to the welfare of workers. There is no requirement for employee contracts to be fair, legal and transparent, the standard only states that employees/workers must be enrolled in the government’s social security program, as per applicable regulations.

Minimum Wage

3 points: All standards provide for workers to be paid minimum wage, many also require that certain benefits are included in the contract. RSPO has a list of benefits that need to be accounted for (including overtime, insurance, sick and maternity leave) in one of its indicators but fails to provide further guidance on these benefits. ISCC provides more specific detail on working hours but again these are ranked as “minor musts” weakening the strength of the criteria. SAN is the only standard to provide instruction on severance. ISPO requires employees/workers to be enrolled in the employee social security program as per Indonesian regulations.⁹ MSPO provides for a health policy plan to

be documented and effectively implemented for workers and other forms of social benefits to be offered to employees and their families including bonus payments and medical care. HCS and RSB turn to international labour conventions to set out their labour best practice.

Free collective bargaining

3 points: All standards have criteria supporting the employees/workers’ right to form trade unions and bargain collectively. RSPO, MSPO and ISPO mention that the company should facilitate the means for workers to establish such unions. RSPO, ISCC, SAN, RSB and HCS all refer to ILO Conventions to guide such policies.

2 points: ISPO and MSPO offer the weakest policies as they both provide no details on how workers are encouraged to join unions or indicators detailing how meetings with workers’ representatives/trade unions are to be documented.

No child labour

3 points: SAN provides the most detailed guidance on child labour, the safeguards provided for different age groups and the corresponding work restrictions. RSPO, ISCC and RSB provide clear guidelines, all referring to ILO Conventions to further define their position on child labour. HCS has less clear guidelines but again refers to international law for guidance.

2 points: ISPO has a general criterion prohibiting child labour, but it does not provide any information on age or categories and associated restrictions. MSPO is the only standard that does not provide a specific criterion dedicated to child labour, but companies receiving MSPO certificates are expected to have a separate policy banning child labour, and companies are required to document and record the workers’ date of birth.

No slavery-like practices

3 points: RSPO, ISCC, RSB, and SAN all have mandatory criteria prohibiting use of forced labour.

2 points: HCS turns to international conventions to protect workers against slavery-like practices.

0 points: ISPO makes no mention of forced labour in the standard’s indicators. MSPO also lacks a specific criterion and only states that “the management shall establish

a policy on good social practices regarding human rights in respect of industrial harmony” but it is unclear what this translates to in practice.

Contracting third parties

3 points: RSB requires employers to implement mechanisms to safeguard human rights and labour rights outlined in international conventions and that these are equally applied when labour is contracted through third parties.

2 points: MSPO, RSPO, ISCC, HCS and SAN all provide protections for third party contractors but make no reference to mechanisms to guarantee they are applied. ISCC require that any engagement with subcontractors must fully comply with ISCC’s sustainability requirements. HCS indicators are less binding and only solicit developers to monitor compliance of contractors with their requirements. MSPO offers some level of protection where management must provide evidence of agreed contracts with third parties who are responsible for their wellbeing (questions should be asked of the independence of such a mechanism and the potential biases that could arise in reporting). RSPO commits growers to ethical conduct of business operations including stand-alone policies relating to workers’ rights to be communicated with all levels of the workforce. Nevertheless, there is very little guidance specific to temporary workers. SAN provides provision whereby farmers are not to “engage in arrangements or practices designed to eliminate or reduce pay benefits due to workers being temporary”. No mechanism is offered as to how this will be regulated.

0 points: ISPO standard does not contain an indicator that specifically defines labour policies or human rights policies and procedures relating to temporary workers. Although company operations are expected to be in line with national law.

Accessible grievance mechanisms

3 points: Both RSPO and RSB provide for easily accessible grievance mechanisms open for all workers and contracted workers. RSPO provides a transparent system that this is a mutually agreed and accepted by all affected parties where complaints can be submitted anonymously.

2 points: Under SAN standard, employers should implement complaints and grievance mechanisms,

but this is not as watertight as those provided by RSPO and RSB and does not detail how such a system should function and how it can be accessed by workers.

1 point: MSPO and ISCC require complaints forms to be available on site where employers can make a complaint. Further details are not provided by MSPO. This is only a minor consideration under ISCC.

0 points: HCS does provide for grievance mechanisms which aim to ensure that misunderstandings (such as those between communities and operators) do not escalate into disputes. Such grievance mechanisms need to be agreed in advance to address complaints that arise under HCS social requirements. There is not a grievance mechanism which tackles problems that may arise in the workplace which is open to all workers and contracted workers. Similarly, ISPO offers no grievance mechanism for workers. The only grievance mechanism is related to land disputes and compensation. Indonesian national law does provide protection to workers but this is not explicitly stated in the standard.

Protection of migrant labour

3 points: RSPO offers the most comprehensive protection for migrant and trans-migrant workers, the standard protects their right to bargain collectively, requires operators to have special labour policies relating to migrants rights and obliges separate employment agreements to be undertaken to meet immigration requirements for foreign workers and observation of international standards.

1 point: ISCC and SAN bracket migrant workers into the term ‘temporary worker’ where reference to their rights are scant. They rely on the operator to be aware of its obligations under national and international law, and to act in accordance with this. HCS does include migrant workers in their safeguards relating to collective bargaining requirements but there is no reference to separate employment agreements or other protection measures.

0 points: RSB, ISPO and MSPO provide no guidance or protection of migrant workers.

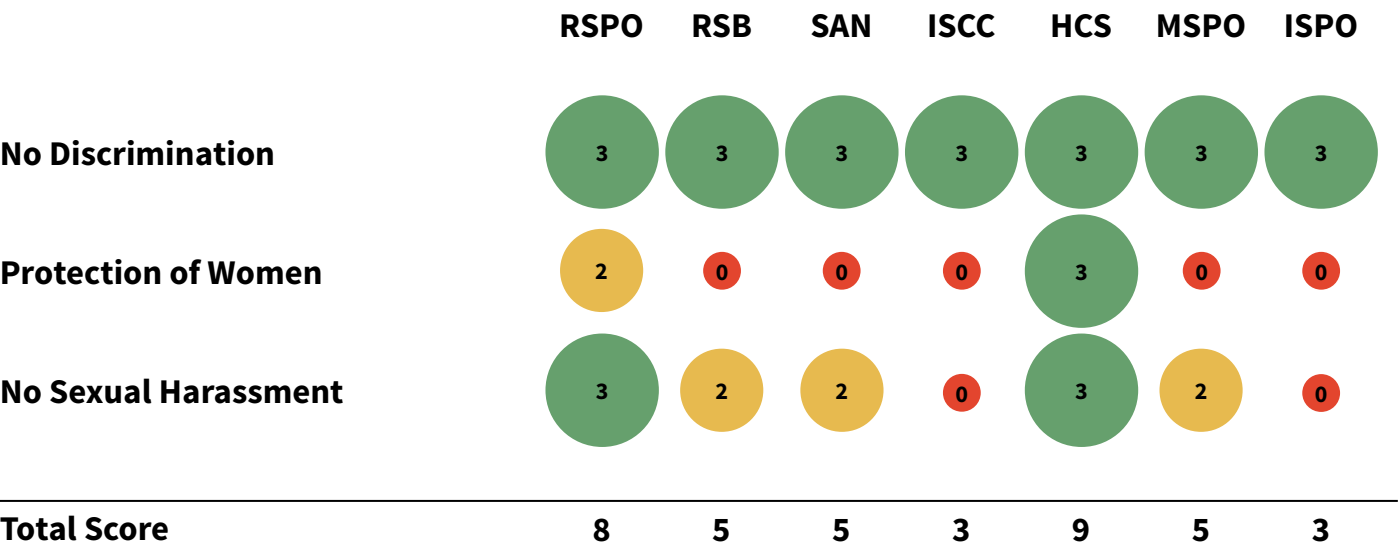
Conclusion

Almost all standards have strong provisions for employee contracts that must be fair and clearly understood, provide minimum wage requirements, support workers’ rights to form trade unions and bargain collectively. That said, relatively weak protection is offered to migrant workers, something especially troubling given the high reliance of many plantations on migrant labourers.

ISPO is noticeably poor on labour standards which raises concern about the exploitation of workers within Indonesia particularly considering reports of forced and child labour on plantations.¹⁰ The standard simply states that child labour is prohibited, but offers no further details on the restrictions for different age groups or even until what age one is considered a child.

⁹ The Indonesian government’s mandatory employee social security program, *Jamsostek*, is a retirement pension fund and provides limited employee disability, death, and medical benefits.
¹⁰ <https://www.amnesty.org/en/documents/asa21/5184/2016/en/>

E. Gender and discrimination



No discrimination

3 points: All standards have mandatory criteria prohibiting discrimination. Each standard lists a distinct set of grounds that could potentially serve as basis for discrimination, including race, religion, caste, social class, nation of origin, disability, sexual origin, disability, sexual orientation, union membership, political affiliation, age, gender, colour, civil status or ethnic group. RSPO, HCS¹¹ and ISCC¹² standards require an equal opportunity policy that is made publicly available and which is accessible, transparent and translated into local languages where necessary. SAN¹³ provides several critical must criteria which span this area referencing ILO Conventions 100 and 111. It states that equal pay, training and promotion opportunities must be made available to all workers for the same type of work. RSB¹⁴, ISPO¹⁵ and MSPO, on the other hand, offer more generic policies where companies are requested not to engage or support any discriminatory practices. There is no mention as to whether these policies should be made public or not.

Gender sensitive complaints procedure/
Protection of women

3 points: HCS approach provides that wherever there is a non-negligible proportion of women in the workforce, developers establish a gender committee managed by women to address their problems.

2 points: RSPO provides a gender sensitive complaints

mechanism in so far as the grievance mechanism respects anonymity and protects complainants where requested.

0 points: Though RSB, ISPO, MSPO, ISCC and SAN reference gender in their non-discrimination policies, within their standards there is no acknowledgement of the need for specific indicators to be in place to protect women in the workplace.

No sexual harassment/Protection of reproductive rights

3 points: RSPO and HCS offer strong safeguards against harassment and abuse in the workplace. RSPO has additional provisions to promote equality for women in land rights and smallholder schemes.

2 points: RSB guarantees that work sites are safe for women, “free from sexual harassment and other discrimination and abuse” whilst promoting “access to jobs, skills training, recruitment and career development for women to ensure more gender balance in work and career development”. MSPO states that “The management shall establish a policy and provide guidelines to prevent all forms of sexual harassment and violence at the workplace”. In both cases, reproductive rights are not specifically mentioned. SAN is the opposite; while providing strong guidance on reproductive rights where “pregnant women who are active workers receive fully-paid maternity leave of at least 12 weeks before or after birth, with at least six of these weeks being taken after

birth”, guidance on sexual harassment is less explicit, applying to a work-related set of circumstances rather than encompassing the broader threats women may face on a plantation.¹⁶

0 points: ISCC makes no mention of tackling sexual harassment or protecting reproductive rights other than to say the person responsible for good social practice should demonstrate awareness of national regulations on maternity leave. ISPO is similarly lacking in indicators relating to harassment or violence against women, again relying on Indonesian law to act as the guide.

Conclusion

ISCC, RSB, ISPO and MSPO do not have any criteria specifically aimed at protecting women but they

do include gender in their categories for which discrimination is not permitted. RSPO and HCS are the only standards that have a policy specifically aimed at protecting women from sexual harassment in the workplace and at supporting their reproductive rights. Both standards also state the need to have a company policy specifically aimed at addressing gender-based abuses.

All standards have mandatory criteria prohibiting discrimination, but definitions of what constitutes discrimination vary widely. Whilst RSPO, ISCC and HCS require publicly available equal opportunity policies, ISPO and MSPO require more generic commitments from companies who are requested not to engage or support discriminatory practices.¹⁷

¹¹ Provisions on indigenous people largely focus on land acquisition and provide requirements that indigenous people are not taken advantage of in the process (same applies to RSPO and MSPO).

¹² ISCC makes little reference to indigenous people; they are included only once when defining what level of human activity defines visible indications of human activity. Otherwise, there are a few mentions of traditional land rights and uses in criteria that require that appropriate measures are taken to acquire land rights and soil management.

¹³ SAN makes no specific reference to indigenous or tribal people, but does state several ILO Conventions that were adapted to form the standard, including ILO Conventions 87 and 98 and Convention 169 concerning indigenous and tribal people. The standard instead uses the more all-encompassing term community.

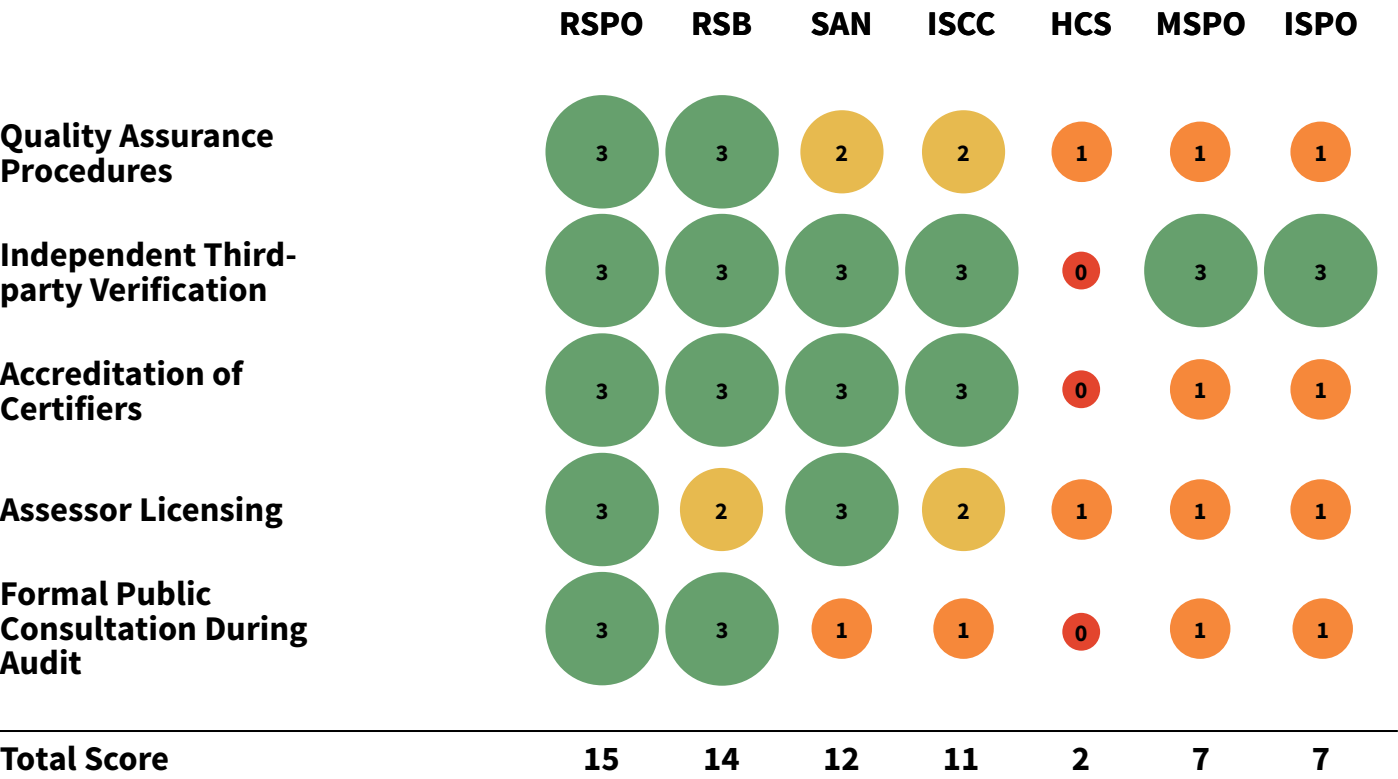
¹⁴ RSB refers to similar international conventions as SAN to act as safeguards for indigenous peoples’ rights.

¹⁵ ISPO has provisions for specifically looking out for their welfare by providing employment and preserving local knowledge. ISPO has a criterion that requires companies to improve the welfare of indigenous people, with indicators including a program designed and implemented to do such, including establishment of a program to preserve local knowledge. Guidance includes providing employment opportunities for indigenous people. ISPO also mentions indigenous people in the list of categories of people not to be discriminated against.

¹⁶ “The farm does not use extortion, debt, threats or sexual abuse or harassment, or any other physical or psychological measure to force workers to work or stay on the farm, or as a disciplinary measure.”

¹⁷ There is no mention of whether or not these should be made public.

F. Quality Assurance



Strength of quality assurance procedures
3 points: RSPO relies on accredited outside third parties, certification bodies, to assess compliance and issue a certificate. Accreditation of certification bodies is renewed annually, and is carried out by an independent third party – Accreditation Services International (ASI). RSB has a comparable assurance system which is comprised of an Accreditation Body (AB – again ASI), Certification Bodies (CBs) and auditors, who are either employed or subcontracted by CBs.

2 points: ISCC has a similar assurance system to that of RSPO and RSB, comprising of a two-tiered system involving various certification bodies and an accreditation body, ANSI (American National Standards Institute), which renews CBs licences. The ISCC standard has strong links to other European Commission Standards and has a strong focus on a cross-compliance control system. ISCC requires all six of its principles to be fulfilled and audited. Under ISCC, compliance with the standard is evaluated and certificates issued by accredited third-party certification bodies. Although in 2016, it was agreed summaries of audit reports will be

made publicly available for each issued certificate, this has yet to come into effect. SAN also relies on accredited third parties to lead the verification and certification process, including determining applicability of each criterion to an individual farm/plantation, undertaking audits, and issuing certificates. This is carried out by certification bodies accredited by the International Organic Accreditation Service (IOAS). However, SAN does not require for the public summaries of the audit reports making the process far less transparent.

1 point: ISPO relies upon accredited third-party certification bodies to conduct audits, but the ISPO Commission¹⁸ itself (not the CB) issues certificates based on reviews of audit reports and recommendations provided by the CB. MSPO carries out a similar system whereby MSPO-approved auditors verify assessments through physical inspection if required. Auditors are accredited by MSPO Commission. In both cases the ISPO and MSPO commission maintains a high level of control over the entire certification process, from standard-setting through to certification decisions raising questions surrounding independence. In both cases,

there are no public summaries of audit reports. Whilst the indicator is addressed, it is unclear how the audit process can undergo public scrutiny introducing the threat of leniency to the process. HCS system is slightly different, whereby the concession-holder submits the assessment to the HCS Approach Secretariat to organise peer review. This itself poses its own ethical problems. The concession-holder pays the Secretariat the quality review fee, but does not hire the reviewers directly. The Secretariat selects the Peer Review Panel, a group of 2-3 people with expertise in image analysis, forestry and social issues/community rights. Potential conflicts of interest with panel members should be avoided but are not ruled out.

Independent third-party verification
3 points: RSPO, RSB, ISPO, MSPO, ISCC and SAN all require accredited experienced external third parties, certification bodies, to provide assessment, verification and certification against each standard.

0 points: HCS is not a certification scheme per se, so it does not have a process of independent third-party verification by accredited certification bodies.

Accreditation of certifiers
3 points: RSPO and RSB are accredited by ASI. ISCC is accredited by ANSI. SAN is accredited by IOAS.¹⁹

1 point: ISPO requires that the Certification Body has implemented ISPO 17021-2011 concerning the requirements for certification bodies providing auditing and certification of management systems and/or ISPO/IEC 17065 concerning the requirements for certifying products, processes, and services. The distinction is in the organisation that gives the approval. ISPO Certification Bodies are accredited directly by ISPO Commission. MSPO certification bodies are similarly accredited directly by MSPO Commission. These commissions are not independent of ISPO/MSPO, thus

giving both standards an elevated level of control over the entire certification process from standard setting through to certification decisions.

0 point: HCS Approach’s long-term goal is to have the HCS Approach incorporated into relevant certification system standards (such as RSPO). Meanwhile, assessors carrying out combined HCS/HCV assessment are subject to the HCV Resource Network’s Assessor Licensing Scheme.²⁰

Quality assurance of assessor (assessor licencing)
3 points: RSPO uses the HCV Resource Network’s Assessor Licensing Scheme (ALS) which evaluates the quality of HCV assessment reports produced by teams led by an ALS-licensed assessors. RSPO will require licenced assessors for all HCV assessment carried out in the context of new planting procedures. A full HCV assessor licence is obtained after leading two assessments and submitting two adequate HCV assessment reports. To maintain a full licence, the assessor is required to submit the reports of all HCV assessments to the ALS Quality Panel (failure to do so can result in suspension or revocation of licence) – A Quality Manager reviews applications and a Quality Panel evaluates reports for compliance with ALS procedures – stakeholders also have access to public summary. In 2016, SAN also became a full member of HCV Resource Network. In October 2017 the Rainforest Alliance became the sole owner and operator of the SAN certification scheme.

2 points: Within ISCC standard auditors should comply with the requirements of the ISAE 3000²¹ when performing an ISCC audit. The requirements and regulations for CBs are specified in internal documentation.²² It also provides for ISCC Integrity Assessments which are planned randomly or on a risk basis after risk evaluations, complaints or reports of non-conformity or fraud. Integrity Assessments are conducted by ISCC Integrity Auditors and can take place in any country where CBs carry out activities and audits in the

¹⁸ The ISPO commission consist of members of the highest level of the central administrative structure (ESELON I) from the Ministries of Agriculture, Environment and Forestry, and Agrarian and Spatial Planning.

¹⁹ The accreditation bodies (ABs) which monitor the activities of the certification bodies and companies’ compliance of RSPO (ASI), RSB (ASI), ISCC (ANSI) and SAN (IOAS) standards all demonstrate ISO/IEC 17011 compliance. ANSI and IOAS are signatories to the International Accreditation Forum (IAF) and ASI is a full member of the ISEAL Alliance.

²⁰ HCV Assessor Licensing Scheme - <https://www.hcvnetwork.org/als/home>

²¹ ISAE 3000 is the standard for assurance over no-financial information issued by the International Federation of Accountants. The standard consists of guidelines for the ethical behaviours, quality management and performance of ISAE 3000 engagement.

²² Specified documents include ISCC Plus 251 and ISCC Plus 252.

framework of ISCC. ISCC Integrity Auditors must be independent and free of any conflicts of interest. The ISCC Integrity Auditor carries out an evaluation of the conformity of the certified system user based on the applicable ISCC procedure documents. The results of this assessment are then compared with the CB’s audit report from the last regular certification audit. RSB assurance system is carried out by auditors who are either employed or contracted by certification bodies, they must comply with RSB Procedure for Certification Bodies and Auditors.

1 point: ISPO audit teams²³ should consist of auditors who understand licensing requirements, palm oil plantations, good management practices, occupational health and safety systems, have an awareness of environmental, social and economic issues. They should speak Indonesian, and understand ISO 19011 on managing audit systems. ISPO auditors must also pass a training course organised by the ISPO Commission and run by a training institution approved by ISPO Commission. MSPO auditors undergo a similar process, they will carry out an annual surveillance audit each year which is peer reviewed. The HCS Approach Steering Group now requires all new HCS Approach assessments to be combined with HCV assessments. All lead assessors carrying out combined HCS/HCV assessment are subject to the HCV Resource Network’s Assessor Licensing Scheme.

Formal public consultation required during audit process
3 points: RSB standard requires that the audit team conducts a stakeholder consultation for all certification and re-certification audits. Certification bodies should keep records of stakeholder consultation conducted during the audit process. The lead auditor conducts a stakeholder consultation appropriate to the certification scope, risk class and screening results. Stakeholder consultations are designed to solicit direct, factual observations with regard to compliance of the operator with the RSB standard. RSPO allows for public stakeholder consultation at the compliance stage of the certification process. If a member meets the criteria, Certification Bodies can issue a certificate, they assess Corrective Action Requests on an annual basis through surveillance audits. The assessments required by RSPO’s New Plantings Procedure are carried out by independent consultancies or other technical service organisations. They are then submitted to RSPO following a desk-based review by

a certification body. The NPP notifications are posted on the RSPO website to enable stakeholders to provide comments during a 30-day consultation period. After the consultation period, companies start clearing land. RSPO places responsibility for sharing assessment summaries at the local level with companies. This effectively mean local stakeholder consultation is done by the party with a vested interest and is not fully independent. Public comments submitted during the consultation period are referred to the plantation company even where there is evidence of substantial violations.

