

RSPO

Roundtable on Sustainable Palm Oil



Principles and Criteria

For the Production of Sustainable Palm Oil

2014

Draft of Colombia's National Interpretation (NI) of RSPO 2013 standard
Document for public consultation

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Preamble

Background

- The RSPO promulgated its Principles and Criteria (P&C) standard in November 2007 after a 2-year adjustment and field implementation period of the first version developed in November 2005.
- Colombia developed a National Interpretation of this standard, endorsed by the RSPO in November 2010.
- Given its commitment to continuous improvement, the RSPO established it would adjust P&C standard every 5 years.
- This process began in 2012, and included many discussions with RSPO stakeholders to agree on the changes that would be made to the standard.
- The new P&C standard was approved by the RSPO General Assembly on April 2013, in an extraordinary session.
- Among the main changes of this new P&C version were the inclusion of four new criteria: C1.3. Ethical conduct, C6.12. Forced or trafficked labor, C6.13. Respect for human rights, and C7.8. Minimizing greenhouse gas (GHG) emissions of new plantations.
- The 2013 version of the RSPO standard also included changes in indicators and guidelines associated with the Principles and Criteria.
- All countries with National Interpretation should adjust it based on the new version of the standard, before April 2014.

Requirements of the National Interpretation (NI) Process

The RSPO guidelines for this new NI process included:

- i. Creation of a National Interpretation Task Force (NITF), with representatives of the different RSPO member categories (growers and mills, traders and industry, environmental NGOs, and social NGOs), and government agencies and technical experts. In the case of Colombia, the NITF was formed as follows, with the approval of the RSPO:
 - Growers and mills (7 members): Aceites S.A; Aceites Manuelita; Asociación de pequeños del Tibú ASOGPADOS; Fedepalma; Palmas del Cesar/Palmar de Oriente/Palmas de Casanare; Unipalma and Daabon.



- Traders and industry (3 members): C.I. Acepalma; Indupalma; and Team Foods.
 - Environmental NGOs (3 members): Fundación Natura; The Nature Conservancy (TNC); and WWF Colombia.
 - Social ONGs (3 members): Fundación Ideas para la Paz (FIP); Indepaz; and Solidaridad.
 - Government entities: Ministry of the Environment and Sustainable Development, Humboldt Institute on Biodiversity Research.
 - Technical experts: CECODES; Control Union; ICONTEC; and Naturacert.
- ii. NITF Meetings: The NITF should meet at least twice during the the NI process; before and after public consultation. It could also meet more often if required.
- iii. Public Consultation: The NI process requires a public consultation period of at least 60 days once the NITF has developed a complete version of the document.

Scope of the NI adjustment process

The scope of the NI adjustment process for Colombia includes the following four aspects:

- i. Adjust the Spanish translation of the RSPO 2013 standard, so that is suitable to the context and language usage of Colombia.
- ii. Propose modifications to the scope of the RSPO criteria, indicators and guidelines for them to be relevant and applicable to the Colombian context.
- iii. Include key aspects of the Colombian regulatory framework related to the RSPO P&C.;
- iv. Include specific recommendations and guidelines to facilitate the implementation of the standard in Colombia.

In other words, this process aims to, as its name implies, interpret the RSPO standard to the Colombian context. This does not imply building a new sustainability standard for the oil palm sector in Colombia, or deeply modifying the RSPO 2013 standard. The former should be discussed as part of other initiatives complementary to the RSPO; the latter should be proposed during the consultation process of the periodic adjustment of the generic RSPO standard.



Progress of the Colombian NI adjustment process

The first NITF meeting was held on October 16, 2013 in Bogotá. In it, the NITF approved the schedule for the NI process and the need to form three technical subgroups for a more detailed analysis of the environmental, social and productive elements of the standard.

Felipe Guerrero, Latin America alternate member of the RSPO Executive Board, was elected President of the NITF; the Social NGO Solidaridad was elected Vice-President; and Fedepalma was elected as Secretary.

The three main reference documents used by the NITF and the three technical sub-groups have been:

- RSPO Principles and Criteria standard, 2013 version
- Colombian National Interpretation of the RSPO 2007 standard (approved 2010)
- Guide RSPO "smallholder systems" (2009)

The NITF has held 4 physical meetings, and the three technical subgroups have had 8 additional meetings. All of the principles, criteria, indicators and guidelines of the RSPO 2013 standard were addressed in these meetings, within the NI scope mentioned in the previous section.

At its fourth meeting held in March 2014, the NITF agreed on the content of the NI document for Colombia that would be put out for public consultation.

The first section of the NI document contains the principles, criteria, indicators and guidelines of the RSPO standard for Colombia.

The Colombian NI is based on the RSPO 2013 standard. All of the modifications proposed by the NITF have been highlighted in "track changes"; they are the main object of this public consultation.

The following convention will be used throughout the document to facilitate its reading:

NO COLOR – BASELINE TEXT: Original content of the RSPO 2013 standard

YELLOW: New text proposed by the NITF, not included in the RSPO 2013 standard

RED: Text the NITF proposes to eliminate from the RSPO 2013 in the Colombian NI

GREEN: Major Indicators of the RSPO 2013 Standard

The second section of the NI document contains the guide for smallholders, based on the **Guidance "smallholder systems" RSPO, 2009**. It is expected that once the RSPO updates this guide for smallholders, this section of the Colombian NI should also be updated.

The NI also has three annexes under construction: (i) International conventions and treaties; (ii) Colombian legal framework; and (iii) Glossary. They were adapted and modified by the NITF, verifying their applicability to the Colombian context.

Rules for the Public Consultation period

This National Interpretation document will be subject to a 60-day public consultation period. All comments received during this period will be reviewed as a whole by the NITF, considering their relevance for this process according to the aforementioned NI scope.

The NI document will be adjusted by the NITF based on these comments and will then be submitted to the RSPO for approval.