1 point: A requirement under Indonesian law involves “public consultation with the relevant stakeholders”.²⁴ According to Law Number 32 of 2009 concerning the Protection and Management of the Environment, for land larger than 3,000 hectares, it is compulsory to have an environmental Impact Assessment (AMDAL) and Social Impact Assessment, something which ISPO standard adheres to. This said, it is a one-off consultation and does not require formal public consultations at each audit. If land conflicts do arise, it is up to the National Land Board to manage land issues and community related conflicts. MSPO also has stakeholder consultation but unlike ISPO this is during the certification process, following the Stage 1 of the audit process. It is a one-off consultation, although stakeholders are notified 30 days prior to the field visit, there are seven further stages of the audit process that occur before certification.²⁵ All certified premises are subject to one annual surveillance audit, these require public consultation only in case of minor or major non-conformities raised by stakeholders. Within ISCC audit process, operators are assessed in compliance with the standards six principles, interviews with relevant stakeholders “should be implemented as far as possible” in relation to compliance with collective agreements. SAN standards, like MSPO only requires public consultation with all relevant stakeholders if there has been a minor or major non-conformance raised.

0 points: Within the HCS approach, the Quality Assurance Working Group is discussing how information from local stakeholders can be incorporated into the monitoring of ICLUP implementation, in particular the social considerations. Stakeholders could access and potentially upload information about possible problems with communities or land use change within conservation areas.

Conclusion
RSB, ISCC, SAN and RSPO apply a two-tiered system involving various certification and accreditation bodies. SAN and ISCC, on the other hand, do not require for public summaries of the audit reports to be produced. ISPO and MSPO also rely upon accredited third-party certification bodies to conduct audits, but it is the ISPO and MSPO commissions respectively that issue certificates based on reviews of audit reports. Both commissions maintain an elevated level of control over the entire certification process, which does raise transparency issues and questions surrounding the independence of supply chain verification.

Audit quality remains a big issue for many certification systems. The level of ambiguity which arises in the implementation of standards is deeply concerning as well as the apparent disparity between principles and criteria and their interpretation by certification bodies. Another worrying gap across most standards is lack of a requirement to hold a formal public consultation during the audit process. It is vital that all key stakeholders are interviewed during the audit process to provide a complete picture of a company’s performance.

²³ The ISPO assessment team consists of government officials, ESELON II, which is lower than ESELON I (see footnote 18) in the organisational structure from the same ministries as the ISPO commission.
²⁴ Agrarian Minister/Head of the National Land Agency Regulation Number 2 of 1999, article 6, states: (i) Dissemination of information on the investment and development plans to be implemented, the scope of impact, and any land acquisition plans, as well as solving any problems related to land acquisition.
²⁵ Stage 2 Audit, Findings from Stage 2 audit, Draft Audit Report, Peer Review, Client’s Comments, Final Report, Approval by the Certification Panel, Issuance of Certificate.

G. Access to Remedy

	RSPO	RSB	SAN	ISCC	HCS	MSPO	ISPO
Grievance Mechanism	3	3	1	2	3	2	1
Land Disputes	3	3	3	1	3	2	1
Appeal Procedure	3	3	0	3	0	0	0
Ombudsman-Type Process	1	0	0	1	0	0	0
Multy-stakeholder Governance	0	0	0	0	0	0	0
Total Score	10	9	4	7	6	4	2

Grievance procedures and mechanisms

3 points: RSPO, HCS and RSB provide a mutually agreed upon, transparent and documented system for addressing complaints and grievances accessible to all affected parties.

2 points: MSPO standard requires a complaints and grievance mechanism for employees and communities to be documented, timely and appropriate. Though employees and surrounding communities should be made aware that complaints can be made at any time, they are not involved in the formation of the mechanism. ISCC provides for a complaints procedure to be available on the farm where employees and affected communities can make a complaint. This is regarded as a minor must. They also provide for complaints to be made directly to ISCC management.

1 point: ISPO does offer a complaints system, whereby complaints and grievances can be addressed to the Secretariat of ISPO Commission but documentation and results of the process are not published. SAN requires farm management to develop a system to receive, respond to, and document the resolution of complaints

from communities. This criterion is only Level B, 90% of which isn't minimally required until year 6. There is no mention of a standard-wide complaints system, nothing is listed beyond authorised certification bodies and subcontracted authorised auditors.

Land Disputes

3 points: RSPO requires that the right to use the land is demonstrated and not legitimately contested by local people who can demonstrate that they have legal, customary or use rights. Furthermore, a mutually agreed and documented system for dealing with any complaints or grievances which may arise is required. RSB similarly states that land under legitimate dispute cannot be used for operations until such time as they have been settled through FPIC and negotiated agreements. HCS provides mechanism for resolution of any grievances and disputes that arrive in community agreements, again turning to FPIC to safeguard land disputes that may arise. SAN within its FPIC processes guide requires the farm management and group administrator to communicate openly with local communities to identify community concerns and interests related to the farm

or group administrator’s operations. A mechanism to receive, respond to, and document the resolution of complaints from communities should be implemented, such a mechanism should allow communities to raise grievances in any circumstance.

2 points: Within MSPO principles, where there have been disputes, documented proof of legal acquisition of land title and fair compensation made to previous occupants must be made available linked with due FPIC processes. This said, MSPO does not offer a standalone grievance mechanism which is mutually agreed with all stakeholders, instead grievances relating to land disputes should be brought first to the certificate holder who may have a conflict of interest in the matter.

1 point: ISCC offers weak protection regarding land conflicts, only stating that mediation should be available in case of social conflict, but this is categorised as a minor requirement. ISPO requires that dispute resolution mechanism are documented and²⁶ complaints relating to land disputes are coordinated by the Deputy of the Land Dispute and Conflict Assessment and Handling Department within the National Land Agency. This process does not require FPIC processes to be adhered to.

Appeals procedure

3 points: RSPO allows for complaints to be re-submitted once within 4 weeks of original submissions. New submissions are allowed in case of new evidence. RSB allows appeals to be submitted to the organisation overseeing the activities of the Accountable Organization with which the grievance was originally filed – there are three possible accountable organisations: the certifying body, the accreditation body and RSB Secretariat – only one appeal is allowed – the outcome of the appeals process is final. If new evidence is presented it is the equivalent to a new complaint. ISCC allows appeals to be submitted to ISCC management.

0 points: HCS, SAN, ISPO and MSPO do not make explicit reference to an appeal process within their grievance mechanisms.

Ombudsman-type process for meditation

1 point: RSPO Complaints Panel may appoint experts for advice or verification of the complaint. In addition, once complaints have been adjudicated by the Complaints Panel they may be passed to the RSPO’s Dispute Settlement Facility which can provide mediators, subject to the agreement of both parties. ISCC arbitration board will consult an independent expert but only in undefined ‘critical cases’.²⁷

0 points: RSB, SAN, MSPO, ISPO and HCS make no explicit reference to ombudsman-type processes for resolving complaints.

Multi-stakeholder governance

0 points: In none of the standards examined were indigenous peoples or communities represented in the standards’ governance structures.

Conclusion

RSPO, HCS, MSPO, RSB, ISPO and ISCC have established complaints procedures. Surprisingly, SAN provides no materials on how remedy can be obtained unless at the micro- level through the farms’ grievance procedure. Details of the systems and timelines for resolution vary widely across the standards, where RSPO and ISCC offer appeals procedures and ombudsman-type processes for mediation whilst MSPO and ISPO rely on national laws and bodies to deliver redress and compensation.

In terms of land disputes, all the standards except ISCC and ISPO turn to the FPIC principle to safeguard land rights. If these two standards are to provide protection to land rights holders this process must be integrated into their certification schemes.

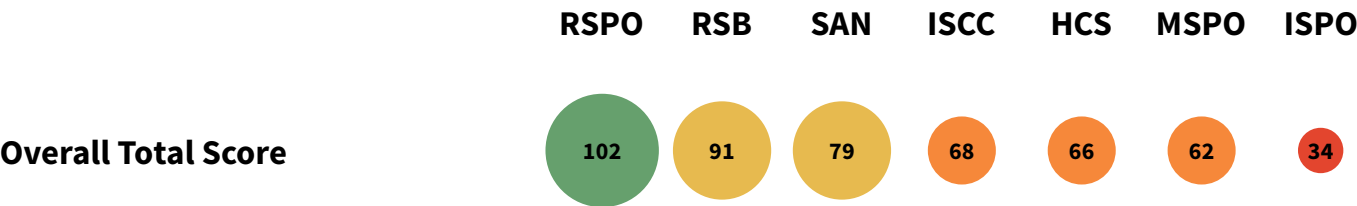
In general, grievance mechanism is best defined within the RSPO system which has undergone a process of evolution based on the past decade of experience and implementation of the standards principles and criteria, providing on-line status updates of cases and a relatively high level of transparency throughout the complaints process.

²⁶ ISPO requires that plantation managers seek to have the land they manage free from disputes with communities and surrounding farmers. When disputes arise, an agreement must be reached in accordance with applicable state laws or customary regulations. If an agreement cannot be reached, then legal action should be taken to settle the matter.

²⁷ ISCC, Complaints, Appeals and Arbitration p.6 - https://www.iscc-system.org/wp-content/uploads/2017/02/ISCC_DE_253_Complaints-appeals-and-arbitration.pdf

CONCLUSION

Total Score of Palm Oil Certification Standards



Key findings
From the results of the comparative study, FPP have found that the RSPO standard provides the most comprehensive human rights safeguards whilst ISPO has the least clearly defined requirements. As a national standard MSPO has addressed many of the key indicators and provides a more rigorous certification scheme to that of its neighbour, nevertheless, there is a lot of room for improvement in its quality assurance mechanisms. MSPO and ISPO, whilst requiring compliance with their respective national legal frameworks, do not provide the same level of protection that multi-stakeholder international certification schemes offer. This is most apparent in the way in which ISPO and MSPO standards provide very weak access to remedy compared to multi-stakeholder initiatives with their complex multi-tiered approaches designed to ensure that certification holders comply with criteria set out in the standards. However, the strength of these grievance mechanisms to deliver remedy or resolution on the ground has been questioned.²⁸

The HCS approach, largely based on RSPO principles and criteria does offer several similar provisions to that of the leading certification standard but again its lack of a clearly defined criteria to ensure the calibre of its assessments has weakened the approaches credibility. Furthermore, the approach provides little guidance on the treatment of smallholders, a theme which is common across the certification scheme landscape. Standards must address this core theme to provide credible protection and acknowledge smallholder realities.

SAN and ISCC performed well in comparison to the national standards (ISPO and MSPO). This said, ISCC must provide stronger guidelines on community consent

and land acquisition, an emphasis must be placed on transparency and the right to have a clear, comprehensive understanding of the implication of the proposed development, the ability to make decisions according to customary decision-making systems and, the right to say “no” – all inherent in the FPIC process. Similarly, SAN should take a leaf out of RSB’s book and provide clearer definitions on rights to food, water and a clear environment. In an age of growing concerns over climate change, it is paramount that standards provide clearly defined safeguards over food and water security.

The RSB standard draws a lot of similarities with RSPO standard, falling short on the protection of women and its protection of migrant workers. Both standards offer the most comprehensive and nuanced approach to human rights protections and social safeguards across the themes explored, detailing worded and thoroughly explained requirements for compliance reflecting broad consideration of social issues facing the industry and communities affected by it.

FPP asserts that RSPO should be the standard of choice when it comes to palm oil certification. Heavily guided by experience over the last ten years of implementation, RSPO provides the most robust scheme for palm oil certification, although as the study has proven there are still many gaps and rooms for improvement in the standard’s principles and criteria and with its realisation on the ground.

Further considerations
In making this comparative study, it is important to state that there are some key differences among standards concerning minimum requirements for compliance to

achieve certification. Only RSPO, ISPO and MSPO require full compliance with all criteria to be certified, or an approved time-bound plan for addressing minor non-compliances.

These differences caution against drawing conclusions about the impact of different standards on the ground, when not all provisions are mandatory under all schemes. This is most apparent when it comes to drawing comparisons on fair labour standards where the RSPO standard provides clear and relatively ambitious mandatory targets for companies seeking certification whilst ISCC and SAN standards provide detailed guidance on matters relating to employment conditions. Their weakness is that not all of the criteria are mandatory, making it difficult to compare them against the mandatory standards. SAN requires compliance with 50% of criteria within each principle, and 80% of total applicable criteria, except for critical criteria, which must be fulfilled. ISCC divides its criteria into major and minor musts, where all major and at least 60% of minor musts shall be met to achieve certification.

Criteria are the heart of the standards, with ISPO having the fewest, 28, and SAN the most, 100. As with principles, the number of criteria is partly a result of presentation, but it also reflects differences in the level of detail embodied in each standard, with SAN having numerous, very detailed criteria, and ISPO generally providing fewer, less detailed criteria. It could be argued that the lack of clear guidance makes ISPO considerably weaker than its counterparts.

Recommendations to RSPO
In view of the next revision in RSPO Principles and Criteria which is scheduled for 2018, FPP has highlighted some key areas of improvement:

- **Audits:** To avoid the current conflict of interest experienced by auditors who are directly paid by the companies they are verifying, audits should be paid out

of an ESCROW fund into which the companies seeking certification pay their contributions. RSPO or a fourth party should choose which audit teams are allocated to which companies and arrange for them to be paid from the ESCROW account.

- **Remedy:** The provision of remedy to the communities remains elusive for the loss of lands taken or damaged and their resulting economic and environmental losses. To bring itself into compliance with the norms for non-judicial remedies set out by the UN Guiding Principles on Business and Human Rights, a mechanism to hold RSPO certified companies accountable for human rights violations and other damages (even if the company ceases to be RSPO-certified) is required. We recommend the use of a bond. The bond would act as an agreement between the certificate holder and RSPO to uphold the standard’s principles and to provide remedy to a third party in circumstances where these are violated.
- **Human rights defenders:** By using RSPO complaints procedures, communities have been able to expose land grabbing, violations of standards and human rights. This has allowed dialogues between companies and the communities, but has also resulted in the harassment and criminalisation of community spokespersons and complainants. Proper protection mechanisms must be put in place to avoid escalations of violence.
- **Smallholder protection:** Promote the development of support mechanisms to reduce barriers for smallholders to adopt sustainable production practices and RSPO certification.
- **RSPO governance:** Indigenous peoples are poorly represented in RSPO scheme’s governance, we recommend the establishment of a Permanent Indigenous Peoples Committee which liaises with RSPO’s Board of Representatives to mirror similar structures found in FSC and ASI.

²⁸ EIA, 2014, *Who watches the watchmen? Auditors and the breakdown of oversight in RSPO*, London; Tom Lomax, 2015, *Asserting community land rights using RSPO complaint procedures in Indonesia and Liberia*, IIED and FPP; Marcus Colchester, 2016, *Do commodity certification schemes uphold indigenous peoples’ rights? Lessons from the Roundtable on Sustainable Palm Oil and Forest Stewardship Council, Policy Matters*.

WHAT NEXT? – RSPO NEXT AND POIG

When the revised RSPO P&C were adopted in 2013, there was considerable, voiced dissatisfaction with the new standard by some NGOs, some growers and many global brands which expressed the view that the standard did not go far enough, especially with regard to deforestation, peat and also some human rights provisions. Two efforts were therefore undertaken to raise the bar and satisfy the higher expectations of the market. The first was an enhanced standard open to certification adopted by a group of NGOs, growers and traders called the Palm Oil Innovators Group. Three years later, RSPO responded with its own enhanced standard called RSPO Next which comprised of a voluntary add-on to its existing Principles & Critieria (P&C). Both systems rely on the RSPO’s verification procedures but require auditors to also check company compliance with the additional higher standards.

Palm Oil Innovation Group (POIG)

POIG is an initiative between environmental and civil society organisations and industry companies that aims to build upon the RSPO P&C and existing company commitments – especially on issues of deforestation, carbon stocks, biodiversity, greenhouse gas (GHG)

emissions, pesticide use and social relations. It was launched at the Tropical Forest Alliance meeting in 2013. In 2014 POIG released its first ‘Charter Indicators’ list, which stipulates the specific conditions to be met regarding issues such as peat development, HCV and HCS management, FPIC and labour standards, among others.

RSPO NEXT

RSPO NEXT has been developed to recognise the efforts of RSPO members which are exceeding the requirements of the generic RSPO P&Cs. It was drawn up by RSPO at the end of 2015 and launched in February 2016. It is an additional voluntary commitment put forth in addition to the existing P&Cs and incorporates more stringent assessment standards, with additional requirements on deforestation, fire, peat, human rights and landscape approaches, among other issues. These are measured through a combination of reviewing company policies and on-the-ground verification. This additional assessment gives member companies the opportunity to go beyond the requirements of the RSPO and demonstrate a stronger commitment to environmental and social responsibility. The first RSPO Next certification was issued in April 2017.



METHODOLOGY

As illustrated from the findings from the comparative study, RSPO offers the most comprehensive set of criteria and principles. Although not complete, they offer the most stringent and robust human rights safeguards among the competing schemes. As a result, other certification schemes have set to build on the work of RSPO. The tables below offer a comparison of two standards attempting to enhance the current RSPO standards – RSPO NEXT and POIG. Each certification

standard is given a score of 1 or 2 in the themes in which it enhances the current RSPO P&C. No points are given (0) if there is no reference or significant difference between the standard and RSPO P&C’s. (1) point is given if there is a minor difference in degree between the standard and the P&C’s. (2) points are given if there is a difference in substance between the standard and the RSPO P&Cs. A more comprehensive break down of how the score was deduced is provided in Annex 2.

Key

Points

Difference in substance – NEXT or POIG make substantially different requirements. Some parts may be included in RSPO Principles and Criteria



Difference in degree – Principles and Criteria includes requirement in guidance. RSPO NEXT and/or POIG make a minor difference in requirements



Not referenced or no significant difference in guidance to RSPO guidance



A. Customary Rights



FPIC
2 points: POIG also states FPIC is a long-term, two-way process where communities must be informed that they have the right to say no to development and are not constrained by local legal frameworks. POIG makes more specific requirements to provide resourced access to independent advice and to redress any lack of FPIC on newly acquired plantations. Where companies are required to identify and seek to resolve inconsistencies between FPIC and legislation.²⁹

1 point: NEXT strengthens some of RSPO’s P&C in requiring the grower to demonstrate evidence of action to resolve any conflicts arising relating to customary land rights. It stipulates that FPIC is a long-term, two-way process which requires planning to be adaptive and allow for yearly or more consultations with affected stakeholders.

Negotiated agreements
1 point: NEXT provides stronger wording, especially regarding consultation with vulnerable minority

and gender groups, affirming “communication and consultation processes established in consensual agreement with assurances for vulnerable groups” whilst the RSPO P&Cs only goes as far as to state “mechanisms should be designed in collaboration with...and take into account access to information” rather than assure vulnerable groups will be consulted. NEXT requires certificate holders to consult vulnerable minority and gender groups and that consensual agreements are reached with these stakeholders.

Access to information
1 point: NEXT requires a documented Standard Operating Procedure (SOP) for responding constructively to stakeholder requests for information, including a specific timeframe to respond to enquiries, whilst for RSPO P&Cs this is guidance only where the timeframe is open to the grower or miller’s decision. NEXT requires this timeframe to be specified. POIG requires more comprehensive public reporting on some areas – particularly progress reporting and monitoring reports, and social, labour and environmental performance.

²⁹ RSPO P&Cs have no requirement to resource advisers or legal counsel, only that communities can choose their own advisors, and there is no retrospective requirement to redress potential financial resource inequalities of the community.

B. Treatment of Smallholders



Treatment of smallholders
2 points: NEXT requires certificate holders to develop outreach programs of support directed at all smallholders (irrespective of type) in the supply base that will enhance and support their competencies and market access. Programs shall cover sustainability issues as well as yields and productivity support, hazardous material trainings, fiscal management and budgeting, logistics of processing and market access and educating smallholders on their rights. This is a significant move from RSPO P&Cs as the outreach program covers all smallholders in their supply chain not only scheme smallholders. POIG also requires a smallholder support programme which is to be documented and monitored, which includes “measures to increase the productivity of smallholders to a comparable benchmark of productivity for the region, and a target of reaching the same productivity level as company estates; support relating to financial management and budgeting; and support

relating to logistics, FFB processing and improved market access”. Progress of the programmes implementation is to be included in public reporting. In comparison, RSPO P&Cs provide limited requirements on support for smallholder development as part of local sustainable development and only applies to scheme smallholders. Both the new standards require companies to develop more proactive strategies for smallholder inclusion in the supply chain.

NB POIG and NEXT both make provisions support financial management and budgeting, however, more specific details on what constitutes fair credit is lacking.

Access to market for smallholders
1 point: NEXT states outreach programmes will “support [smallholder] competencies and market access”. POIG states programmes should “improve market access through group certification”.

C. Social and Environmental Safeguards

	NEXT	POIG
Social Development	1	1
Participatory SEIAs	1	0
Right to Food	1	2
Right to Water	0	1
Right to a Clean Environment	1	1
Total Score	4	5

Social development
1 points: NEXT states “Positive social impacts of plantation development shall be actively promoted”, including ... preference shall be given to hiring from local communities...understanding and supporting existing alternative livelihoods and ensuring they are not threatened or reduced...the provision of health and educational facilities where these are lacking or not available within accessible distance”. POIG requires a comprehensive social programme to “to ensure palm oil production does not result in human rights violations, trigger social conflicts, or produce ‘land grabbing’ and addresses key social equity issues including housing, healthcare and the empowerment of women”.

Participatory Social and Environmental Impact Assessments (SEIA)
1 point: NEXT requires companies to show evidence that they are managing and protecting areas deemed unsuitable for palm oil development in areas under their control because of the magnitude of potential environmental and/or social negative impacts. This also applies to the resolution of any conflict on such land.

Right to food – local food security
2 points: POIG provides a standalone requirement on food security, whereby the parameters of food security are defined by three factors “1) Availability and stability: a. Stability of food price and supply b. household food production c. food crop diversity (2) Access: a. Sufficiency of household food consumption b. Number of meals taken in a day c. Household dietary diversity (3) Utilisation a. Degree of access to utilities and services (water, energy, health, sanitisation)”. The standard specifies areas of land that should be left to meet food security needs, requires evidence that measures are implemented and effective and which specify the length of the planning cycle.

1 point: NEXT requires that the food security of local communities, including those not in the immediate vicinity of the project, to be addressed within the participatory SEIAs, whereby food security should be guaranteed through participatory land use planning.

Rights to water
1 point: Within the proposed additional POIG indicators, the scope of the food security assessment shall include

assessing additional impacts that palm oil production operations may have on water rights.

Rights to clean environment
1 point: NEXT takes a wider landscape approach to HCV management and monitoring, requiring plans at the landscape level and action and collaboration

with a variety of stakeholders on the management of HCVs outside of the management unit. POIG requires certificate holders (CH) to make a “positive contribution” to the survival of rare, threatened and endangered species outside of the CH’s management unit and for comprehensive biodiversity surveys to be conducted to identify HCV 1-3.

D. Core Labour Standards

	NEXT	POIG
Minimum Wage	1	1
Free Collective Bargaining	1	0
No Child Labour	1	0
No Slavery-Like Practices	0	2
Total Score	3	3

Minimum wage
1 points: NEXT offers provision for a Decent Living Wage where “the company shall document a process of collective bargaining with the workforce to establish and implement a mutually agreed upon total compensation package that provides a decent living which shall include at least the minimum wage”. POIG provides detailed, prescriptive list of labour requirements that specify how workers’ pay and conditions should meet minimum standards. These standards require: permanent, full-time employment for all core work; all workers are paid on time, directly, in legal tender; wage advances, etc are legal, recorded and do not result in debt bondage; all workers receive legally prescribed compensation and benefits; specify maximum normal working week and time off; and records to be kept of hours worked.

Free collective bargaining
1 point: NEXT clarifies that it is a requirement for all workers to be able to join an association. Where the RSPO P&Cs mentions migrant, trans-migrant and contracted

workers in its supporting guidance where personnel have the rights to form trade unions, NEXT is more specific in detailing that there should be “no evidence of employees, including migrant, trans-migrant workers and/or contracted workers being prevented from forming or joining associations and/or participating in collective bargaining”.

No child labour
1 point: NEXT requires that no hazardous work is carried out by children whereby hazardous work is prohibited for under 18s and tasks which are not to be undertaken by minors are specified.

No slavery-like practices
2 points: POIG prohibits charging fees or costs to workers for recruitment or employment services. It prohibits the retention of ID or valuables by employers or recruiters and requires risk assessment of FFB supply chain to address risk of forced labour, trafficking and child labour.

E. Gender and Discrimination

	NEXT	POIG
No Discrimination	2	0
Protection of Women	2	0
No Sexual Harassment	1	0
Total Score	5	0

No discrimination
2 points: RSPO P&Cs include no gender requirements for planning processes, NEXT includes a provision whereby “both the planning as well as the plans shall take a gender-inclusive approach, considering the different roles that men and women have in relation to e.g. landownership, use, food crop or cash crop production, markets and credit”.

Gender sensitive complaints procedure – Protection of women
2 points: NEXT requires a gender committee to be established specifically to address areas of concern to women where management representatives responsible for communication with the gender committee shall be female.

No sexual harassment – Reproductive rights protected
1 point: NEXT requires cases of harassment to be documented, monitored and targets introduced to reduce the number of harassment or abuse cases.

F. Quality Assurance

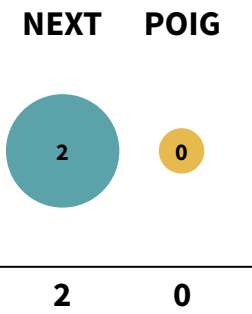
Social Development

Total Score

Quality assurance

2 points: NEXT requires “the HCV Assessment of all new plantings shall be led by an Independent Assessor who is licensed under the HCV Resource Network Assessor Licensing Scheme (ALS)”. RSPO P&Cs state that NPP

requires licensed assessors for plantings after 2010. For plantings between 2005 and 2010, there is no requirement to have a licensed HVC ALS assessor. RSPO P&Cs only require appropriate training and expertise for HCV assessment.



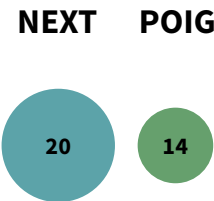
CONCLUSION

Total Score of standards based on the seven themes

Overall Total Score

These two progressive standards are steps in the right direction for palm oil standards. Both provide innovations to the way in which sustainable palm oil is certified. On the one hand POIG outlines specific requirements for the maintenance or strengthening of communities’ food security and includes detailed indicators relating to workers’ rights, including specific provisions to protect the rights of temporary, contract and migrant workers, and more specific provisions on hours and leave, remuneration, child labour, forced labour and human trafficking. POIG also articulates specific guidance on smallholder support, including developing a group certification plan. Something which is also addressed in the RSPO NEXT standard.

One of the strengths of POIGs counter-part, RSPO NEXT, is that it provides improved quality assurance of assessors, strengthening the licensing system within RSPO. RSPO NEXT makes a very forward-looking approach to addressing cases of gender discrimination and harassment as well as the growing inequalities faced by migrant workers. Putting the burden of proof on the certification holder to demonstrate evidence of action taken to resolve conflicts puts the standard in a stronger position than that of the POIG Charter.



APPENDIX

Ainie Kuntom, Malaysian Sustainable Palm Oil, POD, No.60, June 2014 – <http://mspo.mpob.gov.my/wp-content/uploads/2015/04/POD-60-june.pdf>

Amnesty International. The Great Palm Oil Scandal: Labour Abuses Behind Big Brand Names, Amnesty International (2016), London
www.amnesty.org/en/documents/asa21/5184/2016/en/

Daemeter, A comparison of Leading Palm Oil Certification Standards Applied in Indonesia: Towards Defining Emerging Norms of Good Practice, May 2014 – http://daemeter.org/new/uploads/20140505064302.Daemeter_Comparison_of_Palm_Oil_Certification_Standards_FullReport_Eng.pdf

Directive 2009/28/EC of the European Parliament and of the council of 23 April 2009 on the promotion of renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009L0028&from=EN>

EIA, Who Watches the Watchmen? Auditors and the breakdown of oversight in the RSPO, 2014 <https://eia-international.org/wp-content/uploads/EIA-Who-Watches-the-Watchmen-FINAL.pdf>

Guidelines for Certification of Malaysian Sustainable Palm Oil (MSPO) www.sirim-qas.com.my/sirim/core-files/uploads/2015/03/DOC-39-03-Guidelines-for-Certification-of-MSPO-Iss-2-Rev-0-May-2017.pdf

The HCS Approach Toolkit, The High Carbon Stock Approach: No deforestation in practice, March 2015 – http://highcarbonstock.org/wp-content/uploads/2014/12/HCS_TK_2015_SNG_AW1.pdf

The HCS Approach Toolkit Version 2.0, Module 2, May 2017 – http://highcarbonstock.org/wp-content/uploads/2017/05/HCSA-Toolkit-V2.0-Module-2-Social-requirements_020517.pdf

HCV Assessor Licensing Scheme – https://www.hcvnetwork.org/resources/2016_annual_report

Hidayat, N.K., Offermans A. and Glasbergen P. Sustainable palm oil as a public responsibility. On the governance capacity of Indonesian Standard for Sustainable Palm Oil (ISPO), 2017
<https://link.springer.com/content/pdf/10.1007%2Fs10460-017-9816-6.pdf>

ISCC, Checklist for the Control of Sustainability Requirements for the Production of Biomass, 2015 http://agriculturaconsciente.com.br/wp-content/uploads/2015/07/ISCC_EU_202_Sustainability_Requirements_for_the_Production_of_Biomass_2.4_EN.pdf

ISCC, Complaints, Appeals and Arbitration, 2017 www.iscc-system.org/wp-content/uploads/2017/02/ISCC_DE_253_Complaints-appeals-and-arbitration.pdf

ISCC EU sustainability requirements, 2017 – https://www.iscc-system.org/wp-content/uploads/2017/02/ISCC_202_Sustainability_Requirements_3.0.pdf

ISCC Plus sustainability requirements, 2017 – www.iscc-system.org/wp-content/uploads/2017/02/ISCC_PLUS_202_Sustainability-Requirements.pdf

Malaysian Sustainable Palm Oil Scheme – <http://mspo.mpob.gov.my/wp-content/uploads/2015/04/MSPO-Certification-System-Document.pdf>

Malaysian Sustainable Palm Oil Standard, 2015 – <http://mspo.mpob.gov.my/wp-content/uploads/2015/04/03-MSPO-PART-3-ENGLISH.pdf>

Marcus Colchester, Policy Matters 21: Do commodity certification schemes uphold indigenous peoples' rights? Lessons from the Roundtable on Sustainable Palm Oil and Forest Stewardship Council, 2016
www.iucn.org/sites/dev/files/policy_matters_21_chapter_10_do_commodity_certification_systems_uphold_indigenous_peoples_rights_lessons_from_the_roundtable_on_sustainable_palm_oil_and_forest_stewardship_council.pdf

Palm Oil Innovations Group Charter, November 2013 – <http://poig.org/wp-content/uploads/2014/09/POIG-Charter-v1.pdf>

Palm Oil Innovation Group Charter Pilot Indicators, April 2014 – <http://www.agropalma.com.br/arquivos/arquivos/POIG/POIG%20indicators%20April%202014.pdf>

RSB Principles and Criteria, November 2016 – http://rsb.org/wp-content/uploads/2017/03/RSB-STD-01-001_Principles_and_Criteria.pdf

RSB Procedure for Certification Bodies and Auditors, 2017 <http://rsb.org/wp-content/uploads/2017/07/RSB-PRO-70-001-vers-3.3-Requirements-for-Certification-Bodies-and-Auditors.pdf>

RSPO, RSPO Certification Systems: Final document approved by RSPO Executive Board – www.rspo.org/sites/default/files/RSPOcertification-systems.pdf

RSPO NEXT, Final Draft, August 2015 – www.rspo.org/articles/download/7e7167fbaf26ec6

Suharto, R., K. Husein, E. Sartono, D. Kusumadewi, A. Darussamin, D. Nedyasari, D. Riskanto, P. Hariyadi, A. Rahman, T. Uno, P. Gillespie, C. Arianto,

and R. Prasjo. Studi Bersama Persamaan dan Perbedaan Sistem Sertifikasi ISPO dan RSPO. Jakarta: Kementerian Pertanian Republik Indonesia dan Roundtable on Sustainable Palm Oil (RSPO), 2015

Sustainable Palm Oil Manifesto (SPOM) – <http://www.apicalgroup.com/index.php/sustainable-palm-oil-manifesto>

Sustainable Agriculture Network Standard, 2017 [www.san.ag/biblioteca/docs/ SAN-Standard-2017_24-3-2017.pdf](http://www.san.ag/biblioteca/docs/SAN-Standard-2017_24-3-2017.pdf)

Tom Lomax (IIED and FPP), Asserting community land rights using RSPO complaint procedures in Indonesia and Liberia, 2015 <http://pubs.iied.org/pdfs/12584IIED.pdf>

UNDP, Joint Study on the Similarities and Differences of the ISPO and RSPO Certification http://www.undp.org/content/dam/gp-commodities/docs/ISPO-RSPO%20Joint%20Study_English_N%208%20for%20screen.pdf?download.

ZSL, Sustainable Palm Oil Transparency Toolkit (SPOTT) – www.sustainablepalmoil.org/standards/

	Roundtable on Sustainable Palm Oil (RSPO)	Roundtable on Sustainable Biomaterials (RSB)	Indonesian Sustainable Palm Oil (ISPO)	Malaysian Sustainable Palm Oil (MSPO)	International Sustainability and Carbon Certification (ISCC)	Rainforest Alliance/Sustainable Agriculture Network (SAN)	The High Carbon Stock (HCS) Approach
Legality	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. RSPO requires full compliance with all criteria in order to be certified, or an approved time-bound plan for addressing minor non-compliances.	Principle 1 - Operations shall comply with all applicable laws and regulations of the country in which the operation occurs and with relevant international laws and agreements.	Principle 1 - Licensing system and plantation management: This principle outlines sequential legal steps in the licensing process that a company must follow and demonstrate compliance. Various criteria in Principles 2-4 also require compliance with applicable laws and regulations relating to the individual criteria. This would require compliance with local and national laws and regulations, but compliance with international treaties is not stated, implying it may be understood to be outside of the scope of ISPO.	Principle 3 - Compliance to legal requirement - Premises subscribing to MSPO requirements shall abide to all regulatory requirements, legal land-use rights and customary rights. Indicator 1 - All operations are in compliance with the applicable local, state, national and ratified international laws and regulations.	Principle 5 - Biomass production shall take place in compliance with all applicable regional and national laws and shall follow relevant international treaties. Criterion 5.2 - There is awareness of, and compliance with, all applicable regional and national laws and ratified international treaties (major).	Principle 4 - SAN supports the UN Guiding Principles on Business and Human Rights, and workers' rights are not just as recognised by the SAN standard but are protected in national and international law. On certified farms, workers' rights are protected, including essential ones as defined by ILO core conventions. Criterion 1.6 - Management commitment for SAN Standard implementation and compliance with applicable law. Applicable law: Includes local, county, province, state or national law and that law which has been integrated into or legally deemed to be superior to national law by a state's signing of an international treaty.	The UN's Guiding Principles on Business and Human Rights note that the responsibility of business enterprises to respect human rights exists independently of states' abilities and/or willingness to fulfil their own human rights obligations, and exists over and above compliance with national laws and regulations protecting human rights. These company obligations are also spelled out in several different sustainability standards and certification programs. Because the High Carbon Stock Forest assessment process has been developed as a practical tool for companies to use in land use planning for forest concessions, it is important to ground the HCS process within these company obligations to respect customary use, human rights, and international laws.
Recognition of community land rights – Customary Rights	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. 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. 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. Criterion 7.6.1 - Documented identification and assessment of demonstrable legal, customary and user rights shall be available.	Criteria 12a. - Existing land rights and land-use rights, both formal and informal, shall be assessed, documented, and established. The right to use land for the operations shall be established only when these rights are determined.	Criterion 1.1 - Licensing and certification: Plantation managers must obtain permits and land titles, this process is not documented. ISPO relies on Indonesian laws and regulations to provide further detail on standard requirements (but its final published version does not provide direct reference to laws and regulations relevant to each principle or criterion)	Principle 3, Criterion 2 - Land use rights, Indicator 1 - The management shall ensure that their palm oil cultivation activities do not diminish the land-use rights of other users. Criterion 3 - Customary rights, Indicator 1 - Where lands are encumbered by customary rights, the company shall demonstrate that these rights are understood and are not being threatened or reduced.	Principle 4 - Biomass production shall not violate human rights, labour rights or land rights. Criterion 5.1 - The producer can prove that the land is used legitimately and that traditional land rights have been secured (major). Documents show legal ownership or lease, history of land tenure and the actual use of the land. The producer must identify and respect existing land rights. The rights of indigenous peoples is respected. Criterion 5.2. - There is an awareness of, and compliance with, all applicable regional and national laws and ratified international treaties. The producer can demonstrate an awareness of his responsibilities according to the applicable laws. Criterion 4.8 - All impacts for surrounding communities, users and land owners taken into account and sufficiently compensated for (minor).	Criterion 4.19 - Critical Legitimate right to use the land is demonstrated by ownership, leasehold, or other legal documents or by documentation of traditional or community use rights. Right to use the land is not legitimately disputed by current or former local residents or communities, including in relation to past dispossession or forced abandonment. In the event of land conflict, legitimate right may be demonstrated if a conflict resolution process has been implemented, documented, and accepted by the affected parties.	2.3 - Recognising land rights as a basis for ensuring just land acquisition. Before developers can start acquiring land, they must also understand who already has rights to which land as owners and users, including those with statutory rights, those with customary rights and those with informal rights. Developers are required to identify and respect both collective and individual rights to lands and resources. Among indigenous peoples and local communities that maintain collective right to land, it is common that they recognise individual rights as nested within collective rights and subject to the oversight or authority of the collective. Customary rights exist independent of land (and often prior to) the state or the developers' permit. Customary law often prohibits individuals from transferring lands out of the collective. Especially in frontier areas, where land markets have not emerged, the implications of land sales, leases or rents may be unfamiliar to local communities. Developers shall respect these customary laws and ensure that customary owners or informal land users are properly informed of the legal, environmental and social implications of any land deals before they agree to them. Acceptance by companies that, in line with international law, customary communities have rights to the lands, territories and resources that they have traditionally owned, occupied or otherwise used and have the right to give or withhold their FPIC as expressed through their own representative institutions, requires some quite fundamental changes in the way they go about land acquisition.
Land Tenure Study	Criterion 2.1 - Indicator 2.2.1 - Documents showing legal ownership or lease, history of land tenure and the actual legal use of the land shall be available.	Criteria 12a.1 - Where the screening exercise of the RSB impact assessment process reveals a negative impact to existing land rights and land-use rights by the operations, the operator shall conduct a Land Rights Assessment - this may include a detailed regulatory review of the types of formal land tenure and land occupancy...and legal recognition of customary tenure. Criteria 12b.9 - If there are disputes about the tenure agreements of the land among stake-holders, operations shall not be certified. Reactionary rather than premeditative.	Crterion 1.3.5 - There is no explanation in indicator relating to land sustainability maps or soil surveys appropriate to plan for long term suitability of the land for cultivation of plantation must be provided and taken into account in planning and operating a plantation. Criterion 1.1 ISPO lacks indicators which oblige how legal land boundaries are mapped and preserved. There is no measurable indicator to map the status of the land in dispute - nor is there reference to participatory mapping.	Principle 3, Criterion 2 - Indicator 2 - The managment shall provide documents showing legal ownership or lease, history of land tenure and the actual use of the land.	Criterion 5.1 - The producer can prove that the land is used legitimately and that traditional land rights have been secured (major). Instruction 5.1 - Documents show legal ownership or lease, history of land tenure and the actual legal use of the land. The producer must identify existing land rights and does respect them (see Principle 1).	Criterion 4.19 - Critical Legitimate right to use the land is demonstrated by ownership, leasehold, or other legal documents or by documentation of traditional or community use rights. Right to use the land is not legitimately disputed by current or former local residents or communities, including in relation to past dispossession or forced abandonment. In the event of land conflict, legitimate right may be demonstrated if a conflict resolution process has been implemented, documented, and accepted by the affected parties.	2.3 - Recognising land rights as a basis for ensuring just land acquisition. A participatory land tenure and land use assessment is carried out to clarify the way customary rights are allocated and lands used by the people concerned.

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Participatory Mapping	Criterion 2.3.1 - Maps of an appropriate scale showing the extent of recognised legal, customary or user rights shall be developed through participatory mapping involving the affected parties. Criterion 2.2.5 - 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). 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.	Criteria 2b.6 - Participatory methodologies described in the RSB Impact Assessment Guidelines shall be used to ensure meaningful stakeholder engagement - <i>establishment of baseline conditions "in the absence of this, satellite images can help identify areas of cultivated land, and participatory mapping and transects can be undertaken with local residents to identify the spatial distribution of the population and various land and resource uses."</i> . Special attention shall be made to ensure that women, youth, elders, indigenous and vulnerable people can participate meaningfully in meetings and negotiations - this is all related to the social impact assessments.	Indonesian regulations refer to the importance of a participatory approach and require participatory mapping be conducted with affected parties and with involvement of the local district land office. The local government is involved because land that is controlled by a plantation remains state land. Again the process does not have to be documented.	Principle 3, Criterion 3 - Indicator 2 - Maps of an appropriate scale showing extent of recognised customary rights shall be made available.	No mention participatory or otherwise. Only stating that documents show legal ownership or lease, history of land tenure and the actual legal use of the land. Maps of fragile soils must be available.	Criterion 4.20 - Critical Activities diminishing the land or resource use rights or collective interests of communities are conducted only after having received the communities' free, prior and informed consent (FPIC). The farm management and group administrator implement complaints or grievance mechanisms to protect community members' rights. If the farm management and group administrator diminish communities' land or resource use rights, mutually agreed compensation commensurate with the loss of use is negotiated with and provided to communities as part of the FPIC process. The farm management and group administrator fully document the FPIC process, including maps developed through the participatory process that indicate the location, boundaries, and planned uses of lands and other resources over which communities have legal, customary, or user rights. SAN guide for FPIC processes - Conduct participatory mapping of land and natural resource use.	2.1 Social baseline studies - Participatory mapping is undertaken jointly to plot the full extent of customary rights and uses including farmlands, forest fallows, hunting, fishing and gathering areas, reserves, sacred sites and collective territories.
Free Prior Informed Consent (FPIC)	Criterion 2.2.3 - 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 FPIC. 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.	Criteria 2b - FPIC shall form the basis for the process to be followed during all stakeholder consultation, which shall be gender sensitive and result in consensus driven negotiated agreements	There is no explicit mention of the application of FPIC provisions adopted from UNDRIP. The ISPO P&C's do not require no land conflicts in the development of palm oil plantations, and does not adopt the FPIC UNDRIP concept to help facilitate conflict resolution. This is clearly not consistent with National Forestry Council Policy Recommendations on the implementation of FPIC and Indonesian National REDD+ Strategy which requires a process and implementation of FPIC with communities affected by REDD+ proposed projects. Indonesia has laws and regulations on human rights but ISPO makes no explicit reference to respecting these rights.	Principle 3, Criterion3, Indicator 3 - Negotiation and FPIC shall be recorded and copies of negotiated agreements should be made available. Principle 3, Criterion 2, Indicator 4 - Where there are, or have been, disputes, documented proof of legal acquisition of land title and fair compensation that have been or are being made to previous owners and occupants shall be made available and that these should have been accepted with free, prior and informed consent (FPIC).	No explicit mention of FPIC.	Criterion 4.20 - Critical Activities diminishing the land or resource use rights or collective interests of communities are conducted only after having received the communities' free, prior and informed consent (FPIC). The farm management and group administrator implement complaints or grievance mechanisms to protect community members' rights. If the farm management and group administrator diminish communities' land or resource use rights, mutually agreed compensation commensurate with the loss of use is negotiated with and provided to communities as part of the FPIC process. The farm management and group administrator fully document the FPIC process, including maps developed through the participatory process that indicate the location, boundaries, and planned uses of lands and other resources over which communities have legal, customary, or user rights. Criterion 4.19 - Legitimate right to use the land is demonstrated by ownership, leasehold, or other legal documents or by documentation of traditional or community use rights. Right to use the land is not legitimately disputed by current or former local residents or communities, including in relation to past dispossession or forced abandonment. In the event of land conflict, legitimate right may be demonstrated if a conflict resolution process has been implemented, documented, and accepted by the affected parties.	2.7 Free Prior Informed Consent - Operators inform communities of their proposal to develop an area and explain the communities' entitlement to FPIC and to control what happens on their lands. Communities decide if they want to consider the company proposal and if so, how they want to be represented in engaging with the operator, with discussions about how the interests of women, children, youth, marginalised castes, classes and land users will be taken into account. The procedure and steps for an iterative FPIC process of engagement between the communities and the operator is mutually agreed, taking account of all the steps noted below and the communities' own norms and proposals. This includes clarifying how the process will be documented and validated, and the form that information will take to ensure it is accessible to communities.
Negotiated agreements and inclusive participation	Criterion 7.5.1 - 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 the agreement with the grower/miller is signed and ratified by these local peoples. Criterion 6.2 - There are open and transparent methods for communication and consultation between growers and/or millers, local communities and other affected or interested parties.	Criteria 12.b - FPIC shall form the basis of all negotiated agreements for any compensation, acquisition, or voluntary relinquishment of rights by land users or owners for operations.	Indicator 1.5.4 - Requires mutually agreed negotiation process for land acquisition and compensation but without the opportunity for communities or land owners to say no or if no alternative measure to follow fair negotiation process like that offered through FPIC, if there is any differences in opinion then they have to be resolved through the appropriate legal channels.	Principle 3, Criterion3, Indicator 3 - Negotiation and FPIC shall be recorded and copies of negotiated agreements should be made available Principle 2, Criterion 2 Transparent method of communication and consultation. Indicator 1 - Procedures shall be established for consultation and communication with the relevant stakeholders. Indicator 2 - A management official should be nominated to be responsible for issues related to Indicator 1 at each operating unit. Indicator 3 - List of stakeholders, records of all consultation and communication and records of action taken in response to input from stakeholders should be properly maintained.	Principle 4 - Biomass production shall not violate human rights labour rights or land rights. It shall promote responsible labour conditions and workers' health, safety and welfare and shall be based on responsible community relations. Criterion 4.1.2 All negative environmental, social, economic and cultural impacts are avoided. Documents of regular meetings with communities (with two-way communication) and local government with listed risks and/or impacts and evidence of minuted negotiations or resolution processes are compiled. Criterion 4.8 All impacts for surrounding communities, users and land owners taken into account and sufficiently compensated for (minor). A participatory social impact assessment has been conducted, and the report is publicly available in appropriate language to surrounding communities. On the basis of that SIA report a continued dialogue with surrounding communities is in place. Documents of regular meetings with communities (with two-way communication) and local government with listed risks and/or impacts and evidence of minuted negotiations or resolution processes are compiled. N.B. Criterion 4.8 and 4.1.2 are only a minor considerations	Criterion 4.20 - Critical Activities diminishing the land or resource use rights or collective interests of communities are conducted only after having received the communities' free, prior and informed consent (FPIC). The farm management and group administrator implement complaints or grievance mechanisms to protect community members' rights. If the farm management and group administrator diminish communities' land or resource use rights, mutually agreed compensation commensurate with the loss of use is negotiated with and provided to communities as part of the FPIC process. The farm management and group administrator fully document the FPIC process, including maps developed through the participatory process that indicate the location, boundaries, and planned uses of lands and other resources over which communities have legal, customary, or user rights. Criterion 4.46 - The farm management and group administrator communicate openly with local communities to identify community concerns and interests related to the farm's or group administrator's operations. The farm management and group administrator develop and implement a system to receive, respond to, and document the resolution of	If the community decides to enter into negotiations, negotiations then occur between the communities' representatives and the operator to clarify the terms of any relinquishment of rights. Time and scope must be given for community meetings to review interim offers and develop counter-proposals for further rounds of negotiation. If agreement is reached in principle then land deals can be finalised with associated provisions for land use, conservation and management, enclaving areas (from both development and conservation) for food production, benefit sharing, mitigation, grievance mechanisms, etc. Identify and agree on the mechanism and tools to establish and manage conservation areas such as conservation agreements and co-management, as well as fair compensation for any loss of use of conservation areas. Legalise or notarise agreement.