To this purpose, it is important to comply with the following conditions and rules for Public Consultation:

- i. The four aspects of the NI scope shall be taken into account when submitting comments, contributions and feedback.
- ii. There is a specific format to submit comments; only those comments that are submitted in this format will be considered for review by the NITF. Comments should be sent to the following email address: cdaza@fedepalma.org or jcamachocenipalma@gmail.com .
- iii. Public consultation will be held from June 18th to August 17th of 2014. Comments will only be received until the last day of this period



RSPO Principles and Criteria

for Sustainable Palm Oil Production

Including Indicators and Guidance

June 2014

SECTION 1: RSPO PRINCIPLES AND CRITERIA

NO COLOR – ORIGINAL TEXT: ORIGINAL CONTENT OF THE RSPO 2013 STANDARD

YELLOW: NEW TEXTS INCLUDED FOR THE COLOMBIAN NATIONAL INTERPRETATION

RED: TEXTS REMOVED FROM THE RSPO 2013 STANDARD FOR THE COLOMBIAN NATIONAL INTERPRETATION

GREEN: MAJOR INDICATORS OF THE RSPO 2013 STANDARD

PRINCIPLE 1: COMMITMENT TO TRANSPARENCY	
Criterion 1.1: Growers and millers provide adequate information to relevant stakeholders on environmental, social and legal issues relevant to RSPO Criteria, in appropriate languages and forms to allow for effective participation in decision making.	
INDICATORS	GUIDANCE
<p>1.1.1 There shall be evidence that growers and millers provide adequate information on (environmental, social and/or legal) issues relevant to RSPO Criteria to relevant stakeholders for effective participation in decision making.</p> <p>1.1.2 MAJOR Records of requests for information and responses shall be maintained.</p> <p>1.1.3 There shall be evidence of an ongoing training program for small farmers on social responsibility and RSPO.</p>	<p>Specific Guidance: For 1.1.1: Evidence should be provided that information is received in appropriate form(s) and language(s) by relevant stakeholders. Information will include information on the RSPO mechanisms for stakeholder involvement, including information on their rights and responsibilities.</p> <p>For 1.1.2: Retention time of these records should be according to the nature of the documents and applicable regulations.</p> <p>Guidance: Growers and millers should have a Standard Operating Procedure (SOP) to:</p> <ul style="list-style-type: none"> • Identify and classify those stakeholders related to the organization. • Respond constructively to stakeholders, including a specific

	<p>timeframe to respond to requests for information.</p> <p>Growers and millers should respond constructively and promptly to requests for information from stakeholders.</p> <p>Growers and millers should ensure that sufficient objective evidence exists to demonstrate that the response is timely and appropriate.</p> <p>Growers should implement this criterion according to their size and scale of production. Where applicable, the information should be handled by the organization or the nucleus to which the producer belongs.</p> <p>See Criterion 1.2 for requirements relating to publicly available documentation. See Criterion 6.2 on consultation.</p> <p>See Criterion 4.1 on SOPs.</p> <p>Large companies could make sustainability reports based on GRI or similar methodologies, in a participatory manner, and with wide disclosure and monitoring.</p>
<p align="center">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.</p>	
<p align="center">INDICATORS</p>	<p align="center">GUIDANCE</p>
<p>1.2.1 (MAJOR) Publicly available documents shall include but are not limited to at least:</p> <ul style="list-style-type: none"> • Land titles/user rights (Criterion 2.2); • Occupational health and safety plans (Criterion 4.7); • Social and environmental impact assessments and their respective improvement plans 	<p>Guidance: This indicator concerns management documents relating to environmental, social and legal issues that are relevant to compliance with RSPO Criteria.</p> <p>Such management documents will include monitoring reports.</p>

- (Criteria 5.1, 6.1, 7.1 and 7.8);
- HCV ~~areas~~ documentation (Criteria 5.2 and 7.3);
- Pollution prevention and reduction plans (Criterion 5.6);
- Details of complaints and grievances (Criterion 6.3);
- Negotiation procedures (Criterion 6.4);
- Continual improvement plans (Criterion 8.1);
- Public summary of certification assessment report;
- Human Rights Policy (Criterion 6.13).

Documentation should be sufficient to support an audit. The auditors will comment on the adequacy of each of the documents listed in the public summary of the assessment report/audit.

~~Examples of commercially confidential information include financial data such as costs and income, and details relating to customers and/or suppliers.~~ Data that affects personal privacy should also be confidential.

Ongoing disputes (within or outside of a legal mechanism) can be considered as confidential information where disclosure could result in potential negative outcomes for all parties involved. However, affected stakeholders and those seeking resolution to conflict should have access to relevant information.

Colombian Guides on Human Rights and International Humanitarian Law may be taken into account for issues relating to privacy and ongoing disputes (see criterion 6.1).

Examples of information where disclosure could result in potential negative environmental or social outcomes include information on sites of rare species where disclosure could increase the risk of hunting or capture for trade, or sacred sites which a community wishes to maintain as private.

Growers and millers should ensure that sufficient objective evidence exists to demonstrate that the level of measuring and monitoring of the management plan, and information, is appropriate and made available.

Current regulations in Colombia include the protection of personal data (Law of Habeas Data), which shall be applied in every organization,

	<p>including customers, suppliers and, in general, to its related value chain.</p> <p>In the case of small farmers (<50 ha), relevant information for this criterion that can be available will depend on their economic and technical possibilities, or it will be available through partnership schemes, the mill or the operator of the alliance.</p> <p>For National Interpretation: Specific approaches to personal privacy safeguards, including any legal requirements, will be considered.</p>
<p>Criterion 1.3: Growers and millers commit to ethical conduct in all business operations and transactions.</p>	
<p>INDICATORS</p>	<p>GUIDANCE</p>
<p>1.3.1: There shall be a written policy committing to a code of ethical conduct and integrity, that demands the application of an ethic conduct and the respect of human rights in all operations and transactions, which shall be documented and communicated to all levels of the workforce and operations and shall be available for all stakeholders.</p>	<p>Guidance: All levels of the operations will include contracted third parties (e.g those involved in security). The policy should include as a minimum:</p> <ul style="list-style-type: none"> • A respect for fair conduct of business; • A prohibition of all forms of corruption, bribery and fraudulent use of funds and resources; • A proper disclosure of information in accordance with applicable regulations and accepted industry practices. • A prohibition of all tax evasion or avoidance • Respect for human rights. <p>The policy maybe set within the framework of:</p> <ul style="list-style-type: none"> • The UN Convention Against Corruption, in particular Article 12. • Global Compact; Principle 10: Companies should work against corruption in all its forms, including extortion and bribery.

- World Bank anticorruption indicators.

"Codes of good governance", which establish reasonable and appropriate business practices shall be documented in order to avoid the use of the legal structure of the company by moneylaunderersand terrorism financiers, may be documented.

The organization may haveprotocols to inform the authorities about suspicious activities of money laundering and terrorism financing in the sector.

Appropriate and reasonable protocols and mechanisms should be in placetoexchange information between companies and competent authorities about the real beneficiaries of transactions relating to the purchase and sale of propertiesand commercial entities, as well as the creation, operation or management of legal entities in the sector.

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.

INDICATORS	GUIDANCE
<p>2.1.1 (MAJOR) Evidence of compliance with relevant legal requirements shall be available.</p> <p>2.1.2A documented system, which includes written information on legal requirements, shall be maintained.</p> <p>2.1.3A mechanism for ensuring compliance with legal requirements shall be implemented.</p> <p>2.1.4A system for tracking any changes in the law shall be implemented.</p>	<p>Guidance: Implementing all legal requirements is an essential baseline requirement for all growers whatever their location or size. Relevant legislation includes, but is not limited to: regulations governing land tenure and land-use rights, labour, agricultural practices (e.g. chemical use), environment (e.g. wildlife laws, pollution, environmental management and forestry laws), storage, transportation and processing practices. It also includes laws made pursuant to a country's obligations under international laws or conventions (e.g. the Convention on Biological Diversity (CBD), ILO core Conventions, UN Guiding Principles on Business and Human Rights). Furthermore, where countries have provisions to respect customary law, these will be taken into account.</p> <p>National regulations, laws, international agreements and treaties related to these Principles and Criteria are set out in the Annexes of the document.</p> <p>Contradictions and inconsistencies between national laws and regulations and the requirements established in these Principles and Criteria should be identified, and its solution suggested.</p> <p>Clear, properly documented and implemented procedures should be in place to identify, store and protect records that demonstrate legal compliance. These records may include permits, resolutions, licenses, legal processes, among others.</p>

	<p>Companies should have documentation of legal processes that have been undertaken against them and of their resolution.</p> <p>Small growers should apply this criterion individually or through partnership arrangements with other growers or their integrators and / or their customers (benefactors), based on applicable laws.</p> <p>For National Interpretation: All relevant legislation shall be identified, and any particularly important requirements identified.</p>
<p>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.</p>	
INDICATORS	GUIDANCE
<p>2.2.1 (MAJOR) Documents showing legal ownership or lease, history of land tenure and the actual legal use of the land shall be available.</p> <p>2.2.2 Legal boundaries shall be clearly demarcated and visibly maintained.</p> <p>2.2.3 Where a dispute relating to land arises, there shall be evidence that these conflicts are being or were resolved using the procedures established by law, supported by the respective court decision or by titles that demonstrate property rights.</p> <p>Where there are or have been disputes, additional proof of legal acquisition of title and evidence that fair compensation has been made to previous owners and occupants shall be available, and that these have been accepted with free, prior and informed consent (FPIC).</p> <p>2.2.4 (MAJOR) There shall be no significant land conflict, and if it occurs, it will be conducted according to unless requirements for an acceptable</p>	<p>Specific Guidance: For 2.2.2: Plantation operations beyond the legal determined limits of property should be suspended. There should be specific plans to support smallholders managing these issues.</p> <p>For 2.2.6: Company policy should prohibit the use of mercenaries and para-militaries in their operations. Company policy should prohibit extra-judicial intimidation and harassment by contracted security forces (see Criterion 6.13).</p> <p>Guidance: When there is a conflict on the condition of land use as per land title, growers should show evidence that necessary action has been taken to resolve the conflict with relevant parties.</p> <p>A mechanism should be in place to resolve any conflict (Criteria 6.3 and 6.4).</p>

<p>conflict resolution process (see Criteria 6.3 and 6.4), are implemented accepted by the parties involved.</p> <p>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).</p> <p>2.2.6 (MAJOR) To avoid escalation of conflict, there shall be no evidence that palm oil operations have instigated violence in order to maintain the order in its current and future operations.</p>	<p>Where operations overlap with other rights holders, companies should resolve the issue with the appropriate authorities, consistent with Criteria 6.3 and 6.4.</p> <p>National regulations related to this criterion is available in an Annex .</p> <p>For National Interpretation: Any legal, customary or user rights to land, or disputes, which are likely to be relevant, will be identified.</p>
<p>Criterion 2.3: Use of the land for oil palm does not diminish the legal, customary or user rights of other users without their free, prior and informed consent.</p>	
<p style="text-align: center;">INDICATORS</p>	<p style="text-align: center;">GUIDANCE</p>
<p>2.3.1 (MAJOR) Maps of an appropriate scale showing the extent of recognized (or in recognition process) legal, customary or user rights (Criteria 2.2, 7.5 and 7.6) shall be developed through participatory mapping involving affected parties (including neighboring communities where applicable, and relevant authorities).</p> <p>2.3.2 A prior consultation process shall be undertaken in all such cases required to current regulations, and documentation of the process shall be provided. Whenever a prior consultation process is not required, documentation showing that the project was socialized to the communities in its area of influence shall be provided. Copies of negotiated agreements detailing the process of free, prior and informed consent (FPIC) (Criteria 2.2, 7.5 and 7.6)</p> <p>Documentation shall include:</p>	<p>Specific guidance: For 2.3.1: Participatory mapping will also include existing processes of formalization of land tenure by the respective land authority.</p> <p>For 2.3.4: Evidence shall be available to show that communities are represented through institutions or representatives of their own choosing, including legal counsel.</p> <p>Guidance: All indicators will apply to current operations, but there are exceptions for long-established plantations which may not have records dating back to the time of the decision making, in particular for compliance with Indicators 2.3.1 and 2.3.2.</p> <p>Where there are legal or customary rights over land, the grower should</p>

- a) Evidence that a plan has been developed **and concerted** through consultation and discussion with all affected groups in the communities, and that information has been provided to all affected groups, including information on the steps that shall be taken to involve them in decisionmaking;
- b) Evidence that the company has respected communities' decisions to give or withhold their consent to the operation at the time that this decision was taken;
- c) Evidence that the legal, economic, environmental and social implications for permitting operations on their land have been understood and accepted by affected communities, including the implications for the legal status of their land at the expiry of the company's title, concession or lease on the land.
- d) Evidence of monitoring and compliance of the commitments and parameters established in the agreements.