	Roundtable on Sustainable Palm Oil (RSPO)	Roundtable on Sustainable Biomaterials (RSB)	Indonesian Sustainable Palm Oil (ISPO)
Access to Information	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. 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. Criterion 2.3.3 - All relevant information shall be available in appropriate forms and languages, including assessments of impacts, proposed benefit sharing, and legal arrangements. Criterion 7.6.6 - 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.	Criteria 2b. Minimum requirement 8 - Management documents shall be publicly available, except where this is prevented by commercial confidentiality, of a proprietary nature or where disclosure of information would result in negative environmental or social outcomes. Criteria 11a, Minimum requirement 2 - The operator shall disclose technologies with hazardous or potentially hazardous effects when such technology is used, and make this information available to the public upon request.	Criterion 1.9 - Provision of information to relevant agencies according to applicable regulations and other stakeholders, with the exception of information concerning things that should be kept confidential. Criterion 1.1, 3.1, 3.2 - There is no requirement for the use of the correct form and language for relevant information sharing, including information on impact analysis, proposed profit sharing, and legal arrangements. No measurable ISPO indicators expressly require management documents to be available to the public to be assessed - such as HGU/ Location licence, K3, AMDAL, NKT, UKL/UPL, details of complaint/grievance, negotiation procedures, continuous improvement plans, and the public summary of the certification report. Criterion 1.9 - No Indicator is expressly obliging the request and response information must be maintained and managed responsibly and transparently.
No Coercion - No para-militaries, No private armies	Criterion 2.2.6 - 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. Specific Guidance 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.	Criteria 12b.7 - Coercion to alter existing land rights or land use rights shall not be allowed in operations	ISPO does not require open and transparent methods of communication and consultation between affected parties or other interested parties.
Fair treatment of small holders	Criteria 6.10 - Growers and millers deal fairly and transparently with smallholders and other local businesses Specific Guidance 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. Indicator 3.1.1 A business or management plan (minimum three years) shall be documented that includes, where appropriate a business case for scheme smallholders. - Consideration of smallholders should be inherent in all management planning where applicable. Principle 4.8 - All staff, workers, smallholders and contract workers are appropriately trained. Specific Guidance 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. Additional guidance is offered for smallholder production in “Guidance for Independent Smallholders under Group Certification’, June 2010” and “Guidance on Schemes Smallholders’, July 2009”	Smallholder standard 1.1.10 The group management shall ensure that any common benefit is fairly shared among all the group members. No mention of transparency. The standard consists of principles, criterion and requirements. The requirements are to be implemented at group or member level and its compliance evaluated through audits. The standard tailors RSB global standard to the needs of smallholders but relates more to their obligation rather than smallholders rights.	There are no specific measurable indicators to show that resources have been allocated to improve the productivity of small farmers. A standard for smallholders has not yet been developed. Not all palm oil plantations are eligible for an ISPO audit or certification program. ISPO certification can only be filed by large palm oil plantations (class i, ii and iii). There is no specific measurable indicators for partnerships with farmers, or that there must be resources allocated to improve the productivity of small farmers.

Malaysian Sustainable Palm Oil (MSPO)	International Sustainability and Carbon Certification (ISCC)	Rainforest Alliance/Sustainable Agriculture Network (SAN)	The High Carbon Stock (HCS) Approach
		complaints from communities. SAN guide for FPIC processes - Allow the community to consult internally regarding the acceptability of the proposed project; consult if the community will still consider the project (STOP / GO decision). Facilitate access to legal advice for communities, if necessary. Legal advice and access to independent parties should be available to communities throughout the FPIC process, but especially in the negotiation phase; if the community is amenable to the project, negotiate terms of agreement for proceeding, including benefits, compensation, or mitigation to the community, commensurate with the loss of use of land or resources; develop a plan for participatory monitoring and conflict resolution.	
4.2 Criterion 1 - Transparency of information and documents relevant to MSPO requirements. Indicator 1 - The management shall communicate the information requested by the relevant stakeholders in the appropriate languages and forms, except those limited by commercial confidentiality or disclosure that could result in negative environmental or social outcomes. Indicator 2 - Management documents shall be publicly available, except where this is prevented by commercial confidentiality or where disclosure of information would result in negative environmental or social outcomes.	4.1.2 All negative environmental, social and economic cultural impacts are avoided. Documents of regular meetings with communities and local government with listed risks and/or impacts and evidence of minuted negotiations or resolution processes. 4.1.1 - A self-declaration on good social practice regarding human rights has been communicated to the workers. The farm management and the workers representative have signed and displayed a self-declaration assuring good social practice and human rights of all workers. The self-declaration must be in language appropriate to workers and surrounding communities. This declaration contains commitment to the ILO core labour standards, respect for living wage, respect for the social environment, respect for legal land titles, sufficient compensation for communities, commitment to solve social conflicts, fair contract farming arrangements	Criterion 4.46 The farm management and group administrator communicate openly with local communities to identify community concerns and interests related to the farm’s or group administrator’s operations. The farm management and group administrator develop and implement a system to receive, respond to, and document the resolution of complaints from communities. SAN guide for FPIC processes Provide community representatives with a description of project activities, benefits, and impacts, presented in a manner that is accessible and appropriate to community representatives’ education levels and to the cultural context. Facilitate access to legal advice for communities, if necessary. Legal advice and access to independent parties should be available to communities throughout the FPIC process, but especially in the negotiation phase;	Communities choose who they want to act as their legal or other advisors and as independent observers. Funds are secured to pay for these costs and help ensure communities are adequately informed. Once all these elements are in place, time is given for communities to access information on alternative development options and what management of HCS forest areas for conservation means, assess all the information provided, discuss the implications among themselves and with their self-chosen advisors, and decide if they want to undertake negotiations. Does not specify language or extent of information offered – broad guidelines.
Not explicitly mentioned outside of FPIC	No explicit reference to coercion other than in the self-declaration of good social practice where there is a commitment to solve social conflicts but it does not state how this is to be achieved and whether the use of force is to be prohibited.	SAN guide for FPIC processes Requirement for FPIC defined by SAN sustainable Agriculture Standard 2017 as the right of indigenous peoples and other local communities to make free and informed choices about the use or development of their lands and resources. FPIC is implemented through a participatory process involving all affected groups that is carried out prior to the finalisation or implementation of any development plans. An FPIC process ensures that communities are not coerced or intimidated ; that decisions are reached through communities’ own chosen institutions or representatives; that communities’ consent is sought and freely given prior to the authorisation or start of any activities; that communities have full information about the scope of any proposed development and its likely impacts on their lands, livelihoods and environment; and that ultimately their choices to give or withhold consent are respected.	2.7 Free Prior Informed Consent Operators inform communities of their proposal to develop an area and explain the communities’ entitlements to FPIC and to control what happens on their lands. Communities decide if they want to consider the company proposal and if so, how they want to be represented in engaging with the operator, with discussions about how the interests of women, children, youth, marginalised castes, classes and land users will be taken into account. The procedure and steps for an iterative FPIC process of engagement between the communities and the operator is mutually agreed, taking account of all the steps noted below and the communities’ own norms and proposals. This includes clarifying how the process will be documented and validated, and the form that information will take to ensure it is accessible to communities. In any process towards an agreement, the communities feel free from any compulsion, coercion or duress.
P4, Criterion 6 Training and competency, Indicator 1 - All employees, contractors and relevant smallholders are appropriately trained. A training programme (appropriate to the scale of the organisation) that includes regular assessment of training needs and documentation, including records of training shall be kept. P7, Criterion 3 - SEIA, Indicator 4 - Where the development includes smallholder schemes of above 500ha in total or small estates, the impacts and implications of how each scheme or small estate is to be managed should be documented and a plan to manage the impacts developed, implemented, monitored and reviewed.	Fair and transparent contract farming arrangements are in place Essential indicators are: (1) The contracts are on paper in the appropriate language and co-signed copies are available with both parties. In case of cooperative contract arrangements, all members have a copy. (2) Payments for harvest are, in calculated form, done on paper and signed and handed over to contract farmer for his/her own record keeping. (3) Provisions governing price-quality parameters are clearly defined in the contract. (4) The contract contains clear provisions on exit arrangements, buy-out possibilities, handing over of property deeds (when appropriate), and compensation measures in case of bankruptcy of the mother company when legally required. (5) There are minutes of meetings providing evidence of regular discussions or negotiations between Mother Company and contract farmers’ representatives.	Criterion 1.15 The group administrator documents and implements a group governance structure including decision-making procedures, group member selection criteria, and membership rules. The group governance structure, member selection, and membership rules avoid all types of discrimination. The group administrator does not restrict its members from associating or affiliating. Criterion 1.17 The GA develops and implements a plan for training and other support activities based on group members’ needs identified through the group governance structure through the farm planning process. Training activities are appropriate to members’ education levels and to the cultural context and are offered to all members. Support activities include facilitating members’ access to farm inputs, high quality planting materials, or financial services. The group administrator makes particular efforts to offer training to potentially less-advanced group members, those in remote areas, and those with limited literacy. Progress, opportunities and challenges of the groups training plan are analysed by the group.	To date the HCS method has not been adapted to suit oil palm smallholders, another key set of stakeholders, including those attached directly to plantations and independent smallholders. A separate working group has been set up to develop suitable guidance for smallholders and HCS, so that they are not excluded from ‘zero deforestation’ supply chains, as is currently the case. Accordingly, this draft document has not been adjusted to suit smallholder realities. (HCS Toolkit Version 2.0 - May 2017)

	Roundtable on Sustainable Palm Oil (RSPO)	Roundtable on Sustainable Biomaterials (RSB)	Indonesian Sustainable Palm Oil (ISPO)
Fair treatment of small holders - Fair credit	The additional guidelines state that “scheme smallholders while also very diverse, are characterised as smallholders who are structually bound by contract, by a credit agreement or by planning to a particular mill” it does not go into detail surrounding fair credit agreements.	Not mentioned.	No additional guidance on smallholders is provided. Best practice is offered to the certification holder but smallholders are not mentioned in the business and management plan.
Fair treatment of small holders - Fair prices	Criteria 6.10 - Growers and millers deal fairly and transparently with smallholders and other local businesses. Indicator 6.10.1 Current and past prices paid for Fresh Fruit Bunches (FFB) shall be publicly available. 6.10.2 Evidence shall be available that growers/millers have explained FFB pricing, and pricing mechanisms for FFB and inputs/services shall be documented (where these are under the control of the mill or plantation). 6.10.3 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 Agreed payments shall be made in a timely manner. Guidance: 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. 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	Not mentioned.	No additional guidance on smallholders is provided. Best practice is offered to the certification holder but smallholders are not mentioned in the business and management plan.
Fair treatment of small holders - Access to markets	Indicator 6.11.2 - Where there are scheme smallholders, there shall be evidence that efforts and/or resources have been allocated to improve smallholder productivity. RSPO's Generic Guidance for Independent Smallholders under Group Certification aims "to provide workable and equitable means by which smallholders can get their produce certified so they are not unfairly excluded from he emerging market" however specific guidance is weak	Smallholder standard - enables small-scale farmers to access RSB-certified supply chains however these come with their own set of restrictions - smallholders are gathered as legal groups, with an appointed representative. The Group Certification Standard describes the requirements with regard to group management. Largely based upon the ISEAL Alliance Common Requirements for Certification Requirements for the Certification of Producer Groups, it defines the rules for group management, group membership, internal management, internal inspections, continuous improvement, record keeping, chain of custody requirements and communication and claims. It includes a risk based internal inspection system - it should be noted that this guidance was prepared principally for feedstock producers.	No additional guidance on smallholders is provided. Best practice is offered to the certification holder but smallholders are not mentioned in the business and management plan.

Malaysian Sustainable Palm Oil (MSPO)	International Sustainability and Carbon Certification (ISCC)	Rainforest Alliance/Sustainable Agriculture Network (SAN)	The High Carbon Stock (HCS) Approach
		administrator, and results shared with group members and used to improve training design and implementation. Criterion 1.18 The GA develops, documents and implements mechanism for non-discriminatory calculation and distributino revenues to its group members. The GA communicates transparently about the distribution of revenues to its group members. Criterion 1.19 Where public health or eduction services are not available, the GA develops and implements a plan to provide access to health care and basic education to its members. Criterion 1.20 The GA facilitates the planting process for its members through training, standardised formats for data collection and analysis, and support to analyse progress and revise farm plans accordingly. NB These criteria are not critical but level C, 90% of level C criteria are to be addressed by year 3.	
No additional guidance on smallholders is provided. Best Practice is offered to the Certification Holder but smallholders are not mentioned in the business or management plan.	No mention of smallholders in ISCC sustainability requirements.	Not mentioned.	To date the HCS method has not been adapted to suit oil palm smallholders, another key set of stakeholders, including those attached directly to plantations and independent smallholders. A separate working group has been set up to develop suitable guidance for smallholders and HCS, so that they are not excluded from 'zero deforestation' supply chains, as is currently the case. Accordingly, this draft document has not been adjusted to suit smallholder realities. (HCS Toolkit Version 2.0 - May 2017)
No additional guidance on smallholders is provided. Best practice is offered to the certification holder but smallholders are not mentioned in the business and management plan.	Fair and transparent contract farming arrangements are in place. Essential indicators are: (1) The contracts are on paper in the appropriate language and co-signed copies are available with both parties. In case of cooperative contract arrangements, all members have a copy. (2) Payments for harvest are, in calculated form, done on paper and signed and handed over to contract farmer for his/her own record keeping. (3) Provisions governing price-quality parameters are clearly defined in the contract. (4) The contract contains clear provisions on exit arrangements, buy-out possibilities, handing over of property deeds (when appropriate), and compensation measures in case of bankruptcy of the mother company when legally required. (5) There are minutes of meetings providing evidence of regular discussions or negotiations between Mother Company and contract farmers' representatives.	Criterion 1.17 The GA develops and implements a plan for training and other support activities based on group members' needs identified through the group governance structure through the farm planning process. Training activities are appropriate to members' education levels and to the cultural context and are offered to all members. Support activites include facilitating members' access to farm inputs, high quality planting materials, or financial services. The group administrator makes particular efforts to offer trainign to potentially less-advantaged group members, those in remote areas, and those with limited literacy. Progress, opportunities and challenges of the groups training plan are analysed by the group administrator, and results shared with group members and used to improve training design and implementation. Criterion 1.18 The GA develops, documents and implements mechanism for non-discriminatory calculation and distributino revenues to its group members. The GA communicates transparently about the distribution of revenues to its group members.	To date the HCS method has not been adapted to suit oil palm smallholders, another key set of stakeholders, including those attached directly to plantations and independent smallholders. A separate working group has been set up to develop suitable guidance for smallholders and HCS, so that they are not excluded from 'zero deforestation' supply chains, as is currently the case. Accordingly, this draft document has not been adjusted to suit smallholder realities. (HCS Toolkit Version 2.0 - May 2017)
No additional guidance on smallholders is provided. Best practice is offered to the certification holder but smallholders are not mentioned in the business and management plan.	3.1.1 Records are kept for training activities and attendees Staff members responsible for certain tasks within the company should participate in training activities. If applicable, local population or small farms or plantations may participate in training programs. 4.1.4 Fair and transparent contract farming arrangements are in place Essential indicators are: (1) The contracts are on paper in the appropriate language and co-signed copies are available with both parties. In case of co-operative contract arrangements, all members have a copy. (2) Payments for harvest are, in calculated form, done on paper and signed and handed over to contract farmer for his/her own record keeping. (3) Provisions governing price-quality parameters are clearly defined in the contract. (4) The contract contains clear provisions on exit arrangements, buy-out possibilities, handing over of property deeds (when appropriate), and compensation measures in case of bankruptcy of the mother company when legally required. (5) There are minutes of meetings providing evidence of regular discussions or negotiations between Mother Company and contract farmers' representatives.	N.B SAN has made several steps to include smallholder in its certification standard including: Many requirements are not applicable to smallholders. Stepwise approach allows easy access to scheme for smallholders. Clear, easy to understand language to help smallholders who may not have formal education.	To date the HCS method has not been adapted to suit oil palm smallholders, another key set of stakeholders, including those attached directly to plantations and independent smallholders. A separate working group has been set up to develop suitable guidance for smallholders and HCS, so that they are not excluded from 'zero deforestation' supply chains, as is currently the case. Accordingly, this draft document has not been adjusted to suit smallholder realities. (HCS Toolkit Version 2.0 - May 2017)

	Roundtable on Sustainable Palm Oil (RSPO)	Roundtable on Sustainable Biomaterials (RSB)	Indonesian Sustainable Palm Oil (ISPO)	Malaysian Sustainable Palm Oil (MSPO)	International Sustainability and Carbon Certification (ISCC)	Rainforest Alliance/Sustainable Agriculture Network (SAN)	The High Carbon Stock (HCS) Approach
Community benefits - Social Development	Criteria 6.11 - Growers and millers contribute to local sustainable development where appropriate. Guidance - 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. No mention of involvement of the community.	Criteria 5a - In regions of poverty, the socioeconomic status of local stakeholders impacted by the operations shall be improved. 5a.5 Skills training shall be provided by the operator if necessary to ensure the implementation of this criterion. Cultural sensitivity and respect for existing social structures shall be applied in the development of options for compliance with this criterion. 5a.6 At least one measure to significantly optimise the benefits to local stake-holders shall be implemented within a three-year period of the start of the operations, for instance: a) Creation of year-round and/or long-term jobs (b) The establishment of governance structures that support empowerment of small-scale farmers and rural communities such as co-operatives and micro-credit schemes (c) Use of the locally produced bio-energy to provide modern energy services to local poor communities (d) Shareholding options, local ownership, joint ventures and partnerships with the local communities (e) Social benefits for the local community such as the building or servicing of clinics, homes, hospitals and schools. Criteria 5b - In regions of poverty, special measures that benefit and encourage the participation of women, youth, indigenous communities and the vulnerable in the operations shall be designed and implemented.	ISPO members are required to have a program for increasing the welfare of local customary community and culture. ISPO requires 20% of a plantation area to be developed for the community, which follows the national law, and that the company empowers indigenous peoples, supports local business, and contributes to community development (with guidance identifying education, health, infrastructure, small businesses, sports, are, religion, etc. as a means of doing so). No mention of consultation with community.	P4, Criterion 3 - Commitment to contribute to local sustainable development, Indicator 1 - Growers should contribute to local development in consultation with the local communities. P7, Criterion 6 - Customary land, Indicator 8: Communities that have lost access and rights to land for plantation expansion should be given opportunities to benefit from the plantation development.	4.20 Other forms of social benefits are offered by the employer to employees, their families and/or community incentives including incentives for good working performance, bonus payment, support of professional development, family friendliness, medical care/ health provisions, improvement of social surroundings. The workers are encouraged to get health insurance by creating awareness and providing information about available insurances. Health insurance can include long term compensation in case of disability and payment of medical costs. If appropriate, the employer makes opportunities of employment known locally. NB Criterion 4.1.7 is only a minor consideration	Criterion 4.47 The farm management and group administrator implement and document activities to support identified needs and priorities of the community, such as support for local schools or other institutions, environmental education, or collaboration on emergency preparedness.	2.1 Social Baseline Study - The developmental aspirations and options of affected communities and local stakeholders should also be considered, including possible alternatives to palm oil where relevant. These elements all contribute to ensuring land use decisions are fully informed. Module 2:3 Social Requirements - Recognising land rights as a basis for ensuring just land acquisition - In engaging with the land owners and users, developers shall recognise and respect all these rights and uses. They then negotiate for access, use or restrictions on the use of these lands, including the lands to be set aside as HCV management areas, and HCS areas. Developers shall fully inform communities of the legal implications of accepting such proposed developments and set-asides and explore options for tenure, management and monitoring. Developers shall also clarify what restrictions and compensatory benefits would apply to communities' livelihoods and land use options as a result of areas being classed as HCV and HCS set-asides or otherwise managed to maintain or enhance these values.
Protection of Human Rights Defenders (HRDs)	Resolution 6.e passed on "Protection Human Rights Defenders, Whistle-blowers, Claimants and Community Spokespersons"	Not mentioned.	Not mentioned.	Not mentioned.	Not mentioned.	Not mentioned.	Not mentioned.
Social and Environmental Impact Assessments (SEIA)	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. NB: RSPO does not rely on HCV for social aspects of its standard, but they are covered under the HCV process required by RSPO in Criteria 5.2 and 7.3	Criteria 2a. Operations shall undertake an impact assessment process to assess impact and risks and ensure sustainability through the development of effective and efficient implementation, mitigation, monitoring and evaluation plans.	Criterion 3.2 - Responsibilities related to environmental impact assessment AMDAL, UKL and UPL: Plantation management must fulfill their obligations regarding AMDAL, UKL and UPL in accordance with applicable legislation. (Note: An AMDAL covers social impacts.) Criterion 3.5 - Identification and protection of HCV areas: Plantation managers must identify HCV areas that consist of areas that have a primary function of protecting environmental sustainability that includes natural resources, man-made resources, and national historical or cultural value and not convert these areas to oil palm. (NB: Depending on the HCV approach used, this should also cover social issues that overlap with an SIA.). A social impact analysis is not required separately but this is included in the AMDAL activities and reports. Evidence is not required that an indicator of SIA assessment has been carried out with the participation of the parties affected.	Principle 4, Criterion 1 - Social impact assessment - Social impacts should be identified and plans implemented to mitigate negative impacts and promote positive ones. P7 Criterion 3 - SEIA Indicator 2 - SEIAs shall include previous land use or history and involve independent consultation as per national and state regulations, via participatory methodology which includes external stakeholders. Indicator 3 - The results of the SEIA shall be incorporated into an appropriate management plan and operational procedures developed, implemented, monitored and reviewed.	Criterion 4.1.2 Negative environmental, social, economic and cultural impacts are avoided. All environmental, social, economic and cultural impacts for surrounding areas, communities, users and land-owners are taken into account. Local historical, cultural and spiritual properties and sites are protected. A participatory social impact assessment is conducted, where all relevant stakeholders including local communities and indigenous people are engaged. The report is publicly available in appropriate languages to surrounding communities. On the basis of that report an action plan to address identified social impacts and a continued dialogue with surrounding communities is in place. Negative impacts must be avoided or, if not possible, minimised, restored and/or compensated. Documents of regular meetings with communities (with two-way communication) and local government with listed risks and/or impacts and evidence of minuted negotiations or resolution processes are compiled. Criterion 4.8 All impacts for surrounding areas, communities, users, and land-owners are taken into account and sufficiently compensated for (Minor). A participatory social impact assessment has been conducted, and the report is publicly available in appropriate languages to surrounding communities. On the basis of that SIA report, a continued dialogue with surrounding communities is in place. Documents of regular meetings with communities (with two-way communication) and local government with listed risks and/or impacts and evidence of minuted negotiations or resolution processes are compiled.	Criterion 1.4 An independent environmental and social impact assessment (ESIA) is conducted prior to land conversion or the development or expansion of farm infrastructure when required by applicable law or when these proposed changes will exceed SAN ESIA parameters. The ESIA includes written plans and procedures for minimising and mitigating any negative impacts and enhancing positive impacts. The farm management and group administrator implements and monitors ESIA plans during the installation and operation phases of the new development.	Module 3.4 - Participatory field assessment - This step in the assessment process is often carried out simultaneously and in full collaboration with the Environmental and Social Impact Assessment (ESIA), as required by both national legislation and many certification standards. This step has two key outputs: • Baseline study reports from both socioeconomic and biological/ecological surveys. • Maps, including community tenure and resource maps, vegetation/ecosystem maps, biomass/ carbon maps, peat maps, maps of survey locations and species occurrence maps (where data is available).
Participatory SEIAs	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. Indicators: 7.1.1 An independent social and environmental impact assessment (SEIA), undertaken through a participatory methodology including the relevant affected stakeholders, shall be documented. 7.1.2 Appropriate management planning and operational procedures shall be developed and implemented to avoid or mitigate identified potential negative impacts. 7.1.3 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.	Criteria 2b. Minimum requirement 6 - Participatory methodologies described in the RSB Impact Assessment Guidelines shall be used to ensure meaningful stakeholder engagement. Special attention shall be made to ensure that women, youth, elders, indigenous and vulnerable people can participate meaningfully in meetings and negotiations. Where the need is identified by the impact assessment facilitator, there shall be informal workshops to build local understanding in the community of the processes that may impact them directly to aid meaningful engagement.	ISPO makes the explicit requirement that assessments be participatory but AMDAL procedures do require assessors to interview impacted communities. There is no indicator to mitigate the negative impacts on communities or indigenous groups identified by assessments or to monitor the identified impacts.	P7 Criterion 3 - SEIA Indicator 1: A comprehensive and participatory social and environmental impact assessment shall be conducted prior to establishing new plantings or operations.	4.4.8 All impacts for surrounding communities, users and land owners taken into account and sufficiently compensated for (Minor). A participatory social impact assessment has been conducted, and the report is publicly available in appropriate language to surrounding communities. On the basis of that SIA report a continued dialogue with surrounding communities is in place. Documents of regular meetings with communities (with two-way communication) and local government with listed risks and/or impacts and evidence of minuted negotiations or resolution processes are compiled.	SAN guide for Environmental and Social Impact Assessments In cases when the proposed project could diminish the land or resource use rights or collective interests of communities, it is required to seek Free, Prior and Informed Consent (FPIC – Critical Criterion 4.20). In such cases, the ESIA and FPIC processes shall be conducted as one integrated process (see SAN Guide for FPIC Processes SAN - G - SP - 2 - V1 for more information). Potentially affected communities shall be engaged in all five ESIA steps, and – in the event that the affected communities agree for the project to proceed – the negotiated outcomes of the FPIC process shall be reflected in steps 4 and 5.	Participatory Social and Environmental Impacts and High Conservation Value Assessments are undertaken, as well as High Carbon Stock forest stratification and analysis. Together these assessments clarify which areas the company seeks to acquire for planting, which areas it is proposed be managed for conservation and which areas will remain unaffected for communities to maintain their livelihoods.