2.3.3 All relevant information shall be available in appropriate forms and languages, including studies of impacts, proposed benefit sharing, and legal arrangements.

2.3.4 (MAJOR) Evidence shall be available to show that communities are represented through institutions or representatives of their own choosing, including legal counsel.

demonstrate that these rights are understood and are not being threatened or reduced. This Criterion should be considered in conjunction with Criteria 6.4, 7.5 and 7.6. Where customary rights areas are unclear these should be established by the corresponding authorities. ~~involving affected parties (including neighbouring communities and local authorities).~~

~~This Criterion allows for sales and negotiated agreements to compensate other users for lost benefits and/ or relinquished rights. Negotiated agreements should be non-coercive and entered into voluntarily, carried out prior to new investments or operations, and based on an open sharing of all relevant information. The representation of communities should be transparent and in open communication with other community members. Adequate time should be given for customary decision making and iterative negotiations allowed for, where requested. Negotiated agreements should be binding on all parties and enforceable in the courts. Establishing certainty in land negotiations is of long term benefit for all parties~~

Companies should take special care when dealing ~~where they are offered lands acquired from the State by its invoking the national interest (also known as 'eminent domain')~~ with lands in conflict zones or when there is conflict over land tenure.

Considering the inalienable, imprescriptible and indefeasible nature of the collective territories of indigenous and afro-descendant communities is necessary. Companies and small growers should apply due diligence to avoid the acquisition of such territories.

IFC World Bank (Ethnic Minorities) and the Ministry of Interior documents on prior consultation can be taken into account.

Growers and millers should refer to the RSPO approved FPIC guidance ('FPIC and the RSPO: A Guide for Companies', October 2008).

For National Interpretation:

Any commonly encountered situations should be identified.

PRINCIPLE 3: COMMITMENT TO LONG-TERM ECONOMIC AND FINANCIAL VIABILITY

Criterion 3.1: There is an implemented management plan that aims to achieve long-term economic and financial viability.

INDICATORS	GUIDANCE
<p>3.1.1 (MAJOR) A business or management plan (minimum three years) shall be documented that includes, where appropriate, a business case for scheme smallholders.</p> <p>3.1.2 An annual replanting programme projected for a minimum of five years (but longer where necessary to reflect the management of fragile soils, see Criterion 4.3), with yearly review, shall be available.</p>	<p>Specific Guidance: For 3.1.1: The business or management plan should contain at least:</p> <ul style="list-style-type: none"> • Attention to quality of planting materials; • Crop projection = Fresh Fruit Bunches (FFB) yield trends; • Mill extraction rates = Oil Extraction Rate (OER) trends; • Cost of Production = cost per tonne of Crude Palm Oil (CPO) trends; • Forecast prices; • Financial indicators. <p>Suggested calculation: trends in 3-year running mean over the last decade (FFB trends may need to allow for low yield during major replanting programmes).</p> <p style="background-color: yellow;">Implementing monitoring indicators the business plan is recommended.</p> <p>Guidance: Whilst it is recognised that long-term profitability is also affected by factors outside their direct control, top management should be able to demonstrate attention to economic and financial viability through long-term management planning. There should be longer term planning for plantations on peat, particularly in regards to subsidence and flooding issues (see Indicator 4.3.5).</p> <p style="color: red;">Consideration of smallholders should be inherent in all management planning where applicable (see also Criteria 6.10 and 6.11). For scheme</p>

~~smallholders the content will vary from that suggested (refer to RSPO Guidance On Scheme Smallholders, July 2009).~~

~~Growers should have a system to improve practices in line with new information and techniques. For smallholder schemes, the scheme management should be expected to provide their members with information on significant improvements.~~

~~This Criterion is not applicable to independent smallholders (refer to RSPO Guidance for Independent Smallholders under Group Certification, June 2010)~~

Smallholders should meet this criterion according to their size and capacity. To do so, they can rely on their association schemes, guild or outside consultants.

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

INDICATORS	GUIDANCE
<p>4.1.1 (MAJOR) Standard Operating Procedures (SOPs) for plantations and mills shall be documented.</p> <p>4.1.2 A mechanism to check consistent implementation of procedures shall be in place.</p> <p>4.1.3 Records of monitoring and any actions taken shall be maintained and available, as appropriate.</p> <p>4.1.4 (MAJOR) The mill shall record the origins of all third-party sourced Fresh Fruit Bunches (FFB).</p>	<p>Specific Guidance: For 4.1.1 and 4.1.4: SOP and documentation for mills should include relevant supply chain requirements (see RSPO Supply Chain Certification Standard, November 2011).</p> <p>Guidance: Mechanisms to check implementations could include documentation management systems and internal control procedures.</p> <p>In Colombia, the following guidelines for oil palm cultivation and mills can be used as Best Management Practices (BMP):</p> <ol style="list-style-type: none"> 1. <i>Guía de prácticas agrícolas en el cultivo de palma de aceite ya establecido</i> (Guide on agricultural practices for oil palm cultivation in established crops) (Fedepalma; SENA). 2. <i>Compendio de Guías Metodológicas sobre tecnologías en palma de aceite</i> (Compendium of Methodological Guidelines on oil palm technologies) (Cenipalma). (http://www.cenipalma.org/buenas-practicas-de-manejo) 3. <i>Guía Técnica Colombiana – GTC 213: Guía de sostenibilidad en las etapas de producción y procesamiento de biomasa en la cadena de biocombustibles en Colombia</i> (Colombian Technical Guide – CTG 213: Sustainability guideline for biomass production and processing stages in the Colombian biofuels value chain) (ICONTEC). <p>For National Interpretation: National codes of practice or Best Management Practices (BMPs) will be</p>

	referenced.
Criterion: 4.2 Practices maintain soil fertility at, or where possible improve soil fertility to, a level that ensures optimal and sustained yield.	
INDICATORS	GUIDANCE
<p>4.2.1 There shall be evidence that good agriculture practices, as contained in Standard Operating Procedures (SOPs), are followed to manage soil fertility to a level that ensures optimal and sustained yield, where possible.</p> <p>4.2.2 Records of fertiliser inputs shall be maintained.</p> <p>4.2.3 There shall be evidence of periodic tissue and soil sampling to monitor changes in nutrient status.</p> <p>4.2.4 A nutrient recycling strategy shall be in place, and may include use of Empty Fruit Bunches (EFB), Palm Oil Mill Effluent (POME), and palm residues after replanting and other organic products.</p>	<p>Guidance: Long-term fertility depends on maintaining the structure, organic matter content, nutrient status and microbiological health of the soil. Nutrient efficiency should take account of the age of plantations and soil conditions. The nutrient recycling strategy should include any use of biomass for crops and by-products or energy production.</p> <p>The Technical Bulletin Number 12 “General Guidelines for foliar and soil sampling in oil palm plantations, Research Center on Oil Palm-Cenipalma, Fedepalma, SENA and FONADE, is recommended as a reference document.</p> <p>For National Interpretation: The range of appropriate techniques will be identified.</p>
Criterion 4.3 Practices minimise and control erosion and degradation of soils.	
INDICATORS	GUIDANCE
<p>4.3.1 (MAJOR) Maps of any fragile soils shall be available.</p> <p>4.3.2 A management strategy shall be in place for plantings on slopes above a certain limit (this needs to be soil, climate and zone specific).</p> <p>4.3.3 A road maintenance programme shall be in place.</p> <p>4.3.4 (MAJOR) Subsidence of peat soils shall be minimised and</p>	<p>Specific Guidance: For 4.3.4: For existing plantings on peat, the water table should be maintained at an average of 50cm (between 40 - 60cm) below ground surface measured with groundwater piezometer readings, or an average of 60cm (between 50 - 70cm) below ground surface as measured in water collection drains, through a network of appropriate water control structures e.g. weirs, sandbags, etc. in fields, and watergates at the discharge points of main drains (Criteria 4.4 and 7.4).</p>

<p>monitored. A documented water and ground cover management programme shall be in place.</p> <p>4.3.5 Drainability assessments shall be required prior to replanting on peat to determine the longterm viability of the necessary drainage for oil palm growing.</p> <p>4.3.6 A management strategy shall be in place for other fragile and problem soils (e.g. sandy, low organic matter, acid sulphate soils).</p>	<p>For 4.3.5: Where drainability assessments have identified areas unsuitable for oil palm replanting, plans should be in place for appropriate rehabilitation or alternative use of such areas. If the assessment indicates high risk of serious flooding and/or salt water intrusion within two crop cycles, growers and planters should consider ceasing replanting and implementing rehabilitation.</p> <p>Guidance: Plantations on peat should be managed at least to the standard set out in the 'RSPO Manual on Best Management Practices (BMPs) for existing oil palm cultivation on peat', June 2012 (especially water management, fire avoidance, fertiliser use, subsidence and vegetation cover).</p> <p>Techniques that minimise soil erosion are well known and should be adopted, where appropriate. These should include practices such as ground cover management, biomass recycling, terracing, and natural regeneration or restoration instead of renovations.</p> <p>The "Soil Map of Colombia", developed by the Agustin Codazzi National Geographic Institute, which contains the official soil classification of the country at a regional scale, is available as reference.</p> <p>For National Interpretation: National Interpretation (or an RSPO recognised parallel means) will refer to national guidance, and identify the best management practices and appropriate techniques for maintaining soil quality in local conditions, including guidance on soil types, and any appropriate performance thresholds such as maximum acceptable slope gradient for planting.</p>
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Criterion 4.4 Practices maintain the quality and availability of surface and ground water.

INDICATORS	GUIDANCE
<p>4.4.1 A water management plan shall be implemented.</p> <p>4.4.2 (MAJOR) Protection of water courses and wetlands, including maintaining and restoring appropriate riparian and other buffer zones (refer to national best practice and national guidelines) shall be demonstrated.</p> <p>4.4.3 Appropriate treatment of mill effluent to required levels and regular monitoring of discharge quality, especially Biochemical Oxygen Demand (BOD), shall be in compliance with national regulations (Criteria 2.1 and 5.6).</p> <p>4.4.4 Mill water use per tonne of processed Fresh Fruit Bunches (FFB) (see Criterion 5.6) shall be monitored.</p>	<p>Specific Guidance:</p> <p>For 4.4.1: In Colombia, any oil palm grower or mill using surface or groundwater for agricultural, industrial or domestic uses must have a surface or groundwater concession, as applicable (Decree 1541 of 1978).</p> <p>The water management plan will:</p> <ul style="list-style-type: none"> • Take account of the efficiency of use and the information available about the renewability of water sources, including that of the environmental authorities. In the absence of this information, the hydrological characteristics of the water sources will be considered. • Ensure that the use and management of water by the operation does not result in adverse impacts on other users within the catchment area, including local communities and customary water users; • Aim to ensure Include actions aiming to prevent affections to local communities, workers and their families' access to clean water have access to adequate, clean water for drinking, cooking, bathing and cleaning purposes; • Avoid contamination of surface and ground water through run-off of soil, nutrients or chemicals, or as a result of inadequate disposal of waste including Palm Oil Mill Effluent (POME). <p>For 4.4.2: Watershed Management Plans (POMCA), which are first-order territorial planning instruments at a higher level than Municipal Territorial Plans, should be considered (when available) for adequate management of riparian zones.</p>

Refer to the 'RSPO Manual On Best Management Practices (BMP) for management and rehabilitation of natural vegetation associated with oil palm cultivation on peat', July 2012.

For 4.4.3: In Colombia, any grower or mill that generates discharges to surface, sea or ground waters, must have a discharge permit issued by the competent environmental authority (Decree 3930 of 2010). Those discharges must comply with the maximum limits established in Decree 1594 of 1984 or the regulations which may replace or modify it.

For 4.4.4: Where possible, this monitoring should be complemented with:

- Records and monitoring of total water consumption (surface or groundwater) in crops and mills (see article 48 of Decree 1541 of 1978).
- Records and monitoring of water use per tonne of FFB in oil palm crops.

Guidance:

~~Growers and millers should address the effects of their use of water and the effects of their activities on local water resources.~~

Growers and mills should demonstrate that they implement good agricultural and processing practices on water management and demonstrate that they have records of local precipitation and evaporation.

For National Interpretation:

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

Criterion 4.5 Pests, diseases, weeds and invasive introduced species are effectively managed using appropriate Integrated Pest and Disease Management techniques.