Local food security, right to food

Roundtable on Sustainable Palm Oil (RSPO)

In the definitions provided in the Guidance Livelihood is defined as a person's or a group's way of making a living, from their environment or in the economy, including how they provision their basic needs and assure themselves and following generations secure access to food, clean water, health, education, housing and the materials needed for their life and comfort either through their own direct use of natural resources or through exchange, barter, trade or engagement in the market. Livelihoods are then only mentioned in 3 criteria: 5.2 (HCV areas) which notes "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"; 7.1 (Participatory SEIAs) guidance notes "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"; and 7.3 (NPP) Indicator 7.3.5 notes "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". **BUT THERE IS NO EXPLICIT REFERENCE TO FOOD OR WATER RIGHTS.**

Roundtable on Sustainable Biomaterials (RSB)

Criteria 6a - Operations shall assess risks to food security in the region and locality and shall mitigate any negative impacts that result from their operations. **Minimum requirements 1** - Where the screening exercise of the RSB impact assessment process reveals a direct impact on food security in food-insecure regions, Participating Operators shall conduct a food security assessment in accordance with the RSB Food Security Assessment Guidelines. **Minimum requirements 2** - The scope of the food security assessment shall include additional impacts that the operations may have on cross-cutting requirements for food security including land, water, labour, and infrastructure. **Minimum requirements 3** - If the food security assessment indicates a food security risk as a result of the operations, a mitigation plan shall be developed and implemented. **Criteria 6b** - In food insecure regions, operations shall enhance the local food security of the directly affected stakeholders. **Minimum requirements 1** - In regions where food security is an ongoing risk and concern, operations shall enhance food security of the locally affected community by, for instance, setting aside land for food growing, increasing yields, providing opportunities for workers to carry out household-level food production, sponsoring agricultural support programmes and activities, and/or making value-added food by-products available to the local market.

Indonesian Sustainable Palm Oil (ISPO)

ISPO does not have an indicator to assess the needs of the community, taking into account the positive and negative changes to the source of livelihood of communities as a result of the planned plantation activities.

Rights to water

Criteria 4.4 - Practices maintain the quality and availability of surface and ground water - The water management plan will: Aim to ensure local communities, workers and their families have access to adequate, clean water for drinking, cooking, bathing and cleaning purposes.

Criteria 9d - Operations shall contribute to the enhancement or maintaining of the quality of the surface and ground-water resources. **Minimum requirements 4** - Buffer zones shall be set between the operation site and surface or groundwater resources. **Minimum requirements 6** - For existing operations, degradation of water resources that occurred prior to certification and for which the Participating Operator is directly accountable shall be reversed. Wherever applicable, operators (except small-scale operators) shall participate in projects that aim to improve water quality at a watershed scale. **Minimum requirements 7** - Wastewater or runoff that contains potential organic and mineral contaminants shall be treated or recycled to prevent any negative impact on humans, wildlife, and natural compartments (water, soil).

Not mentioned. Water monitoring is mentioned in one indicator.

Rights to clean environment

Principle 5 - Environmental Responsibility and Conservation of Natural Resources and Biodiversity. 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. 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. 5.3 Waste is reduced, recycled, re-used and disposed of in an environmentally and socially responsible manner.

Criteria 7a - Conservation values of local, regional or global importance within the potential or existing area of operation shall be maintained or enhanced. **Minimum requirement 8** - Hunting, fishing, ensnaring, poisoning and exploitation of rare, threatened, endangered and legally protected species shall not occur on the operation site. **Criteria 7b** - Ecosystem functions and services that are directly affected by the operation shall be maintained or enhanced. **Criteria 7c** - Operations shall protect, restore or create buffer zones. **Criteria 7d** - Ecological corridors shall be protected, restored or created to minimise fragmentation of habitats. **Criteria 7e** - Operations shall prevent invasive species from invading areas outside the operation site. **Criteria 8a** - Operators shall implement practices to maintain or enhance soil's physical, chemical, and biological conditions.

ISPO does not refer specifically to rare, threatened and endangered species (although this may be considered in HCV assessments). ISPO indicators monitor fires, factory waste, planting, water quality and environmental lmanagement but there is no guidance on how this should be carried out, what is best practice or the provision of a monitoring protocol to mitigate against changes in the environment. There isn't an indicator which takes into account the management plan to avoid areas with carbon stocks.

Malaysian Sustainable Palm Oil (MSPO)

Not mentioned - either explicitly or implicitly.

International Sustainability and Carbon Certification (ISCC)

Criterion 4.23 The biomass production does not impair food security. The biomass production shall not replace stable crops and does not impair the local food security. Local food prices do not rise as a direct effect of biomass production. **Instruction 2.4.5** The use of agricultural by-products does not jeopardise the function of local uses of the byproducts, soil organic matter or soil nutrients balance. The use of by-products does not occur at the expense of the soil nutrient balance, soil organic matter balance or important traditional uses (such as fodder, natural fertiliser, material, local fuel) unless documentation is available that similar or better alternatives are available and are applied. (Major)

Rainforest Alliance/Sustainable Agriculture Network (SAN)

SAN guide for FPIC processes Identify whether the proposed activity, project, or expansion may diminish the rights, claims, or interests identified in Step 1 - b. This is the case in circumstances including, but not necessarily limited to, the following: i. Land currently used by communities, or members of a community, for primary subsistence activities would no longer be available to these people for these activities. For instance, if smallholder farm plots growing mainly crops for family subsistence or local consumption are proposed to be converted to plantation agriculture, or if traditional pastoral grazing lands are proposed to be enclosed for intensified cattle production and made unavailable to their former pastoralist users. ii. Communities, or members of a community, would cease to have access, or would have diminished access, to natural resources used for local consumption or subsistence. For instance, if: – Access to streams or other water bodies for communities' drinking water, washing, or livestock watering is to be eliminated or diminished; – Access to traditional hunting or fishing areas is to be eliminated or diminished; – Access to, or rights to extract, plants or plant parts such as firewood, medicinal plants, or fruits is eliminated or diminished; – Statutory or customary allocation of resources, such as permissions to withdraw water from local rivers, would change in a way that diminishes communities' allocation or use of these resources.

The High Carbon Stock (HCS) Approach

HCS Decision Tree - Ensure that areas which are part of an active subsistence food production cycle to meet the food security needs of local customary communities are enclaved from consideration as HCS forest (or for plantation development). Community land use planning - To help communities plan viable long-term livelihoods and ensure local food security, information must be generated from the participatory mapping and HCV and HCS zoning, to clarify the location and extent of areas: 1) currently allocated to various community uses 2) to be conserved for HCV and which of these areas will restrict current uses 3) proposed to be conserved for HCS forest and which of these areas will restrict current uses 4) that will remain for various community uses, including the needs of future generations, if all these other allocations are acceded to.

Not mentioned - either explicitly or implicitly.

Criterion 2.9.1 The producer can justify the irrigation in the context of social and environmental sustainability. The producer respects existing water rights, both formal and customary (including those of local communities and indigenous people) and can justify the irrigation in light of accessibility of water for human consumption. Adverse effects for downstream users must be prevented. If the farm or plantation irrigates or treats water on-site, it has to be ensured that the water use is in compliance with applicable regulations and local legislation. **2.6.8 Restrictions on the use of sewage sludge** Treated sewage sludge may only be applied to soils in a way that does not adversely affect communities water or soil quality, the pH of the soil or the nutritional needs of crops. The impacts of applying organic manure, treated sludge and sludge water and/or industrial waste residues shall be kept to a minimum. Where relevant, this might include an assessment on the pollution of ground and surface water, health risks to workers and surrounding communities and an assessment of heavy metals.

SAN guide for FPIC processes Identify any rights or claims of these communities to land or resources (e.g., water rights, water access points, or rights to hunt or extract forest products) that overlap or are adjacent to the site(s) or area(s) of the proposed activity, project, or expansion.

Module 2.1 - Social Baseline Study - The study is based on a desk survey and field-work and covers all relevant social, economic and political dynamics in the target area. These include food security, livelihoods and the local economy more broadly, including distribution and equity considerations. The study assesses existing community practices in relation to livelihoods and conservation, including usage patterns of areas to be proposed as conservation set-asides, whether economic, social or cultural. **Access to water, health and education facilities and other social and economic infrastructure are also considered....**The Social Baseline study shall take into account the potential impacts of the proposed development on land use patterns, **water quality and availability**, labour, infrastructure, and on agricultural production and the local food economy, over the time frame of the development

P5, Criterion 1 - Environmental management plan, Indicator 1 - An environmental policy and management plan in compliance with the relevant country and state environmental laws shall be developed, effectively communicated and implemented. **Indicator 2** - The environmental management plan shall cover the following: a) An environmental policy and objectives; b) The aspects and impacts analysis of all operations. **Indicator 3** - An environmental improvement plan to mitigate the negative impacts and to promote the positive ones, shall be developed, effectively implemented and monitored. **Indicator 4** - A programme to promote the positive impacts should be included in the continual improvement plan.

4.9 All negative environmental, social, economic and cultural impacts are avoided All environmental, social, economic and cultural impacts for surrounding areas, communities, users and land-owners are taken into account. Local historical, cultural and spiritual properties and sites are protected. A participatory social impact assessment is conducted, where all relevant stakeholders including local communities and indigenous people are engaged. The report is publicly available in appropriate language to surrounding communities. On the basis of that report an action plan to address identified social impacts and a continued dialogue with surrounding communities is in place. Negative impacts must be avoided or, if not possible, minimised, restored and/or compensated. Documents of regular meetings with communities (with two-way communication) and local government with listed risks and/or impacts and evidence of minuted negotiations or resolution processes are compiled. **This is only a minor consideration.**

SAN guide for FPIC processes Identify any rights or claims of these communities to land or resources (e.g., water rights, water access points, or rights to hunt or extract forest products) that overlap or are adjacent to the site(s) or area(s) of the proposed activity, project, or expansion.

The purpose of social and environmental impact and land use planning tools is to mitigate the negative impacts of development and ensure that essential social and environmental values and services are maintained or enhanced. 2.1.2 Applying HCS to existing operations. The developer and the communities shall then renegotiate agreements over lands, land use plans for management and monitoring, including developing mutually agreed plans on how to restore, compensate for, maintain and enhance lost social and environmental values.

Core Labour Standards -
Conditions and benefits

Roundtable on Sustainable
Palm Oil (RSPO)

Criterion 6.5 Pay and conditions for employees and for employees of contractors always meet at least legal or industry minimum standards and are sufficient to provide decent living wages. Indicators: • Documentation of pay and conditions. • 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) are available in the languages understood by the workers or explained carefully to them by a management official. • Growers and millers provide adequate housing, water supplies, medical, educational and welfare amenities to national standard or above, where no such public facilities are available or accessible (not applicable to smallholders). Guidance: Where temporary or migrant workers are employed, a special labour policy should be established. This labour policy would state the non discriminatory practices; no contract substitution; post arrival orientation program to focus especially on language, safety, labour laws, cultural practices etc; decent living conditions to be provided. Migrant workers are legalised, and a separate employment agreement should be drawn up to meet immigration requirements for foreign workers, and international standards. Deductions do not jeopardise a decent living wage. **Principle 6** - Responsible consideration of employees and individuals and communities affected by growers and millers. **Criterion 6.10** - Growers and millers deal fairly and transparently with smallholders and other local businesses. Indicators: Indicators: • Current and past prices paid for FFB shall be publicly available. • Pricing mechanisms for FFB and inputs/services shall be documented (where these are under the control of the mill or plantation) • Evidence shall be available that all parties understand the contractual agreements they enter into, and that contracts are fair, legal and transparent. • Agreed payments shall be made in a timely manner. **Criterion 6.11** - Growers and millers contribute to local sustainable development where appropriate.

Roundtable on Sustainable
Biomaterials (RSB)

Principal 4 - Human and Labour Rights. Biofuel operations shall not violate human rights or labour rights, and shall promote decent work and the well-being of workers. Criteria 4e - Workers' wages and working conditions shall respect all applicable laws and international conventions, as well as all relevant collective agreements. Where a government regulated minimum wage is in place in a given country and applies to the specific industry sector, this shall be observed. Where a minimum wage is absent, the wage paid for a particular activity shall be negotiated and agreed on an annual basis with the worker. Men and women shall receive equal remuneration for work of equal value. **Criteria 4f** - Conditions of occupational safety and health for workers shall follow internationally recognised standards.

Indonesian Sustainable Palm Oil (ISPO)

Criterion 4.2 - Welfare and capacity building for workers/laborers. ISPO does not require that there is evidence available that all parties understand the contractual agreements and that contracts are fair, legal and transparent. ISPO does not have a requirement for employee contracts and only states that employees/workers must be enrolled in the government's social security program, as per applicable regulations.

Malaysian Sustainable Palm Oil (MSPO)

Criterion 5 - Employment conditions: **Indicator 1** - The management shall establish policy on good social practices regarding human rights in respect of industrial harmony. The policy shall be signed by the top management and effectively communicated to the employees. **Indicator 2** - The management shall not engage in or support discriminatory practices and shall provide equal opportunity and treatment regardless of race, colour, sex, religion, political opinion, nationality, social origin or any other distinguishing characteristics. Indicator 3 - Management shall ensure that employees' pay and conditions meet legal or industry minimum standards as per agreed Collective Agreements. **Indicator 4** - Management should ensure employees of contractors are paid based on legal or industry minimum standards according to the employment contract agreed between the contractor and his employee. **Indicator 6** - All employees shall be provided with fair contracts signed by both employee and employer. A copy of employment contract is available for each employee indicated in the employment records. Indicator 10 - Other forms of social benefits should be offered by the employer to employees, their families or the community such as incentives of good work performance, bonus payment, professional development, medical care and health provisions. **P4: Criterion 4**, indicator 1 - An occupational safety and health policy and plan shall be documented, effectively communicated and implemented.

International Sustainability and Carbon
Certification (ISCC)

Principle 3 Safe working conditions through training and education, use of protective clothing and proper and timely assistance in the event of accidents **Criterion 4.9.** The management does hold regular two-way communication meetings with their employees where issues affecting the business or related to worker health, safety and welfare can be discussed openly (minor) **Criterion 4.10.** There are at least one worker or a workers' council elected freely and democratically who represent the interests of the staff to the management (minor) **Criterion 4.12** All children living on the farm have access to quality primary school education **Instruction 4.12** All children at primary schooling age (according to national legislation) living on the farm must have access to primary school education, either through provided transport to a public primary school or through adequate onsite schooling. This is in accordance with the International Covenant on Economic, Social and Cultural Rights, Art. 13 **Criterion 4.15** All employees are provided with fair legal contracts. Copies of working contracts can be shown for every employee indicated in the records. These have been signed by both the employee and the employer **Criterion 4.16** There is a time recording system that shows daily working time and overtime on a daily basis for all employees. (Minor) **Instruction 4.16** There is a time recording system that makes working hours and overtime transparent for employees and employer. Working times of all employees during the last 24 months are documented. **Criterion 4.17** The working hours and breaks of the individual worker are indicated in the time records comply with legal regulations and/or collective bargaining agreements (minor) Instruction 4.17 Documented working hours, breaks and rest days are in line with legal regulations and/or collective bargaining agreements. Records indicate that regular weekly working hours do not exceed 48 hours. This is N/A for supervisors or management. Rest breaks/days are also documented during peak season. Overtime shall be voluntary and shall always be compensated at a premium rate **Criterion 4.18** Pay slips document the conformity of payment with at least legal regulations and/or collective bargaining agreements (minor) **Criterion 4.19** Other forms of social benefits are offered by the employer to employees, their families and/or community **Criterion 4.21** Provisions are in place to compensate impact on workers and land (ecosystem quality) on exit or bankruptcy of farm operations.

Rainforest Alliance/Sustainable
Agriculture Network (SAN)

Criterion 4.8 Critical. The farm management and group administrator do not engage in arrangements or practices designed to eliminate or reduce pay and benefits due to workers such as employing contract or temporary workers for permanent or ongoing tasks. **Criterion 4.10** Critical Regular working hours of all workers do not exceed 48 hours per week, with at least one full day of rest for every six consecutive days worked. Workers receive one meal period break for every six hours worked. **Criterion 4.11** Critical All overtime is voluntary. Overtime does not result in a work week exceeding 60 total hours, except under extraordinary circumstances. All overtime is paid at the rate required by applicable law or as collectively negotiated, whichever is higher. In absence of applicable law for higher overtime pay, overtime is paid at 1.5 times the regular wage level. **Criterion 4.12** Critical Farmers, workers, and their families are afforded access to potable water. Criterion 4.13 Critical When the farm management and group administrator provide housing to workers and their families **Criterion 4.14** Critical The farm management and group administrator develop and implement an Occupational Health and Safety (OHS) plan. The OHS plan is based on a risk analysis developed by a competent professional or organisation and identifies and characterizes biological, physical and chemical hazards by job types or physically demanding tasks. The OHS plan describes and rates risks in terms of the frequency of potential occurrence and the potential danger or impact, and indicates the communication, training, equipment, or procedures, including medical exams and first aid, needed to prevent or reduce those risks rated as high to worker health or the health of other people on the farm or group administrator facilities. The farm management and group administrator designate a qualified OHS officer responsible for ensuring the implementation of the OHS plan. **Criterion 4.15** Critical Functional Personal Protective Equipment (PPE) in accordance with the product's MSDS, safety tag or other instructions, whichever are more stringent, is provided free of cost to workers. All persons who mix or handle pesticides, fertilisers hazardous materials, or other chemical substances or natural pest control substances with possible dermatological or microbiological risks use PPE. Substances listed in the SAN List of Pesticides for Use with Risk Mitigation as having inhalation risks may be used only if restricted entry intervals are enforced and respirators with an organic vapor (OV) cartridge or canister with any N, R, P, or 100 series prefilter are used, and only if all application sites are flagged to indicate inhalation risks to bystanders. **Criterion 4.16** Critical The farm management trains all workers and the group administrator trains all group members or their representatives that handle or come into contact with pesticides or other substances posing potential health risks. Training is conducted by a competent professional. **Criterion 4.21** The farm management's and group administrator's payment procedures guarantee the complete payment to workers of all of their wages due, including for overtime work. Payments are made on the date, in the place, and with the frequency specified

The High Carbon Stock (HCS) Approach

Module 2.11 Protecting labour rights - Developers accord full labour rights to all their workers in relation to compensation, working conditions, and freedom of association. These rights are set out clearly in the developers' labour policy from the start of the development and apply to all workers regardless of status. Developers respect the international conventions that set out these labour rights and their prohibitions on child, forced and compulsory labour. Labour standards, expectations and commitments should be established early as part of negotiations. Developers provide safe and fair working conditions for their workers. This includes the total prohibition of contact with hazardous materials for workers under 18 years of age and pregnant women, the provision of adequate safety equipment for all others, and the avoidance of some specified substances altogether. Developers also provide fair methods of payment, hours of work and overtime arrangements, and leave entitlements.