INDICATORS	GUIDANCE
<p>4.5.1 (MAJOR) Implementation of Integrated Pest and Disease Management (IPDM) plans shall be monitored.</p> <p>4.5.2 Training of those involved in IPDM implementation shall be demonstrated.</p>	<p>Guías:</p> <p>Growers should apply recognised IPDM techniques, incorporating cultural, biological, mechanical and physical methods to minimise the use of chemicals.</p> <p>Native species should be used in biological control where possible.</p> <p>Growers and mills should promote awareness and sensitization activities to raise the importance of sanitary management programmes of regional interest and their effects on surrounding areas, including the record of new findings in pests and diseases to support early warning strategies.</p> <p>Those responsible for the elaboration, coordination and technical assistance of IPDM, should have the relevant qualifications including:</p> <ul style="list-style-type: none"> • Training as agronomists, agricultural engineers or related. • Experience in sanitary management. <p>When invasive species are introduced as part of an IPDM, a management plan should be in place.</p> <p>For pest and diseases management, refer to the Compendium of Methodological Guidelines on oil palm technologies in oil palm (Fedepalma Cenipalma, SENA, Agricultural Society of Colombia (ASC)), http://www.cenipalma.org/buenas-practicas-de-manejo, where the following specific guidelines can be found for this topic:</p> <ul style="list-style-type: none"> • "Recognition and management of defoliators insects and the ones associated to Pestalotiopsis ."

	<ul style="list-style-type: none"> • "Recognition and Management of Lethal Wilt (LW) in oil palm." • "Implementation of management techniques for R. palmarum". • "Identification of Phytosanitary risks in oil palm;" • "Guidelines for the diagnosis and management of Surprising Wilt (SW)." <p>For National Interpretation: National Interpretation will provide further guidance on what practices are most appropriate for a particular country, and where needed, on practices which are appropriate to smallholders.</p>
<p>Criterion 4.6 Pesticides are used in ways that do not endanger health or the environment</p>	
INDICATORS	GUIDANCE
<p>4.6.1 (MAJOR) Justification of all pesticides used shall be demonstrated. The use of selective products that are specific to the target pest, weed or disease and which have minimal effect on non-target species shall be used where available.</p> <p>4.6.2 (MAJOR) Records of pesticides use (including active ingredients used and their LD50, area treated, amount of active ingredients applied per ha and number of applications) shall be provided.</p> <p>4.6.3 (MAJOR) Any use of pesticides shall be minimised as part of a plan, and in accordance with Integrated Pest Management (IPDM) plans. There shall be no prophylactic use of pesticides, except in specific situations identified in national Best Practice guidelines.</p> <p>4.6.4 Pesticides that are categorised as World Health Organisation Class 1A or 1B, or that are listed by the Stockholm or Rotterdam Conventions, and paraquat, are not used. The use of such pesticides shall be</p>	<p>Specific Guidance: For 4.6.1: Measures to avoid the development of resistance (such as pesticide rotations) should be applied. The justification should consider less harmful alternatives and IPDM.</p> <p>For 4.6.3: Justification of the use of such pesticides will be included in the public summary report.</p> <p>For 4.6.6: Recognised best practice includes: Storage of all pesticides as prescribed in the FAO International Code of Conduct on the distribution and use of pesticides and its guidelines, and supplemented by relevant industry guidelines in support of the International Code.</p> <p>For 4.6.6, 4.6.7 and 4.6.10: The "Technical guide on storing, handling and provision of agricultural chemicals", developed by the Ministry of Environment and Sustainable Development (MADS), CAI (Colombian Agricultural Institute), and National Association of Colombian</p>

minimised and eliminated as part of a plan, and shall only be used in exceptional circumstances.

4.6.5 Pesticides shall only be handled, used or applied by persons who have completed the necessary training and shall always be applied in accordance with the product label. Appropriate safety and application equipment shall be provided and used. All precautions attached to the products shall be properly observed, applied, and understood by workers (see Criterion 4.7).

4.6.6 Storage of all pesticides shall be according to recognised best practices. All pesticide containers shall be properly disposed of and not used for other purposes (see Criterion 5.3).

4.6.7 Application of pesticides shall be by proven methods that minimise risk and impacts on soil, water and human health.

4.6.8 **MAJOR** Pesticides shall be applied aurally only where there is documented justification. Communities shall be informed of impending aerial pesticide applications with all relevant information within reasonable time prior to application.

4.6.9 Maintenance of employee and associated smallholder knowledge and skills on pesticide handling shall be demonstrated, including provision of appropriate information materials (see Criterion 4.8).

4.6.10 Proper disposal of waste material, according to procedures that are fully understood by workers and managers shall be demonstrated (see Criterion 5.3).

4.6.11 **MAJOR** Specific annual medical surveillance for pesticide

Entrepreneurs (ANDI) should be implemented.

Para 4.6.10: Final disposal of agrochemical containers should be adequate according to their degree of toxicity, following CAI, OMS's and environmental authorities regulations.

Guidance:

The current legal requirements related to the use of pesticides and the pesticide listings prohibited by law are found in Decree 1843 of 1991 of the Ministry of Health.

The RSPO has identified some examples of alternatives to pesticide use, which include those listed in the 'Research project on Integrated Weed Management Strategies for Oil Palm; CABI, April 2011'.

Due to problems in the accuracy of measurement, monitoring of pesticide toxicity is not applicable to independent smallholders (refer to 'Guidance for Independent Smallholders under Group Certification', June 2010).

For National Interpretation:

National Interpretation will consider: statutory requirements concerning pesticide use, lists of legally prohibited pesticides, pesticide residues that should be tested for and the appropriate levels of residues, and best management practices for pesticide use or sources of information on these.

National Interpretation will develop best practice guidelines on the exceptional circumstances that would allow the use of pesticides categorised as World Health Organisation Class 1A or 1B, or those listed by the Stockholm or Rotterdam Conventions, and paraquat as well as how they will be used in ways that do not endanger health or the environment.