	Roundtable on Sustainable Palm Oil (RSPO)	Roundtable on Sustainable Biomaterials (RSB)	Indonesian Sustainable Palm Oil (ISPO)
Core Labour standards - Minimum wage	<p>Criteria 6.5 - Pay and conditions for employees and for contract workers always meet at least legal or industry minimum standards and are sufficient to provide decent living wages. Indicators - 6.5.1 Documentation of pay and conditions shall be available. 6.5.2 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. 6.5.3 Growers and millers shall provide adequate housing, water supplies, medical, educational and welfare amenities to national standards or above, where no such public facilities are available or accessible. 6.5.4 Growers and millers shall make demonstrable efforts to monitor and improve workers' access to adequate, sufficient and affordable food.</p>	<p>Criteria 4e - Workers' wages and working conditions shall respect all applicable laws and international conventions, as well as all relevant collective agreements. Where a government-regulated minimum wage is in place in a given country and applies to the specific industry sector, this shall be observed. Where a minimum wage is absent, the wage paid for a particular activity shall be negotiated and agreed on an annual basis with the worker. Men and women shall receive equal remuneration for work of equal value. Criteria 4f - Conditions of occupational safety and health for workers shall follow internationally recognised standards.</p>	<p>ISPO does have requirements for minimum wage and payroll system. Indicator 4.2 (1) Implementation of minimum wage regulations. Indicator 4.2 (2) A standard payroll system has been established. Guidance 4.2 (a) Minimum wages are paid in accordance with the relevant local minimum wage.</p>

Malaysian Sustainable Palm Oil (MSPO)	International Sustainability and Carbon Certification (ISCC)	Rainforest Alliance/Sustainable Agriculture Network (SAN)	The High Carbon Stock (HCS) Approach
		<p>by collectively negotiated agreements or worker contracts. Criterion 4.22 The farm management and group administrator inform all workers offered employment in their native language about all terms of work, covering labour policies, procedures, rules and conditions either as stated in a collective bargaining agreement (where implemented) or as contained in the employer's proposed labour agreement. Criterion 4.23 All workers receive at least two weeks of paid vacation leave per year (10 days based on a five-day work week or 12 days based on a six-day work week) with pro-rating for part-time or seasonal workers. Criterion 4.28 When the farm management and group administrator provide housing to workers, or workers with their families. Criterion 4.30 When the farm management and group administrator provide housing to workers, or workers with their families, Criterion 4.31 The farm management and group administrator provide access to health care and basic education to all workers. Criterion 4.32 When the farm management and group administrator provide housing to workers, or workers with their families, they provide areas for recreation and drying clothes. For permanent workers residing with their family, housing provides at least one toilet, one shower, and one laundry sink per family. Non-family worker housing provides at least one toilet for every six persons.</p>	
<p>P4, Criterion 5 Employment conditions, Indicator 3 Management shall ensure that employees' pay and conditions meet legal or industry minimum standards and as per agreed Collective Agreements. The living wage should be sufficient to meet basic needs and provide some discretionary income based on minimum wage.</p>	<p>Criterion 4.6/4.2.8 The farm does pay a living wage which meets at least legal or industry minimum standards (major) Instruction 4.7 The company's pay slips demonstrate that living wages meet at least legal or industry minimum standards and are sufficient to meet basic needs of personnel and to provide some discretionary income. Criterion 4.18 Pay slips document the conformity of payment with at least legal regulations and/or collective bargaining agreements. (Minor) Instruction 4.18 Wages and overtime payment documented on the pay slips are in line with legal regulations (minimum wages) and/or collective bargaining agreements (if applicable). If payment is calculated per unit, employees (on average) shall be able to gain the legal minimum wage within regular working hours.</p>	<p>Criterion 4.5 critical criteria All workers receive no less than the legal minimum wage or wages negotiated collectively, whichever is higher. For production, quota or piece work, the established pay rate allows workers to earn at least a minimum wage compared to a 48-hour standard working week of a similar task. If under these conditions, the piecework rate does not meet the minimum wage, then the wage level is upgraded to at least the minimum wage. No more than 30% of the required minimum wage is paid in-kind. If wages are negotiated voluntarily between employers and workers' organisations, those negotiated wage amount(s) apply to all workers covered under the negotiated agreement. Management-required training takes place during normal working hours and is fully compensated. Workers are not charged, nor is pay deducted, to cover the cost of tools, equipment or gear required for performance of worker duties. Criterion 4.27 The farm management and group administrator increase inflation-adjusted cash wages at least annually. Criterion 4.29 If a living wage benchmark is provided, the farm management and group administrator document and implement a living wage plan, to progress towards payment of living wage. In absence of a living wage benchmark, the farm management and group administrator assess current access of workers and their families to health care and basic education and develop and implement a plan for providing access to these services.</p>	<p>Module 2.11 Protecting labour rights - Labour standards, expectations and commitments should be established early as part of negotiations. Developers shall pay workers at least the legal minimum wage, or a 'decent living wage', as defined and determined using accepted methods (RSPO Principles and Criteria, Criterion 6.5). The total compensation package is mutually agreed with workers through a documented and transparent process.</p>

	Roundtable on Sustainable Palm Oil (RSPO)	Roundtable on Sustainable Biomaterials (RSB)	Indonesian Sustainable Palm Oil (ISPO)
Core Labour standards - Free Collective Bargaining	Criteria 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. Indicators - 6.6.1 A published statement in local languages recognising freedom of association shall be available. 6.6.2 Minutes of meetings with main trade unions or workers representatives shall be documented.	Criteria 4a - Workers shall enjoy freedom of association, the right to organise, and the right to bargain collectively.	4.4 Establishment of Unions ISPO requires plantation mangement to facilitate the formation of unions - there are no details on how workers are encouraged to join unions or indicators detailing how meetings with trade unions or workers representatives will be documented.
Core Labour Standards - No Child Labour	Criteria 6.7 - Children are not employed or exploited. Indicators: 6.7.1 There shall be documentary evidence that minimum age requirements are met.	Criteria 4c - No child labour shall occur, except on family farms and then only when work does not interfere with the child's schooling and does not put his or her health at risk.	4.3 The use of child labour and discrimination against workers. ISPO prohibits employment of children with a minimum age according to regulations but does not require that there must be documentary evidence that minimum age requirement is met.
Core Labour Standards - No Slavery-like practices	Criteria 6.12 - No forms of forced or trafficked labour are used - Indicators 6.12.1 There shall be evidence that no forms of forced or trafficked labour are used. 6.12.2 Where applicable, it shall be demonstrated that no contract substitution has occurred. 6.12.3 Where temporary or migrant workers are employed, a special labour policy and procedures shall be established and implemented.	Criteria 4b - No slave labour or forced labour shall occur. The participating operator shall not be engaged in or support the use of forced, compulsory, bonded, trafficked or otherwise involuntary labour as defined in ILO Convention 29.	ISPO does not have specific criteria that prohibit the use of any form of forced labour or human trafficking.

Malaysian Sustainable Palm Oil (MSPO)	International Sustainability and Carbon Certification (ISCC)	Rainforest Alliance/Sustainable Agriculture Network (SAN)	The High Carbon Stock (HCS) Approach
Indicator 3 - Management shall ensure that employees' pay and conditions meet legal or industry minimum standards as per agreed Collective Agreements. Indicator 13 - The management shall respect the right of all employees to form or join trade unions and allow workers own representative(s) to facilitate collective bargaining in accordance with applicable laws and regulations. Employees shall be given the freedom to join a trade union relevant to the industry or to organise themselves for collective bargaining. Employees shall have the right to organise and negotiate their work conditions. Employees exercising this right should not be discriminated against or suffer repercussions.	4.6 Labour organisations and collective bargaining for negotiating working conditions All workers are free to establish and to join labour organisations of their own choice or organize themselves to perform collective bargaining. Workers must have the right to organize and negotiate their working conditions. There is evidence (workers' interviews with selfselected/anonymous workers) that the employer supports the establishment or at least does not block the effective functioning of worker-committees where the workers elect representatives. There is evidence of acceptance of collective bargaining agreements. Trade union members are guaranteed the possibility to fulfil their tasks at least outside of the regular working hours. Workers exercising this right should not be discriminated against or suffer repercussions. The employment conditions regarding freedom of association and collective bargaining are in accordance with all national and local legislation and ILO Conventions 87 and 98.	Criterion 4.4 critical criteria Workers have the right to establish and join worker organizations of their own free choice without influenceor interference by farm management, owners or group administrators. Worker organizations operate without interference or influence by farm management, owners or group administrators. Workers have the right to collectively negotiate the elements of their employment conditions into a collective bargaining agreement. Workers are fully protected against acts of discrimination or retaliation for reasons of affiliation.	Module 2.11 Protecting labour rights - Developers ensure both that workers are able freely to organise and represent themselves for the purposes of collective bargaining and negotiation, and that they are fully informed of their rights in this regard. This includes migrant workers who may not be aware of their rights to trade union membership and representation.
Although there is no specific criteria dedicated to this - companies receiving MSPO certification are expected to have a separate policy on child labour - they are also required to document and record the workers' date of birth.	Criterion 4.14 No minors are employed on the farm (major) Instruction 4.14 The minimum age complies with all local and national legislation as well as with ILO Convention 138 and 182. Documents include recording of workers' date of birth and documented evidence that the employer is aware of prevailing legislation. Children within the age of compulsory schooling must not be employed during school hours. Young workers (15-18) must not undertake hazardous work that jeopardises their health, safety or morals. All forms of slavery or practices similar to slavery, forced or compulsory labour of children is prohibited.	Criterion 4.6 critical criteria The worst forms of child labor are prohibited, including: • Work harmful to children; • Any type of paid or unpaid work by a child under the age of 15 years old, except tasks that are traditional for children in the location and are undertaken for the purpose of encouraging the family's or local culture; • Young workers' work during legally compulsory school hours; • Young workers' work of more than eight hours per day and more than 48 hours per week; • Young workers' work schedule not permitting minimum consecutive period of 12 hours' overnight rest, and at least one full day of rest for every six consecutive days worked; • All forms of forced, compulsory, or slave labor or discrimination; • Sale and trafficking of children; • Use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances; and • Use, procuring or offering of a child for other illicit activities. Criterion 4.7 critical criteria If young workers are contracted, records for each young worker are kept, including: First and last name; reliable proof of date of birth; parent(s) or legal guardian(s) first and last name and domicile or place of contact; young worker's permanent residence; school registration and attendance statuses; parent(s) or legal guardian(s) consent and authorisation for the young worker's employment; type of assigned work or tasks; and number of daily and weekly working hours. Criterion 4.24 The farm management and group administrator develop and implement a child labor prevention and monitoring plan after considering the results of consultations with community members and minors.	Module 2.11 Protecting labour rights - Developers take active measures to comply fully with the provisions of international conventions on forced or compulsory labour and child labour, ensuring and demonstrating that no child labour or forced or trafficked labour is used in their operations.
Although there is not a specific criteria dedicated to this - companies receiving the MSPO standard should be expected to have a separate policy on no forced labour - the text can be taken from the standard Criterion 5 Indicator 1 which states "the management shall establish a policy on good social practices regarding human rights in respect of industrial harmony".	Criterion 4.4. There is no forced labour at the farm (major) Instruction 4.4 There must be no use of forced, bonded or involuntary labour as meant in ILO Convention 29 and 105. Criterion 4.13 There are records that provide an accurate overview of all employees (including seasonal workers and subcontracted workers on the farm) and indicate full names, a job description, date of birth, date of entry, wage and the period of employment. (minor) Instruction 4.14 All forms of slavery or practices similar to slavery, forced or compulsory labour of children is prohibited. Criterion 4.15 All employees are provided with fair legal contracts. Copies of working contracts can be shown for every employee indicated in the records. These have been signed by both the employee and the employer. (minor)	Criterion 4.1 critical criteria All forms of forced, compulsory, or slave labor are prohibited, including use of trafficked and bonded labor, labor by prisoners or soldiers, or the use of extortion, debt, threats, monetary fines or penalties. According to ILO Forced Labor Convention (No. 29) and Abolition of Forced Labor Convention (No. 105)	Module 2.11 Protecting labour rights - Developers take active measures to comply fully with the provisions of international conventions on forced or compulsory labour and child labour, ensuring and demonstrating that no child labour or forced or trafficked labour is used in their operations.

	Roundtable on Sustainable Palm Oil (RSPO)	Roundtable on Sustainable Biomaterials (RSB)	Indonesian Sustainable Palm Oil (ISPO)	Malaysian Sustainable Palm Oil (MSPO)	International Sustainability and Carbon Certification (ISCC)	Rainforest Alliance/Sustainable Agriculture Network (SAN)	The High Carbon Stock (HCS) Approach
Core Labour Standards - Contracting third parties	Criteria 1.3 Growers and millers commit to ethical conduct in all business operations and transactions. Indincator 1.3.1 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. Guidance All levels of the operations will include contracted third parties (e.g. those involved in security). Criteria 6.1.3 Growers and millers respect human rights Guidance All levels of operations will include contracted third parties.	Criteria 4g - Operators shall implement a mechanism to ensure the human rights and labour rights outlined in this principle apply equally when labour is contracted through third parties.	ISPO standard does not contain an indicator that specifically defines labour policies, human rights policies and procedures relating to temporary workers. Although company operations are expected to be in line with national law which does provide some provisions on this.	P6 - Criterion 4 - Contractor - Indicator 1 - Where contractors are engaged, they shall understand the MSPO requirements and shall provide the required documentation and information. Indicator 2 -The management shall provide evidence of agreed contracts with the contractor. Indicator 4 - The management shall be responsible for the observance of the control points applicable to the tasks performed by the contractor, by checking and signing the assessment of the contractor for each task and season contracted.	Criterion 4.22 Fair and transparent contract farming arrangements are in place. 6.2.4 Subcontractors must fully comply with ISCC sustainability requirements.	Criterion 4.8 The farm management and group administrator do not engage in arrangements or practices designed toe limitate or reduce pay and benefits due to work-ers such as employing contract or temporary workers for permanent or ongoing tasks.	Module 2.11 Protecting labour rights - De-velopers should employ as high a proportion as possible of their workforce as permanent rather than temporary or casual workers, as the latter are far more likely to experience non-fulfilment or abuse of their rights. Where contract workers are employed during par-ticular phases of the operation, developers monitor the compliance of contractors with these requirements.
Core Labour Standards - Accessible grievance mechanism	Criteria 6.3 - There is a mutually agreed and documented system for dealing with complaints and grievances, which is implemented and accepted by all affected parties. Indicators: 6.3.1 The system, open to all affected parties, shall resolve disputes in an effective, timely and appropriate manner, ensuring anonymity of complainants and whistleblowers, where requested. 6.3.2 Documentation of both the process by which a dispute was resolved and the outcome shall be available.	Criteria 4h - Operators shall implement and maintain a transparent and easily accessible grievance mechanism, open for all workers and contracted workers	No grievance mechanism for workers is provided. The only grievance mechanism related to land disputes and compensation. Indonesian national law does provide protection to workers but this is not explicitly stated in the standard.	4.3 A complaint form should be available on the premises where employees or other af-fected stakeholders can make a complaint.	Criterion 4.12 There is a complaint form and/ or procedure available on the farm, where employees and affected communities can make a complaint. They shall be made aware of its existence and complaints or sugges-tions can be made at any time. Complaints are dealt with in a timely manner. Complaints and their solutions from the last 24 months are documented and accessible. (this is only a minor consideration). N.B. no further detail of complaints procedure given	Criterion 4.9 critical The farm management and group administrator implement com-plaints or grievance mechanisms to protect workers' rights. Workers also have the right to object to their received payment and have their objections reviewed and decided with decisions being documented. Workers are not subject to employment termination, retribution, or threats as a consequence of utilising the complaint or grievance mechanism. The farm management and group administrator inform workers of the right to access external complaint and grievance mechanisms, including SAN accredited Certification Bodies, SAN secretariat or local authorities.	Grievance and redress procedures for social requirements of HCS - Developers shall establish an effective and pro active system to address any grievances or complaints that arise under the HCS Social Requirements. This system shall be mutually agreed, balanced and accountable. All elements of the process shall be fully documented and accessible to all stakeholders, including translation into local languages where necessary. Developers shall ensure that complainants can access independent legal and technical advice of their choice to support them, and provide the option of third party mediation. This griev-ance mechanism doesnt relate specifically to workers - instead relating to other social incidents.
Core Labour Standards - Protection of Migrant Labour	Criteria 6.6 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). Indicator 6.12.3 - 6.12.3 Where temporary or migrant workers are employed, a special labour policy and procedures shall be established and implemented. - Guidance 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.	No indicators specifically defined and applied in the case of migrant workers.	No indicators specifically defined and applied in the case of migrant workers.	No indicators specifically defined and applied in the case of migrant workers.	Criterion 4.3. There is no discrimina-tion (distinction, exclusion or preference) practiced that denies or impairs equality of opportunity, conditions or treatment based on individual characteristics and group membership or association. For example, on the basis of: race, caste, nationality, religion, disability, gender, sexual orientation, union membership, political affiliation, age, marital status, working status (i.e. temporary, migrant, seasonal), HIV/AIDS (major). 5.2 There is an awareness of, and compliance with, all applicable regional and national laws and ratified international treaties. The producer can demonstrate awareness of his responsibilities according to the applicable laws. Applicable laws should be complied with. They apply to: rights of permanent and temporary workers.	Criterion 4.8 The farm management and group administrator do not engage in arrange-ments or practices designed to eliminate or reduce pay and benefits due to workers such as employing contract or temporary workers for permanent or ongoing tasks. Worker: Any person who works on a farm or for a group administrator and is paid for his or her work. Encompasses all types of workers, includ-ing permanent, temporary, documented, undocumented, migrant , and transitory, and also persons temporarily absent from a job or enterprise at which they recently worked for illness, parental leave, holiday, training, or industrial dispute. Temporary Worker: Employees who are not permanently hired but contracted just for limited periods of time. The relevant labor contract is of limited or unspec-ified duration with no guarantee of continua-tion. Workers that conduct short-term harvest work on a farm and voluntarily move to other farms are not subject to contracts between the farm or group administrator and the tem-porary worker. The designation of "short term workers" may not be made for the purpose of avoiding legal minimum wage or legal benefit schemes that include these workers.	Module 2.11 Protecting labour rights - Developers ensure both that workers are able freely to organise and represent themselves for the purposes of collective bargaining and negotiation, and that they are fully informed of their rights in this regard. This includes migrant workers who may not be aware of their rights to trade union membership and representation. These standards shall apply to the entire workforce, whether casual, temporary or permanent workers, employed directly or via contractors, and whether mi-grants or nationals. Further specific actions are necessary to ensure that migrant work-ers' rights are also protected, including their right to retain their documents and valuables and their right not to be charged excessive recruitment fees.
No Discrimination	Criteria 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. Indicators: 6.8.1 A publicly available equal opportunities policy including identification of relevant/ affected groups in the local environment shall be documented. 6.8.2 Evidence shall be provided that employees and groups including local communities, women, and migrant workers have not been discriminated against. 6.8.3 It shall be demonstrated that recruitment selection, hiring and promotion are based on skills, capabilities, qualities, and medical fitness necessary for the jobs available.	Criteria 4d. Workers shall be free of discrimination of any kind, whether in employment or opportunity, with respect to gender, age, wages, working conditions, and social benefits.	ISPO offers generic policies where companies are requested not to engage or support any discriminatory practices. These policies do not have to be made public. ISPO only recognises indigenous communities if they are supported by a district government regulation.	P4, Criterion 5 Employment conditions, Indicator 2 - The management should not engage in or support discriminatoy practices and shall provide equal opportunity and treatment regardless of race, colour, sex, religion, political opinion, nationality, social origin or any other distinguishing charac-teristics.	4.2.4 Employment conditions comply with equity principles - The management shall not engage in or support discriminatory practices and shall provide equal opportunity and treatment regardless of race, colour, sex, religion, political opinion, nationality, social origin or any other distinguishing charac-teristics. 4.2.3 There is no discrimination at the farm or plantation There is no indication of discrimination (distinction, exclusion or preference) practiced that denies or impairs equalaity of opportunity, conditions or treat-ment based on individual characteristics and group membership or association. For example on the base of: race, caste, national-ity, region, disability, gender etc. A publicly available equal opportunities policy includ-ing identification of relevant/affected groups in the local environment exists.	Criterion 1.12 The farm management and group administrator support equality and empowerment of women, including participa-tion in training and education and equal access to products and services. Criterion 4.2 critical criteria Workers are treated respectfully and are never subjected to threats, intimidation, sexual abuse or harassment, or verbal, physical or psychological mistreatment. Criterion 4.3 critical criteria All forms of discrimination in labor, hiring, training, task assignment, labor benefits, promotion policies and procedures, and other opportunities for better conditions, pay, or advancement are prohibited, including any distinction, exclusion or preference to invalidate or harm equality of opportunity or treatment in employment; and different pay16 to men and women for work of equal value. According to ILO Conventions 100 and 111. Criterion 4.4 critical criteria Workers have the right to establish and join worker organisations of their own free choice without influence or interference by farm management, owners or group administrators. Worker organisations operate without interference or influence by farm management, owners or group adminis-trators. Workers have the right to collectively	Module 2.12 Ensuring non-discrimination - In keeping with well-established international principles of non-discrimination, developers shall ensure that they treat all parties and stakeholders equally and fairly whatever their religion, race, ethnicity, nationality, gender, age, sexual orientation or political affiliation. Developers shall ensure non-discrimination in relation to all, their communication and consultative processes with affected communities. These processes shall include representation from minority, marginalised and vulnerable groups of all kinds in order to establish effective and transparent relationships and processes (see box). These processes shall be accessible and transparent, and translated into local languages where necessary. Developers shall also demonstrate a fair and non-discriminatory approach in their complaints procedures, including by taking account of differences in the ability to claim rights in relation to land ownership claims. Developers shall put into place SOPs that set out in detail policies in all these areas, with time frames of implementation, allocation of responsibility and monitoring and verification indicators.

	Roundtable on Sustainable Palm Oil (RSPO)	Roundtable on Sustainable Biomaterials (RSB)	Indonesian Sustainable Palm Oil (ISPO)
No Discrimination - Gender Sensitive Complaints Procedure/Protection of Women	Criteria 6.9 - There is no harassment or abuse in the work place, and reproductive rights are protected. Indicator - 6.9.3 A specific grievance mechanism which respects anonymity and protects complainants where requested shall be established, implemented, and communicated to all levels of the workforce.	Not mentioned.	Not mentioned - either explicitly or implicitly
No discrimination - No sexual harassment/Reproductive Rights protected	Criteria 6.9 - There is no harassment or abuse in the work place, and reproductive rights are protected. Indicators - 6.9.1 A policy to prevent sexual and all other forms of harassment and violence shall be implemented and communicated to all levels of the workforce. 6.9.2 A policy to protect the reproductive rights of all, especially of women, shall be implemented and communicated to all levels of the workforce.	4d.3 - Work sites shall be safe for women; free from sexual harassment and other discrimination and abuse; and promote access to jobs, skills training, recruitment and career development for women to ensure more gender balance in work and career development. Reproductive rights are not mentioned.	ISPO does not expressly prohibit any form of harassment or violence in the workplace. ISPO does not consider the protection of reproductive rights.
Quality Assurance	Public summaries of audit reports available on RSPO website. In November 2015 RSPO passed a resolution that committed the organisation to ensuring the quality, oversight and credibility of RSPO assessments by developing clear and mandatory guidelines and to improve the quality of HCV, HCS, SEIA and FPIC review in NPP assessments, as well as to monitor the quality, independence and performance of all RSPO CB auditors and 3rd party assessors - this was in direct response to issues raised by a number of complaints reporting on the quality, independence and credibility of some assessments and audits. The prerequisites for RSPO certification are that the company must be registered as a member of the RSPO; a public announcement must be made 30 days prior to the audit of the intention to be RSPO certified requesting any input from interested parties of this intention and; that there is no significant conflicts between key stakeholders (related to social and environmental aspects), including their subsidiaries, in the event the company is registered as a member of the RSPO as a parent company.	RSB assurance system is comprised of : RSB Accreditation Body (AB), Certification Bodies (CBs) and auditors, who are either employed or subcontracted by CBs.	The classification system ensures that operators are employing proper plantation and environmental management practices prior to the assessment by an independent third party auditor (a government approved certification body). No public summaries of audit reports. The ISPO audit is undertaken in two stages, the first stage is a compliance audit of the requisite legal plantation licences and required completed business documentation. The second stage is a full plantation audit assessing all documentation concerning adherence to IPSO P+C's in the plantation and in the mill. The certification body must extend a public announcement via the ISPO Secretariat at least 30 days before the second stage of the auditing process so as to receive any input or complaints from any interested party concerning the plantation in question.
Quality Assurance - Independent Third Party Verification	Yes. As a standard setting body and a member of ISEAL, the RSPO relies on other parties known as Certification Bodies and assessors to provide assessment, verification and certification against its standards. Third -party Certification Body auditors and assessors are employed to assure basic compliance to RSPO P+C's.	Yes. Relies on certification bodies to perform audits of RSB participating operators, issue RSB certificates and ensure continuous monitoring of RSB Participating operators.	Yes. There is 1) An assessment of compliance by an independent approved accreditor. 2) A certification body that has been accredited by the Accreditation Board 3) A certification and/or association that undertakes auditing is officially registered in Indonesia according to national regulations. A certification body must obtain the approval of accreditation by National Accreditation Committee (KAN).

Malaysian Sustainable Palm Oil (MSPO)	International Sustainability and Carbon Certification (ISCC)	Rainforest Alliance/Sustainable Agriculture Network (SAN)	The High Carbon Stock (HCS) Approach
		negotiate the elements of their employment conditions into a collective bargaining agreement. Workers are fully protected against acts of discrimination or retaliation for reasons of affiliation. Criterion 4.37 When workers are diagnosed with temporary health conditions or have short-term disabilities that impair their ability to carry out their job, the farm management and group administrator reassign these workers for the length of the disability period to a different work task without penalty or a decrease in compensation.	
Not mentioned - either explicitly or implicitly	3.2.1 The health, safety and hygiene policy shall also include specific health and safety issues of women.	Criterion 4.3 Toilets are designed to maximise safety for women and children, including good sight lines to latrines, privacy structures with locks and well-lit toilet areas; and N.B no mention of gender sensitivity in complaints procedure.	Module 2.12 Ensuring non-discrimination - In keeping with well-established international principles of non-discrimination, developers shall ensure that they treat all parties and stakeholders equally and fairly whatever their religion, race, ethnicity, nationality, gender, age, sexual orientation or political affiliation. Wherever there is a non- negligible proportion of women in the workforce, developers establish a gender committee managed by women in order to address their particular issues.
Criterion 5, Indicator 12 - The management shall establish a policy and provide guidelines to prevent all forms of sexual harassment and violence at the workplace.	No mention of tackling sexual harassment or protecting reproductive rights other than to say the person responsible for good social practice should demonstrate awareness of national regulations on maternity leave.	Criterion 4.18 Women who are pregnant, nursing or have recently given birth are not assigned to activities that pose risk to the woman's, fetus's or infant's health. In cases of job reassignment, there is no reduction in remuneration. Criterion 4.25 Pregnant women who are active workers receive fully-paid maternity leave of at least 12 weeks before or after birth, with at least six of these weeks being taken after birth. Criterion 4.26 The farm management and group administrators offer women who are pregnant, nursing or have recently given birth flexible working schedules or work site arrangements. N.B no mention of tackling sexual harassment except in specific circumstances 5.10 The farm does not use extortion, debt, threats or sexual abuse or harassment, or any other physical or psychological measures to force workers to work or stay on the farm, or as a disciplinary measure.	Module 2.12 Ensuring non-discrimination - They shall also ensure that there is no harassment or abuse in the workplace and that reproductive rights are protected.
Principle 6, Criterion 4 - Contractor, Indicator 3 - The management shall accept MSPO approved auditors to verify assessments through a physical inspection if required.	The ISCC standard have strong links to other European Commission Standards and has a strong focus on a cross-compliance control systems. Summaries of audit reports will be made publically available for each issued certificate. N.B. Agreed 2016 but not yet come into effect.	SAN also relies on accredited third parties to lead the verification and certification process, including determining applicability of each criterion to an individual farm/ plantation, undertaking audits, and issuing certificates. This is carried out by certification bodies accredited by the International Organic Accreditation Service (IOAS). No public summaries of audit reports.	Module 7 - The concession-holder fills out the summary report and submits the assessment to the HCS Approach Secretariat to organise peer review. The concession-holder pays the Secretariat the quality review fee, but does not hire the reviewers directly. The Secretariat select s the Peer Review Panel, a group of 2-3 people with expertise in image analysis, forestry and social issues/ community rights. Potential conflicts of interest with panel members should be avoided. The Peer Review Panel sends its findings to the company, which can then submit new information or correct mistakes for further review by the panel.
BSI auditors can provide MSPO assessment for independent verification on the implementation of the requirements against the MSPO criteria.	Yes. Annual audits. Accredited by experienced external third parties. General requirements listed in ISCC EU 251 - Requirements on Certification Bodies.	Yes. Audits checked by independent certification bodies.	Module 7 - Once completed, an HCS assessment must be reviewed to make sure that it followed the HCS toolkit methodology. While the HCS Approach Steering Group has not ruled out the possibility of third party verification.

	Roundtable on Sustainable Palm Oil (RSPO)	Roundtable on Sustainable Biomaterials (RSB)	Indonesian Sustainable Palm Oil (ISPO)
Quality Assurance - Accreditation of Certifiers	Accredited by Accreditation Services International (ASI) which provides a service to RSPO to assure the quality of its CBs through accreditation. Similarly the scheme is relying on independent 3rd parties to conduct assessment on environmental, socia, high conservation values and carbon stock. In the case of HCV, the scheme requires the assessor to be licenced under HCV Resource Network. For example: Criteria 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 - Guidance - 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.	The RSB Accreditation Body (AB) - ASI (Accreditation Services International) provides services to RSB to assure the quality of its CBs through accreditation.	ISPO Certification Bodies are accredited directly by the ISPO Commision. (not independent of ISPO) - the ISPO maintains a high level of control over the entire certifaition process from standard setting through to certification decisions.
Quality Assurance - Quality Assurance of assessor (assessor licensing)	RSPO will require licenced assessors for all HCV assessment carried out in the context of new planting procedures (NPP) - A full HCV assessor licence is obtained after leading two assessments and submitting two adequate HCV assessmnet reports. To maintain a full licence, the assessor is required to submit the reports of all HCV assessmnets to the ALS Quality Panel (failure to do so can result in suspension or revocation of licence) - A Quality Manager reviews applications and a Qaluity Panel evaluates reports for compliance with ALS procedures - stakeholder also have access to public summary.	ASI is a full member of the ISEAL Alliance and operates a quality management system based on ISO/IEC 17011:2004 requirements for accreditation bodies. The RSB model is verified by thrid party RSB certification - "the primary use of the RSB standard is a certification system involving independent 3rd party certification bodies". RSB assurance system is carried out by auditors who are either employed or contracted by certification bodies, they must comply with RSB Procedure for Certification Bodies and Auditors.	ISPO audit teams should consist of auditors who understand licensing requirements, palm oil plantations, good management practices, occupational health and safety systems, have an awareness of environmental, social and economic issues. They should speak Indonesian, and understand ISO 19011 on managing audit systems. ISPO auditors must also pass a training course organised by the ISPO Commission and run by a training institution approved by ISPO commission.

Malaysian Sustainable Palm Oil (MSPO)	International Sustainability and Carbon Certification (ISCC)	Rainforest Alliance/Sustainable Agriculture Network (SAN)	The High Carbon Stock (HCS) Approach
Accreditation by MSPO Commision (not independent of MSPO).	Accredited by experienced external third parties. General requirements listed in ISCC EU 251 - Requirements on Certification Bodies. American National Standards Institute (ANSI) works as an independent third-party program to accredit the ISCC's certification bodies. The accreditation verifies that the certification bodyies comply with international standards as well as with the ISCC system, including conformance with ISO/IEC 17065.	Accredited by SAN authorised certification bodies and subcontracted authorised auditors. SAN's certification bodies are accredited by the International Organic Accreditation System (IOAS).	continued from above... the long-term goal is to have the HCS Approach incorporated into relevant certification system standards (e.g. RSPO and FSC), and to collaborate with other initiatives, such as the HCV Resource Network, in order to ensure good quality.
MSPO audit teams should consist of auditors who understand licensing requirements, palm oil plantations, good management practices, occupational health and safety systems, have an awareness of environmental, social and economic issues. They will carry out an annual surveillance audit each year which is peer reviewed.	The ANSI is a signatory to the International Accreditation Forum (IAF) MLA, which demonstrates ISO/IEC 17011 compliance via peer assessments and the Multilateral Recognition Arrangement for Product Certification operated by Pacific Accreditation Cooperative (PAC). Multilateral Recognition Arrangements for Product certification (under ISO/IEC 17065), Greenhouse Gas Validation/Verification (under ISO 14065) and Personnel Certification (under ISO/IEC 17024). ISCC Integrity Assessments are planned randomly or on a risk basis after risk evaluations, complaints or reports of non-conformity or fraud. Integrity Assessments are conducted by ISCC Integrity Auditors and can take place in any country where CBs carry out activities and audits in the framework of ISCC. ISCC Integrity Auditors must be independent and free of any conflicts of interest. The ISCC Integrity Auditor carries out an evaluation of the conformity of the certified system user on the basis of the applicable ISCC procedure documents. The results of this assessment are then compared with the CB's audit report from the last regular certification audit. ISCC does not charge any costs to the participants. Annually, more than the square root of all ISCC system users and their CBs are controlled within the framework of the ISCC Integrity Program. The Integrity Assessments take place additionally to the annual certification audits of the ISCC system users conducted by the CBs and additionally to the controls or “witness audits” conducted by the bodies responsible for the recognition or accreditation of the CBs. This ensures highest integrity of the certification scheme and the claims made under the scheme. The participation of ISCC system users in a scheduled ISCC Integrity Assessment is mandatory. Refusal to participate may be considered a serious non-conformity with the ISCC requirements and will be sanctioned.	The IOAS is a signatory to the International Accreditation Forum (IAF) MLA, which demonstrates ISO/IEC 17011 compliance via peer assessments and the Multilateral Recognition Arrangement for Product Certification operated by Pacific Accreditation Cooperative (PAC). In 2016, SAN also became a full member of HCV Resource Network, in October 2017 the Rainforest Alliance became the sole owner and operator of the certification scheme.	The HCS Approach Steering Group now requires all new HCS Approach assessments to be combined with HCV assessments. All lead assessors carrying out combined HCS/HCV assessment are subject to the HCV Resource Network's Assessor Licensing Scheme.

Quality Assurance - Formal Public consultations required during audit process

Roundtable on Sustainable Palm Oil (RSPO)

RSPO allows for public stakeholder consultation at the compliance stage of the certification process. If a member meets the criteria, Certification Bodies can issue a certificate, they assess Corrective Action Requests on an annual basis through surveillance audits. For NPP assessments, commonly they are carried out by independent consultants or smaller organisations. If they are accepted as accurate they are submitted to RSPO following a desk-based review by the certification body. The NPP notifications are posted on the RSPO website to enable stakeholders to provide comments during a 30-day consultation period. After the consultation period, companies start clearing land. RSPO places responsibility for sharing assessment summaries at the local level with companies. This effectively mean local stakeholder consultation is done by the party with vested interest and is not fully independent. Public comments submitted during the consultation period are referred to the plantation company even where there is evidence of substantive violations.

Roundtable on Sustainable Biomaterials (RSB)

Whenever the audit includes an evaluation against the RSB P+C's, the CB shall ensure that the audit team conducts a stakeholder consultation for all certification and re-certification audits. RSB standard which ensures that the audit team conducts a stakeholder consultation for all certification and re-certification audits. Certification bodies should keep records of stakeholder consultation conducted during the audit process. The lead auditor shall conduct a stakeholder consultation appropriate to the certification scope, risk class and screening results. Stakeholder consultation shall be designed to solicit direct, factual observations with regard to compliance of the operator with the RSB standard.

Indonesian Sustainable Palm Oil (ISPO)

A requirement under Indonesian law involves “public consultation with the relevant stakeholders”. According to Law Number 32 of 2009 concerning the Protection and Management of the Environment, for land larger than 3,000 hectares, it is compulsory to have an environmental Impact Assessment (AMDAL) and Social Impact Assessment, something which ISPO standard adheres to. This said, it is a one-off consultation and does not require formal public consultations at each audit. If land conflicts do arise, it is up to the National Land Board to manage land issues and community related conflicts.

Malaysian Sustainable Palm Oil (MSPO)

MSPO also has stakeholder consultation but like ISPO this is only during the certification process, following the Stage 1 of the audit process. It is a one-off consultation, although stakeholders are notified 30 days prior to the field visit, there are seven further stages of the audit process that occur before certification . All certified premises are subject to one annual surveillance audit, these do not require public consultation only in case of minor or major non-conformities raised by stakeholders.

International Sustainability and Carbon Certification (ISCC)

Within ISCC audit process, operators are assessed in compliance with the standards six principles, interviews with relevant stakeholders “should be implemented as far as possible” in relation to compliance with collective agreements.

Rainforest Alliance/Sustainable Agriculture Network (SAN)

No; only in standards development and decision-making .SAN standard in audit process only requires public consultation with all relevant stakeholders if there has been a minor or major non-conformance raised.

The High Carbon Stock (HCS) Approach

Module 7 - The Quality Assurance Working Group is also discussing how information from local stakeholders can be incorporated into the monitoring of ICLUP implementation, in particular the social considerations. Stakeholders could access and potentially upload information about possible problems with communities or land use change within conservation areas.

Remedy - Grievance procedure/mechanism

Criterion 6.3 There is a mutually agreed and documented system for dealing with complaints and grievances which is implemented and accepted by all affected parties. **Indicators: 6.3.1** The system, open to all affected parties, shall resolve disputes in an effective, timely and appropriate manner, ensuring anonymity of complainants and whistleblowers, where requested. **6.3.2** Documentation of both the process by which a dispute was resolved and the outcome shall be available. **Guidance:** Dispute resolution mechanisms should be established through open and consensual agreements with relevant affected parties. 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. Where a resolution is not found mutually, complaints can be brought to the attention of the RSPO Complaints System. Specific Guidance: The system should aim to reduce the risks of reprisal.

Criteria 2c - Operators shall implement and maintain a transparent and easily accessible grievance mechanism for directly affected local communities. **2c.1** - The grievance mechanism shall be a documented system for dealing with complaints and grievances, and which has the following characteristics: - The mechanism is communicated and made easily accessible to directly affected local communities. - Any grievances shall be acknowledged and dealt with in a timely manner. - The dispute-resolution mechanism shall be based on negotiation between affected parties and decisions shall be made on consensus.- Records of all grievances are kept, including how they were dealt with and the outcome of the process.

There is a complaint System, complaints and grievances can be addressed to the Secretariat of the ISPO Commission but ISPO does not provide a measures indicator that provides documentation of the grievance process when the dispute was results and where the results shall be available. ISPO has no system indicators applicable for identifying people entitled to compensation. ISPO does not have an indicator that there shall be a system for calculating and distributing fair compensation. There is no time-line for follow-up nor is a mechanism for independent investigation mentioned. To solve land related conflicts, the National Land Board has a Land Dispute and Conflict Assessment and Handling department.

Criterion 4 - Complaints and grievances, Indicator 1 - A system for dealing with complaints and grievances shall be established and documented. **Indicator 2** - The system shall be able to resolve disputes in an effective, timely and appropriate manner that is accepted by all parties. **Indicator 3** - A complaint form should be made available at the premises, where employees and affected stakeholders can make a complaint, **Indicator 4** - Employees and the surrounding communities should be made aware that complaints or suggestions can be made any time. **Indicator 5** - Complaints and resolutions for the last 24 months shall be documented and made available to affected stakeholders upon request.

Criterion 4.11 There is a complaint form and/or procedure available on thefarm, where employees and affected communities can make a complaint (minor). **Complaints can also be made directly to ISCC.** The ISCC management decides on accepting the validity of the complaints or appeals submitted based on the formal requirements (9.1). The complainant will be informed immediately about the receipt of their complaint or appeal, the acceptance of the complaint or appeal and what further actions will be taken. Complaints and appeals will be analysed, investigated and decided on by the ISCC management on a case by case basis. In the course of investigating the conflict or reason for the complaint or appeal, ISCC is entitled to contact the parties and stakeholders affected and to ask for supporting evidence, documentation or statements in order to attain a sufficient understanding of the situation. ISCC may schedule an independent assessment in the framework of the ISCC Integrity Program if required. If necessary, the ISCC Board will be involved in the process in order to bring it to a conclusion. ISCC aims to resolve conflicts in a timely manner. Any result and decision will be communicated to the complainant by the ISCC management without delay.

N.B. No details on remedy available after a complaint has been made.

Criterion 4.46 The farm management and group administrator communicate openly with local communities to identify community concerns and interests related to the farm's or group administrator's operations. The farm management and group administrator develop and implement a system to receive, respond to, and document the resolution of complaints from communities. **SAN guide for FPIC processes** including a mechanism for the community and its members to raise grievances and have these grievances duly considered and resolved. NB **This criteria is Level B. 90% of which isn't minimally required until year 6. There is no mention of a standard wide complaints system, nothing is listed beyond authorised certification bodies and subcontracted authorised auditors.**

Module 2 - To ensure that misunderstandings (e.g. between communities and operators) do not escalate into disputes, grievance mechanisms need to be agreed in advance with corresponding procedures to investigate complaints and act on them. Procedures also need to be in place for implementing recommendations from monitoring and grievance processes to adjust management practices, land allocations and responsibilities. In cases of serious dissent, agreements may need to be revisited and revised. **If grievance mechanism is activated the flow chart just returns to negotiations with community members it does not offer appeals procedure or ombudsman type process.** Module 10 - Grievance and redress procedures for social requirements of HCS - Developers shall establish an effective and pro active system to address any grievances or complaints that arise under the HCS Social Requirements. This system shall be mutually agreed, balanced and accountable. All elements of the process shall be fully documented and accessible to all stakeholders, including translation into local languages where necessary. Developers shall ensure that complainants can access independent legal and technical advice of their choice to support them, and provide the option of third party mediation. All procedures shall be established through consultative processes that are agreed and understood by all, with full representation of all those affected, and all parties fully informed of all developments. Where grievances or conflicts arise, whether in relation to land use or land acquisition processes, harassment or abuses in the workplace, or other factors, developers shall take action to resolve them and provide documentary evidence of this. Procedures shall be clear and known, with time frames also specified, and outcomes shall meet internationally recognised human rights standards. Compensation procedures shall equally be documented and accessible and shall be mutually agreed through an inclusive consultative process. They shall also be non-discriminatory and take into account any differences in the ability to claim rights due to gender, ethnicity, nationality etc., that arise from national legal regulations. As part of their procedures for addressing grievances and complaints, developers shall explicitly address any contradictions between national legal regulations and requirements based on international human rights standards. Developers shall also address any grievances arising from flawed past social engagement processes. They shall provide redress for any issues arising from inadequate FPIC in situations of replanting or acquisition of an existing plantation, with retroactive identification of HCVs 4, 5 and 6 that existed before conversion, where necessary (see also Section 13).

	Roundtable on Sustainable Palm Oil (RSPO)	Roundtable on Sustainable Biomaterials (RSB)	Indonesian Sustainable Palm Oil (ISPO)
Conflict Resolution (Land disputes)	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. Criterion 6.3 There is a mutually agreed and documented system for dealing with complaints and grievances which is implemented and accepted by all affected parties. Indicators: 6.3.1 The system, open to all affected parties, shall resolve disputes in an effective, timely and appropriate manner, ensuring anonymity of complainants and whistleblowers, where requested. 6.3.2 Documentation of both the process by which a dispute was resolved and the outcome shall be available.	12a.2 Land under legitimate dispute shall not be used for operations until any legitimate disputes have been settled through Free, Prior and Informed Consent and negotiated agreements with affected land user. 12b.8 Where the rule of law is not adequately applied, international and regional legal bodies shall be consulted for rulings and information on disputes. 12b.9 If there are disputes about the tenure agreements of the land among stake-holders, operations shall not be certified. Criteria 4h Operators shall implement and maintain a transparent and easily accessible grievance mechanism, open for all workers and contracted workers. 4h.1 The grievance mechanism shall be a documented system for dealing with complaints and grievances which has the following characteristics: - The mechanism is communicated and made easily accessible to workers and contracted workers. - Any grievances shall be acknowledged and dealt with in a timely manner. - Records of all grievances are kept, including how they were dealt with and the outcome of the process.	If there is a conflict within the area allocated for plantation development, regulations allow for this land to be enclaved and development may proceed whilst the landowner's complaint can be addressed and resolved through a process of consultation, mediation and discussion. ISPO indicators require the dispute resolution mechanism to be documented, a map of land disputes, notes of the agreements reached, and record of the progress of the dispute settlement negotiations without specifying an indicator that shows the FPIC process has been accepted by the public or affected parties. Land disputes and compensation mechanisms document land disputes, land dispute maps, a copy of the agreed settlement, dispute resolution and progress notes clearly maintained without requiring FPIC based processes. No indicators show understood agreement. There is no indicator for whether a plantation or factory have to respect the affected communities decision. There is no evidence that the indicators show the legal implications, economic, environmental and social plantations business permits (legal status of HGU) are understood and accepted by the affected communities. ISPO does not require indicators to avoid escalation of the conflict.
Remedy - Appeals procedure	Complaints can be re-submitted (only one attempt within 4 weeks of original submissions). New submissions are allowed in case of new evidence.	Appeals may be submitted to the organization overseeing the activities of the Accountable Organization with which the grievance was originally filed - there are three possible accountable organisations: the certifying body, the accreditation body and RSB Secretariat - only one appeal is allowed - the outcome of the appeals process is final. If new evidence is presented it is the equivalent to a new complaint.	ISPO requires plantation managers to negotiate directly with the customary land owners for land acquisition and compensation. Avenues for complainant as a result are very limited. Furthermore, the compensation process, claims or results need to be documented or open to the public.
Remedy - Ombudsman type process, for mediation	RSPO Complaints Panel may appoint experts for advice or verification of the complaint.	Not mentioned - either explicitly or implicitly	Not mentioned - either explicitly or implicitly
Multistakeholder Scheme Governance - Are IPs/local communities represented	Not mentioned - either explicitly or implicitly	Not mentioned - either explicitly or implicitly	Not mentioned - either explicitly or implicitly

Malaysian Sustainable Palm Oil (MSPO)	International Sustainability and Carbon Certification (ISCC)	Rainforest Alliance/Sustainable Agriculture Network (SAN)	The High Carbon Stock (HCS) Approach
Principle 3, Criterion 2 - Land use rights, Indicator 4 - Where there are, or have been, disputes, documented proof of legal acquisition of land title and fair compensation that have been or are being made to previous owners and occupants; shall be made available and that these should have been accepted with FPIC. - grievance system is not mutually agreed, MSPO offers no complaints mechanism of its own and relies instead on those of its members (which may have a conflict of interest with the complainant).	Criterion 4.11 There is a complaint form and/or procedure available on the farm, where employees and affected communities can make a complaint. Criterion 4.20 - Mediation is available in case of social conflict (Minor). N.B. Only a minor consideration and no details on mediation available is given.	Criterion 4.46 The farm management and group administrator communicate openly with local communities to identify community concerns and interests related to the farm's or group administrator's operations. The farm management and group administrator develop and implement a system to receive, respond to, and document the resolution of complaints from communities. SAN guide for FPIC processes including a mechanism for the community and its members to raise grievances and have these grievances duly considered and resolved.	Module 3.8 Community agreement - Provisions will need to be agreed for participatory management and monitoring, as well as a mechanism for resolution of any grievances and disputes between the parties . Implementation will need to be in conformity with, inter alia, the law, the processes agreed in the ICLUP and social contract, any certification standard (e.g. the RSPO New Planting Procedure), as well as the implementation processes set out in the HCV, HCS and FPIC approaches. Module 5c Management and Monitoring of HCS Forest-HCV Conservatino Areas - HCS forests and HCV areas within plantation developments are conservation areas that must be actively managed and monitored by the company and/or the community and should neither be neglected nor excised. There are a number of key steps to be followed: A simple grievance mechanism (so that any disagreements over the status and management objectives of conservation areas in the ICLUP are resolved).
Not mentioned - either explicitly or implicitly	ISCC does provide for an appeals process relating to activities performed by ISCC System Users affecting local or regional stakeholders, including alleged noncompliances with ISCC requirements of ISCC System Users or CBs are resolved. The ISCC management decides on accepting the validity of the complaints or appeals submitted based on the formal requirements: 1) The reason for the complaint or appeal is substantiated and not negligible. 2) Addressee of the complaint or appeal is the ISCC management. 3) Complaints and appeals must be submitted in written form and must contain basic information about the complainant including name and organisation. In case the complainant intends to maintain anonymous throughout the further process, the complainant must declare this at the time of submission and provide a reasonable explanation for the request. 4)The complaint or appeal submitted must be accompanied by documents specifying the circumstances of the situation in a way that any impartial person or party can attain a clear idea and an unambiguous understanding of the situation at hand. The supporting documentation should include a summary of the issues and the relevant stakeholders/parties affected.	Not explicitly mentioned	Not offered
Not mentioned - either explicitly or implicitly	Only in 'critical cases' will the arbitration board consult an independent expert.	Grievance mechanism functioning is not detailed.	Not offered
Not mentioned - either explicitly or implicitly	Not mentioned - either explicitly or implicitly	IPs and local communities are not represented	Not within governance scheme but as an integral part of the converged HCS method, a multi-stakeholder group should compile a text setting out the Social Requirements for HCS...including downstream users

ANNEX 2

	Roundtable on Sustainable Palm Oil (RSPO)
Recognition of community land rights - Customary Rights	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. 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. 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. Criterion 7.6.1 - Documented identification and assessment of demonstrable legal, customary and user rights shall be available
Free Prior Informed Consent (FPIC)	Criterion 2.2.3 - 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 FPIC. 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.
Negotiated agreements and inclusive participation	Criterion 7.5.1 - 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 the agreement with the grower/miller is signed and ratified by these local peoples. Criterion 6.2 - There are open and transparent methods for communication and consultation between growers and/or millers, local communities and other affected or interested parties.
Access to Information	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. 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 Criterion 2.3.3 - All relevant information shall be available in appropriate forms and languages, including assessments of impacts, proposed benefit sharing, and legal arrangements. Criterion 7.6.6 - Evidence shall be available that the affected communities and rights holders have access to information and advice that is independent of the project proponent, concern the legal, economic, environmental and social implications of the proposed operations on their lands.
No Coercion - No para-militaries, No private armies	Criterion 2.2.6 - 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. Specific Guidance 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.
Fair treatment of small holders	Criteria 6.10 - Growers and millers deal fairly and transparently with smallholders and other local businesses Specific Guidance 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. Indicator 3.1.1 A business or management plan (minimum three years) shall be documented that includes, where appropriate a business case for scheme smallholders. - Consideration of smallholders should be inherent in all management planning where applicable. Principle 4.8 - All staff, workers, smallholders and contract workers are appropriately trained. Specific Guidance 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. Additional guidance is offered for smallholder production in "Guidance for Independent Smallholders under Group Certification", June 2010" and "Guidance on Schemes Smallholders", July 2009"
Fair treatment of small holders - Access to markets	Indicator - 6.11.2 Where there are scheme smallholders, there shall be evidence that efforts and/or resources have been allocated to improve smallholder productivity. RSPO's Generic Guidance for Independent Smallholders under Group Certification aims "to provide workable and equitable means by which smallholders can get their produce certified so they are not unfairly excluded from the emerging market" however specific guidance is weak.