<p>operators, and documented action to treat related health conditions, shall be demonstrated. The latter shall also be documented.</p> <p>4.6.12 (MAJOR) No work with pesticides shall be undertaken by underage, pregnant or breast-feeding women (see criterion 6.7).</p>	
<p align="center">Criterion 4.7 An occupational health and safety plan is documented effectively communicated and implemented.</p>	
INDICATORS	GUIDANCE
<p>The health and safety plan shall cover the following:</p> <p>4.7.1 (MAJOR) A health and safety policy shall be in place. A health and safety plan covering all activities shall be documented and implemented, and its effectiveness monitored.</p> <p>4.7.2 (MAJOR) All operations where health and safety is an issue shall be risk assessed, and procedures and actions shall be documented and implemented to address the identified issues. All precautions attached to products shall be properly observed and applied to the workers.</p> <p>4.7.3 (MAJOR) All workers involved in the operation shall be adequately trained in safe working practices (see Criterion 4.8). Adequate and appropriate protective equipment shall be available to all workers at the place of work to cover all potentially hazardous operations, such as pesticide application, machine operations, and land preparation, harvesting and, if it is used, burning.</p> <p>4.7.4 (MAJOR) The responsible person/persons of the health and safety plan shall be identified. There shall be records of regular meetings between the responsible person/s and workers. Concerns of all parties about health, safety and welfare shall be discussed at these meetings, and any issues raised shall be recorded.</p>	<p>Specific Guidance: For 4.7.7: The parameters that define the DIR in Colombia are in Annex Glossary.</p> <p>Guidance: Growers and millers should ensure that the workplace, machinery, equipment, transport and processes under their control are safe and without undue risk to health. Growers and millers should ensure that the chemical, physical and biological substances and agents under their control are without undue risk to health when appropriate measures are taken. All indicators apply to all workers regardless of status. The health and safety plan should also reflect guidance in ILO Convention 184.</p> <p>For National Interpretation: National Interpretation will define the metrics for DIR. All legal requirements together with any local or national guidance on safe working practice in agriculture will be identified and used. It will also be important to identify what constitutes a 'hazardous' operation in the local context.</p>

<p>4.7.5 Accident and emergency procedures shall exist and instructions shall be clearly understood by all workers. Accident procedures shall be available in the appropriate language of the workforce. Assigned operatives trained in First Aid should be present in both field and other operations, and first aid equipment shall be available at worksites. Records of all accidents shall be kept and periodically reviewed.</p> <p>4.7.6 All workers shall be provided with medical care, and covered by accident insurance.</p> <p>4.7.7 Occupational injuries shall be recorded using Lost Time Accident (LTA) metrics. Disabling Injury Rates (DIR).</p>	
<p>Criterion 4.8 All staff, workers, smallholders and contractworkers are appropriately trained.</p>	
INDICATORS	GUIDANCE
<p>4.8.1 (MAJOR) A formal training programme shall be in place that covers all aspects of the RSPO Principles and Criteria, and that includes regular assessments of training needs and documentation of the programme.</p> <p>4.8.2 Records of training for each employee shall be maintained.</p>	<p>Guidance: Workers should be adequately trained on: the health and environmental risks of pesticide exposure; recognition of acute and long-term exposure symptoms including the most vulnerable groups (e.g. young workers, pregnant women); ways to minimise exposure to workers and their families; and international and national instruments or regulations that protect workers' health.</p> <p>The training programme should include productivity of the business and best management practice, and be appropriate to the scale of the organisation.</p> <p>Training should be given to all staff and workers by growers and millers to enable them to fulfil their jobs and responsibilities in accordance with documented procedures, and in compliance with the requirements of these</p>

Principles, Criteria, Indicators and Guidance.

It is recommended to emphasize in the necessary training to implement environmental (criterion 5.1) and social (criterion 6.1) management plans, considering the pertinence for each employee, based on their role within the organization.

Contract workers should be selected for their ability to fulfil their jobs and responsibilities in accordance with documented procedures, and in compliance with the requirements of these Principles, Criteria, Indicators and Guidance.

Growers and millers should demonstrate training activities for schemes smallholders who provide Fresh Fruit Bunches (FFB) on a contracted basis.

Workers on smallholder plots also need adequate training and skills, and this can be achieved through extension activities of growers or millers that purchase fruit from them, by smallholders' organisations, or through collaboration with other institutions and organisations (refer to 'Guidance for Independent Smallholders under Group Certification', June 2010, and 'Guidance on Scheme Smallholders', July 2009)

For individual smallholder operations, training records should not be required for their workers, but anyone working on the farm should be adequately trained for the job they are doing (refer to 'Guidance for Independent Smallholders under Group Certification', June 2010, and 'Guidance on Scheme Smallholders', July 2009)

For National Interpretation: Appropriate occupational training qualifications will be identified.

PRINCIPLE 5: ENVIRONMENTAL RESPONSIBILITY AND CONSERVATION OF NATURAL RESOURCES AND BIODIVERSITY

Criterion 5.1 Aspects of plantation and mill management, including replanting, that have environmental impacts are identified, and plans to mitigate the negative impacts and promote the positive ones are made, implemented and monitored, to demonstrate continual improvement.

INDICATORS	GUIDANCE
<p>5.1.1 (MAJOR) An environmental impact assessment (EIA) shall be documented.</p> <p>5.1.2 Where the identification of impacts requires changes in current practices, in order to mitigate negative effects, a timetable for change shall be developed and implemented within a comprehensive management plan. The management plan shall identify the responsible person/persons.</p> <p>5.1.3 This plan shall incorporate a monitoring protocol, adaptive to operational changes, which shall be implemented to monitor the effectiveness of the mitigation measures. The plan shall be reviewed as a minimum every two years to reflect the results of monitoring and where there are operational changes that may have positive and negative environmental impacts.</p>	<p>Specific Guidance: For 5.1.1: The environmental impact assessment (EIA) should identify the environmental aspects and impacts of all oil palm crop and mill activities during the entire lifetime of the project. The EIA should cover the following activities, where they are undertaken:</p> <ul style="list-style-type: none"> • Building new roads and major adjustments over existing roads. • Building and operation of processing mills or other infrastructure. • Installation, operation and maintenance of drainage or irrigation systems. • Replanting and/or expansion of planting areas. • Management of mill effluents (Criterion 4.4). • Clearing of remaining natural vegetation for land adequacy. • Management of pests and diseased palms by controlled burning (Criteria 5.5 and 7.7). • Eradication or abandonment of crops or productive activities in areas currently under oil palm cultivation. <p>For 5.1.2 y 5.1.3: It is expected that companies ensure they have the capacity and the allocated resources to implement all the components of the environmental impact prevention and mitigation plans mentioned in this</p>

Criterion, and their respective monitoring system.