RSPO NEXT	Palm Oil Innovation Group (POIG)
HR 3.3 Where there is a conflict over land use the grower shall, through their mechanism to resolve conflicts, show evidence that the necessary action to resolve the conflict with relevant parties has been or is being taken. COMPARISON: NEXT strengthens some P&C guidance as requirements. Requires the grower to demonstrate evidence of action taken to resolve conflict. P&C: guidance, not a requirement. HR 3.1 Growers and millers shall adhere to the RSPO approved FPIC guidance. Company policy shall prohibit intimidation and harassment. The company shall respect a decision by a community/communities to refuse planned development. Recognising that social values are dynamic, and that communities are free to make their own choices, the company shall ensure that the process of consultation and of planning is adaptive and allows for yearly (or more frequent, as needed) consultations during the development of the project. COMPARISON - NEXT require long term two-way process; NEXT requires planning to be adaptive and allow for yearly or more consultations.	2.1 FPIC of indigenous peoples and local communities: Comprehensive FPIC is obtained for all oil palm development including in particular: full respect for their legal and customary rights to their lands and resources via local communities own representative institutions. "Comprehensive FPIC is obtained for all oil palm development ... through a long-term two-way process of consultation and negotiation where the communities are informed and understand that saying no to development is an option, and not constrained by local legal frameworks. COMPARISON - POIG require longterm two-way process. POIG: communities must be informed that they have a right to say no to development and are not constrained by local legal frameworks [See also P&C 2.3]
HR 1.3 - The company shall respect the decision by some communities to refuse, before it is started, the planned development. Recognising that social values are dynamic, and that communities are free to make their own choices, the company shall ensure that the process of consultation and of planning is adaptive and allows for yearly (or more frequent, as needed) consultations during the development of the project. HR 4.2 - Companies shall respect land rights and FPIC even if the State fails in its duty to protect land rights, notably by invoking the national interest (also known as 'eminent domain') Plantation operations shall cease on land planted beyond the legally determined area and there shall be specific plans in place to address such issues for the full supply base. HR 3.1 Growers and millers shall adhere to the RSPO approved FPIC guidance. Company policy shall prohibit intimidation and harassment. The company shall respect a decision by a community/communities to refuse planned development. Recognising that social values are dynamic, and that communities are free to make their own choices, the company shall ensure that the process of consultation and of planning is adaptive and allows for yearly (or more frequent, as needed) consultations during the development of the project. COMPARISON - NEXT require on-going consultation and negotiation processes, NEXT: goes beyond P&C in requiring adaptive consultation and planning, with yearly or more consultation.	2.1 FPIC of indigenous peoples and local communities: As part of the process for identifying legal, customary or user rights and impacts on rights holders for new and existing operations, resources access to independent expert advice shall be offered at each stage of an FPIC or conflict resolution process to affected communities. Land shall not be acquired through expropriations in the national interest (eminent domain). Newly acquired already planted plantation areas shall redress any lack of proper FPIC when the plantations were established. Lands will not be acquired through expropriations in the national interest. Comprehensive FPIC is obtained for all oil palm development including in particular: full respect for their legal and customary rights to their territories, lands and resources via local communities own representative institutions, with all the relevant information and documents made available, with resourced access to independent advice, through a documented process, through a long-term two-way process of consultation and negotiation where the communities are informed and understand that saying no to development is an option, and not constrained by local legal frameworks. Newly acquired already planted plantation areas shall redress any lack of proper FPIC when the plantations were established. Lands will not be acquired through expropriations in the national interest ('eminent domain'). COMPARISON - POIG require on-going consultation and negotiation processes. It makes more specific requirements to provide resourced access to independent advice; and to redress any lack of FPIC on newly acquired plantations. P&C: no requirement to resource advisers or legal counsel; only that communities can choose their own; no retrospective requirement to redress lack of proper FPIC.
HR 2.1 - Communication and consultation procedures, including FPIC and dispute resolution mechanisms for individual cases, shall be established in consensual agreement with affected stakeholders, including local communities, with particular assurance that vulnerable, minority and gender groups shall be consulted. COMPARISON - NEXT wording is stronger, especially wrt consultation with vulnerable, minority and gender groups NEXT: communication and consultation processes established in consensual agreement with assurances for vulnerable groups. P&C: ...mechanisms should be designed in collaboration with .. And take into account access to information, rather than assure vulnerable groups will be consulted.	2.1 FPIC of indigenous peoples and local communities: [decisions should be reached] through a long-term two-way process of consultation and negotiation where the communities are informed and understand that saying no to development is an option, and not constrained by local legal frameworks.
TRI.1 There shall be a documented Standard Operating Procedure (SOP) for responding constructively to stakeholder requests for information, including a specific timeframe to respond to enquiries. - COMPARISON: NEXT: requirement for SOP with specific timeframe P&C: Guidance only; timeframe is open to grower/miller decision.	2.1 FPIC of indigenous peoples and local communities - All the relevant information and documents made available, with resourced access to independent advice, through a documented process. 3.3 Report on Social, Labour and Environmental Performance - Disclose on the company social, labour and environmental performance including the elements of the POIG Charter, and how the organisation demonstrates good governance of its sustainability system using the guidance of the Global Reporting Initiative (GRI) or equivalent approach. COMPARISON: POIG requires more comprehensive public reporting on some areas – particularly progress reporting and monitoring reports, and social, labour and environmental performance. P&C requirement is left more open.
HR 4.1 - Growers and millers shall adhere to the RSPO approved FPIC guidance. Company policy shall prohibit intimidation and harassment.	Not mentioned explicitly - 2.4 A comprehensive social programme with regular monitoring is in operation to ensure palm oil production does not result in human rights violations, trigger social conflicts, or produce 'land grabbing'.
HR2.1 Growers and millers shall have and implement a plan to ensure that the smallholder supply base meets RSPO requirements. Plans SHALL consider technical, financial and training support for practices relevant to all other P&Cs, particularly soil management practices, chemical and fertiliser use and storage, use of seedlings, the identification, management and monitoring of HCV, HCS and peatland, the reduction of emissions, the resolution of land conflict, the promotion of staff/workers welfare and sustainable development. HR 1.1 - Companies shall develop outreach programs of support directed at all smallholders (irrespective of type) in the supply base that will enhance and support their competencies and market access. Programs shall cover sustainability issues as well as yields & productivity support, hazardous material trainings, financial management & budgeting, logistics of processing and market access and educating smallholders on their rights. COMPARISON - NEXT: Requires outreach program of support to cover all smallholders in their supply base (not only scheme smallholders).	2.6 Support Palm Oil Small Holders: Contracts with smallholders are based on a fair, transparent and accountable partnership. A grievance mechanism is accessible to smallholders. - Proposed additional POIG indicators: A smallholder support programme shall be documented and monitored, which includes: measures to increase the productivity of smallholders to a comparable benchmark of productivity for the region, and a target of reaching the same productivity level as company estates; support relating to financial management and budgeting; and support relating to logistics, FFB processing and improved market access. Progress in implementation of the smallholder support programme shall be included in public reporting. COMPARISON - POIG: requires smallholder support programme; and development of a group certification plan for smallholder suppliers P&C: Limited requirements on support for smallholder development as part of local sustainable development. Only applies to scheme smallholders.
HR 1.1 Companies shall develop outreach programs of support directed at all smallholders (irrespective of type) in the supply base that will enhance and support their competencies and market access.	2.6 Support Palm Oil Small Holders: Small holders are supported to improve economic, social and environmental outcomes including: increase productivity to a comparable benchmark of productivity for the region and a target of having the same productivity as the company nucleus plantation. The productivity gains shall be achieved without expansion that threatens local community food security or additional environmental impact, and support should include financial management and budgeting, logistics and FFB processing, and improved market access such as through group certification. Companies shall report on the support they have provided to smallholders.

Roundtable on Sustainable Palm Oil (RSPO)	
Community benefits - Social Development	Criteria 6.11 - Growers and millers contribute to local sustainable development where appropriate. Guidance - 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 small-holders, efforts should be made to contribute to the improvement of their farming practices.
Participatory SEIAs	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. Indicators: 7.1.1 An independent social and environmental impact assessment (SEIA), undertaken through a participatory methodology including the relevant affected stakeholders, shall be documented. 7.1.2 Appropriate management planning and operational procedures shall be developed and implemented to avoid or mitigate identified potential negative impacts. 7.1.3 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.
Local food security, right to food	In the definitions provided in the Guidance Livelihood is defined as a person's or a group's way of making a living, from their environment or in the economy, including how they provision their basic needs and assure themselves and following generations secure access to food, clean water , health, education, housing and the materials needed for their life and comfort either through their own direct use of natural resources or through exchange, barter, trade or engagement in the market. Livelihoods are then only mentioned in 3 criteria: 5.2 (HCV areas) which notes "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" ; 7.1 (Participatory SEIAs) guidance notes " 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;" ; and 7.3 (NPP) Indicator 7.3.5 notes "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". BUT THERE IS NO EXPLICIT REFERENCE TO FOOD OR WATER RIGHTS.
Rights to water	Criteria 4.4 - Practices maintain the quality and availability of surface and groudnn water - The water management plan will: Aim to ensure local communities, workers and their families have access to adequate, clean water for drinking, cooking, bathing and cleaning purposes.
Rights to clean environment	Principle 5 - Environmental Responsibility and Conservation of Natural Resources and Biodiversity. 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 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. 5.3 Waste is reduced, recycled, re-used and disposed of in an environmentally and socially responsible manner.
Core Labour standards - Minimum wage	Criteria 6.5 - Pay and conditions for employees and for contract workers always meet at least legal or industry minimum standards and are sufficient to provide decent living wages. Indicators - 6.5.1 Documentation of pay and conditions shall be available. 6.5.2 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. 6.5.3 Growers and millers shall provide adequate housing, water supplies, medical, educational and welfare amenities to national standards or above, where no such public facilities are available or accessible. 6.5.4 Growers and millers shall make demonstrable efforts to monitor and improve workers' access to adequate, sufficient and affordable food.
Core Labour standards - Free Collective Bargaining	Criteria 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. Indicators - 6.6.1 A published statement in local languages recognising freedom of association shall be available. 6.6.2 Minutes of meetings with main trade unions or workers representatives shall be documented.
Core Labour Standards - No Child Labour	Criteria 6.7 - Children are not employed or exploited. Indicators: 6.7.1 There shall be documentary evidence that minimum age requirements are met.

RSPO NEXT	Palm Oil Innovation Group (POIG)
HR1.4 Positive social impacts of plantation development shall be actively promoted, including but not limited to: - Where candidates for employment are of equal merit, preference shall be given to hiring from local communities. - Understanding and supporting existing alternative livelihoods and ensuring they are not threatened or reduced - Provision of health and educational facilities where these are lacking or not available within accessible distance.	2.4 Social Conditions: A comprehensive social programme with regular monitoring is in operation to ensure palm oil production does not result in human rights violations, trigger social conflicts, or produce 'land grabbing' and addresses key social equity issues including housing, healthcare and the empowerment of women.
HR3.5 NEXT requires companies to show evidence that they are managing and protecting areas deemed unsuitable for oil palm development in areas under their control because of the magnitude of potential environmental and/or social negative impacts. This also applies to the resolution of any conflict on such land. NDF3.3 The company shall use independent and participatory SEIA to develop management & monitoring plans to identify, minimise & mitigate the negative and promote the positive indirect or secondary impacts of the development before and throughout development phases. Measures shall be in place to mitigate and reduce indirect pressure on forests and/or Natural Habitats that would result from plantation development. COMPARISON - NEXT requires independent and participatory SEIA.	SIAs and/or HCV assessments and participatory land use planning shall include analysis of food security issues for indigenous and local communities affected by the plantation operations. (proposed additional POIG indicators - social impact assessments and plans for the avoidance or mitigation of impacts shall incorporate the issues of potential human rights violations, social conflicts and land grabbing. Social impact assessments and plans for avoidance or mitigation of impacts shall address key equity issues, including housing, healthcare, education, and empowerment of women. 2.4 A comprehensive social programme with regular monitoring is in operation to ensure palm oil production does not result in human rights violations, trigger social conflicts, or produce 'land grabbing', and addresses key social equity issues including housing, healthcare, education and empowerment of women. COMPARISON - requires comprehensive social programme and focuses on avoiding human rights violations, conflict; and addressing social equity; food security should be addressed.
HR1.1 The company shall use independent and participatory SEIA to develop plans to mitigate the negative and promote the positive indirect or secondary impacts of the plantation development. Negative indirect/secondary impacts can be (without being limited to) : food security issues for local communities (including communities not in the immediate vicinity of the project), increased land pressure on natural/protected habitats and land conflicts caused by reduced land availability. HR1.2 The company shall demonstrate it has taken negative indirect secondary impacts into consideration and has, for example, refrained from developing areas that will be used by the communities for current and future subsistence and other land needs. The initial planning shall cover at least the first cycle of the oil palm development. Further consultations with affected stakeholders and identified relevant third parties shall be carried out to review the plans, before and throughout development phases. Planned land allocation to various activities shall be shared during such consultations	2.2 Food Security - As part of FPIC process, participatory social impact assessments and participatory land use planning with indigenous and local communities, food security is maintained or strengthened in order to maintain their land use choice and future food security options. This will include not undermining local control of and diversity of food production systems. There is transparency of the land allocation process. - The parameters of food security that need to be taken into account in assessments are generally (FAO): 1) Availability and stability: a. Stability of food price and supply b. household food production (total and gendered - it looks at food availability) c. food crop diversity (2) Access: a. Sufficiency of household food consumption b. Number of meals taken in a day c. Household dietary diversity (3) Utilisation a. Degree of access to utilities and services (water, energy, health, sanitation)
No explicit reference to this indicator	1.7 Water accountability - The quality and quantity of water is maintained with responsible water management adopted including minimization and disclosure of water use, pollution elimination, equity with other users, and consideration of catchment level impacts of irrigation. (proposed additional POIG indicators - the scope of the food security assessment shall include additional impacts that oil palm production operations may have on relevant requirements including land, water, labour and infrastructure as well as sustainability between income generation for food purchase and subsistence food production).
NDF3.3 Measures shall be in place to mitigate and reduce indirect pressure on forests and/or Natural Habitats that would result from plantation development. NDF3.4 Companies shall show evidence that they are managing and protecting areas deemed unsuitable for oil palm development in areas under their control because of the magnitude of potential negative impacts. They shall not initiate excision of such land from their Management Units unless they can assure the long term conservation of any HCV's present on such land. NDF1.1 Company has a public policy of no deforestation. The policy includes a commitment to not develop on areas of high carbon stock OR a moratorium on new development until an RSPO endorsed definition of HCS is agreed upon. NDF 3.2 - The company shall have HCV management & monitoring plans at a landscape level; with particular attention to defining 'area of influence'; the management and monitoring plans are to be developed in collaboration with other stakeholders active in that landscape before and during the project implementation. COMPARISON - NEXT takes a wider landscape approach to HCV management and monitoring.	1.1 Environmental Responsibility - Breaking the link between Palm Oil Expansion and Deforestation: Forest Protection - Conserving and Restoring HCV and HCS Areas: The link between oil palm expansion and deforestation will be broken through undertaking a HCS approach in addition to a HCV assessment, and a process of obtaining FPIC to use land. The approach combines biodiversity and carbon conservation, as well as social consideration (including community needs). 1.8 Protect and conserve wildlife - Following comprehensive biodiversity surveys to identify HCV 1-3, in addition to ensuring the protection and survival of all rare, threatened or endangered species within their concession land, concession holders also make a positively contribution to their survival in the wild in areas beyond the concession. COMPARISON - POIG: requires 'positive contribution' to survival of RTEs outside management unit.
HR 4.1 - If there is no RSPO National Interpretation definition of a Decent Living Wage, the company shall document a process of collective bargaining with the workforce to establish and implement a mutually agreed upon total compensation package that provides a decent living which shall include at least the minimum wage. COMPARISON - NEXT: Focuses on Decent Living Wage.	2.5 Palm Oil producers shall respect worker's rights including the ILO requirements for 'decent work' and core conventions on child labour, forced and compulsory labour, freedom of association and elimination of discrimination. ILO Conventions 87,98, 29, 105, 138, 182, 100, 11, 155, 161, 181, ILO Multilateral Framework on Labour Migration, Non-binding Principles and Guidelines for a Rights-based Approach to Labour Migration (2005), the ILO Declaration on the Fundamental Principles and Rights at Work, and the UN Palermo Protocol.
HR 4.2 - There shall be no evidence of employees, including migrant, transmigrant workers and/or contracted workers being prevented from forming or joining associations and/or participating in collective bargaining, within the limits of national legislation. COMPARISON - NEXT includes 'migrant, transmigrant and contracted workers' P&C mentions same groups in Guidance; in Criterion 'personnel' are specified as having the right to form trade unions.	2.5 Palm Oil producers shall respect worker's rights including the ILO requirements for 'decent work' and core conventions on child labour, forced and compulsory labour, freedom of association and elimination of discrimination. ILO Conventions 87,98, 29, 105, 138, 182, 100, 11, 155, 161, 181, ILO Multilateral Framework on Labour Migration, Non-binding Principles and Guidelines for a Rights-based Approach to Labour Migration (2005), the ILO Declaration on the Fundamental Principles and Rights at Work, and the UN Palermo Protocol.
HR5.4 No hazardous work (as defined by the ILO) shall be carried out by anyone under the age of 18. COMPARISON - NEXT: requirement that children do not carry out hazardous work.	2.5 Palm Oil producers shall respect worker's rights including the ILO requirements for 'decent work' and core conventions on child labour, forced and compulsory labour, freedom of association and elimination of discrimination. ILO Conventions 87,98, 29, 105, 138, 182, 100, 11, 155, 161, 181, ILO Multilateral Framework on Labour Migration, Non-binding Principles and Guidelines for a Rights-based Approach to Labour Migration (2005), the ILO Declaration on the Fundamental Principles and Rights at Work, and the UN Palermo Protocol. A clear policy and compliance system is in place that prohibits child labour and its worst forms and sets the minimum age for employment consistent with applicable law. COMPARISON - POIG: requires policy and compliance system to prohibit child labour P&C: Prohibits child employment and requires evidence that legal requirements are met. Guidance only regarding hazardous work

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Core Labour Standards - No Slavery-like practices	Criteria 6.12 - No forms of forced or trafficked labour are used - Indicators 6.12.1 There shall be evidence that no forms of forced or trafficked labour are used. 6.12.2 Where applicable, it shall be demonstrated that no contract substitution has occurred. 6.12.3 Where temporary or migrant workers are employed, a special labour policy and procedures shall be established and implemented.
No Discrimination	Criteria 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. Indicators: 6.8.1 A publicly available equal opportunities policy including identification of relevant/affected groups in the local environment shall be documented. 6.8.2 Evidence shall be provided that employees and groups including local communities, women, and migrant workers have not been discriminated against. 6.8.3 It shall be demonstrated that recruitment selection, hiring and promotion are based on skills, capabilities, qualities, and medical fitness necessary for the jobs available.
No Discrimination - Gender Sensitive Complaints Procedure/Protection of Women	Criteria 6.9 - There is no harassment or abuse in the work place, and reproductive rights are protected. Indicator - 6.9.3 A specific grievance mechanism which respects anonymity and protects complainants where requested shall be established, implemented, and communicated to all levels of the workforce.
No discrimination - No sexual harassment/reproductive Rights protected	Criteria 6.9 - There is no harassment or abuse in the work place, and reproductive rights are protected. Indicators - 6.9.1 A policy to prevent sexual and all other forms of harassment and violence shall be implemented and communicated to all levels of the workforce. 6.9.2 A policy to protect the reproductive rights of all, especially of women, shall be implemented and communicated to all levels of the workforce.
Quality Assurance - Quality Assurance of assessor (assessor licensing)	RSPO will require licenced assessors for all HCV assessment carried out in the context of new planting procedures (NPP) - A full HCV assessor licence is obtained after leading two assessments and submitting two adequate HCV assessmnet reports. To maintain a full licence, the assessor is required to submit the reports of all HCV assessmnets to the ALS Quality Panel (failure to do so can result in suspension or revocation of licence) - A Quality Manager reviews applications and a Qaluity Panel evaluates reports for compliance with ALS procedures - stakeholder also have access to public summary.

RSPO NEXT	Palm Oil Innovation Group (POIG)
No explicit reference to this indicator	2.5.13 - The retention of passports, other government-issued identification and any personal valuables by the employer or third party recruitment or employment agency is strictly prohibited in policy and monitored in practice. COMPARISON - POIG: No fees or costs can be charged to workers for recruitment. Retention of ID or valuables is prohibited in policy and monitored P&C: Guidance only: Passports only voluntarily surrendered.
NDF 3.4 Both the planning as well as the plans shall take a gender inclusive approach, considering the different roles that men and women have in relation to e.g. landownership, use, food crop or cash crop production, markets and credit. COMPARISON - P&C: No gender requirements for planning processes or plans.	2.5 Palm Oil producers shall respect worker's rights including the ILO requirements for 'decent work' and core conventions on child labour, forced and compulsory labour, freedom of association and elimination of discrimination. ILO Conventions 87,98, 29, 105, 138, 182, 100, 11, 155, 161, 181, ILO Multilateral Framework on Labour Migration, Non-binding Principles and Guidelines for a Rights-based Approach to Labour Migration (2005), the ILO Declaration on the Fundamental Principles and Rights at Work, and the UN Palermo Protocol.
HR 4.7 A gender committee shall be established specifically to address areas of concern to women. (Management representatives responsible for communication with the gender committee shall be female). COMPARISON - NEXT: committee required and can address all areas of concern to women P&C: Included in guidance, but phrased as a requirement. Relates to C&l about harassment, violence and reproductive rights. No requirement for female management representative.	No specific reference
HR5.7 All complaints/grievances of harassment or abuse shall be documented and responses & actions monitored. There shall be time bound targets for reducing the number of harassment or abuse cases.	No specific reference
NDF 3.1 The HCV Assessment of all new plantings shall be led by an Independent Assessor who is licensed under the HCV Resource Network Assessor Licensing Scheme (ALS) . COMPARISON - NEXT requires HCVRN licensed HCV assessor for all new plantings. P&C: NPP requires licend assessors for plantings after 2010. For plantings between 2005 and 2010, there is no requirement to have a licensed HVC ALS assessor. Requires 'appropriate training and expertise' for HCV assessment.	No specific reference