Guidance:

Impact assessment can be a non-restrictive format e.g. ISO 14001 EMS and/or EIA report incorporating elements spelt out in this Criterion and raised through stakeholder consultation.

Environmental impacts should be identified on soil and water resources (Criteria 4.3 and 4.4), air quality, greenhouse gases (Criterion 5.6), biodiversity and ecosystems, and people's amenity (Criterion 6.1), both on and off-site.

The following document is recommended as reference to identify, assess and mitigate environmental impacts: "Environmental Guide for the Colombian oil palm agroindustry"(Fedepalma, Ministry of Environment and SAC).

Additionally, the following reference documents are recommended for EIA preparation::

- "General methodology for presenting environmental studies"; Ministry of Environment, Housing and Territorial Development; Bogotá, Colombia; 2010.
- "Manual for the evaluation of environmental studies. Criteria and procedures"; Ministry of Environment, Bogotá, Colombia; 2002.
- "Manual for environmental monitoring of projects. Criteria and procedures", Ministry of Environment, . Bogotá, Colombia; 2002.

Regional environmental impact assessments that have been developed by environmental authorities and research institutes should be considered as input for EIA.

	<p>Stakeholder consultation has a key role in identifying environmental impacts. The inclusion of consultation should result in improved processes to identify impacts and to develop any required mitigation measures.</p> <p>For smallholder schemes, the scheme management has the responsibility to undertake the EIA impacts assessment and to plan and operate in accordance with the results (refer to 'Guidance for Independent Smallholders under Group Certification', June 2010, and 'Guidance on Scheme Smallholders', July 2009).</p> <p>For National Interpretation: National Interpretation will consider any national legal requirements together with any other issues that are not required by law but are nevertheless important, e.g. independent social and environmental impact assessment (SEIA) for replanting may be desirable under specific situations.</p>
<p>Criterion 5.2 The status of rare, threatened or endangered species and other High Conservation Value habitats, if any, that exist in the plantation or that could be affected by plantation or mill management, shall be identified and operations managed to best ensure that they are maintained and/or enhanced</p>	
INDICATORS	GUIDANCE
<p>5.2.1 (MAJOR) Information shall be collated in a High Conservation Value (HCV) assessment that includes both the planted area itself and relevant wider landscape-level considerations (such as wildlife corridors).</p> <p>5.2.2 (MAJOR) Where rare, threatened or endangered (RTE) species, or HCVs, are present or are affected by plantation or mill operations, appropriate measures that are expected to maintain and/or enhance them shall be implemented through a management plan.</p>	<p>Specific Guidance: For 5.2.1: This information will cover:</p> <ul style="list-style-type: none"> • Presence of protected areas that could be significantly affected by the grower or miller. (in Colombia, categories of protected areas are currently defined in Decree 2372 of 2010, which regulates the National Protected Areas System - SINAPs). • Conservation status (e.g. IUCN status), legal protection, population status and habitat requirements of rare, threatened or endangered

5.2.3 There shall be a programme to regularly educate the workforce about the status of these RTE species, and appropriate disciplinary measures shall be instigated in accordance with company rules and national law if any individual working for the company is found to capture, harm, collect or kill these species.

5.2.4 Where a management plan has been created there shall be ongoing monitoring:

- The status of HCV and RTE species that are affected by plantation or mill operations shall be documented and reported;
- Outcomes of monitoring shall be fed back into the management plan.

5.2.5 Where HCV set-asides with existing rights of local communities have been identified, there shall be evidence of a negotiated agreement that optimally safeguards both the HCVs and these **pre-acquired** rights.

rare species that could be significantly affected by the grower or miller.

- Identification of high conservation value habitats, such as rare and vulnerable or threatened ecosystems, that could be significantly affected by the grower or miller.

HCV assessments should be based on the methodological guidelines developed by the International HCV Network (High Conservation Value Network - www.hcvnetwork.org) and RSPO. These studies should be carried out by staff with appropriate training and expertise, and should include consultation with local communities to identify social and cultural HCV.

For 5.2.2: These measures will include:

- Ensuring that any legal requirements relating to the protection of species or habitats are met.
- Avoiding damage to and deterioration of HCV habitats such as by ensuring that HCV areas are connected, corridors are conserved, and buffer zones around HCV areas are created;
- Controlling any illegal or inappropriate hunting, fishing or collecting activities; and developing responsible measures to resolve human-wildlife conflicts.

The scope of conservation measures for rare, threatened or endangered is limited to the area of influence of the oil palm mills and plantations. Seeking synergies and articulation between HCV management plans and regional conservation and territorial planning efforts is recommended.

For 5.2.5: If a negotiated agreement cannot be reached, there should be evidence of sustained efforts to achieve such an agreement. These could include third party arbitration (see Criteria 2.3, 6.3 and 6.4).

Guidance:

This information gathering should include checking available biological records and consultation with relevant government departments, research institutes and interested NGOs if appropriate. Depending on the biodiversity values that are present, and the level of available information, some additional field survey work may be required.

In Colombia sources of information on rare, threatened and endangered species include, among others:

- International Union for Conservation of Nature. (IUCN) (<http://www.iucnredlist.org/>)
- The "Red Books", published by the Humboldt Institute.
- Resolution 383 of 2010 of the Ministry of Environment, Housing and Territorial Development, or its successor or modifier.
- Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).
- "The Red Books series in Endangered Species of Colombia"; issued by the Ministry of Environment and Sustainable Development".
- Regulations, guides and Redbooks of the Regional environmental authorities and environmental research institutes, etc. regarding endangered species.

The guidelines given by the "National Policy for Integrated Management of Biodiversity and Ecosystem Services (PNGIBSE)" (Ministry of Environment and Sustainable Development, 2012), in relation to its six thematic axes and strategic lines: (i) Nature conservation and caring, (ii) Governance and public value creation, (iii) Economic development, competitiveness and quality of life, (iv) Knowledge, technology and information management, (v) Risk management and ecosystem

services provision, and (vi) Accountability and global commitments should be taken into account.

Wherever HCV benefits can be realised outside of the management unit, collaboration and cooperation between other growers, governments and organisations should be considered.

For National Interpretation:

Appropriate sources of information can include government or international lists of threatened species ('red data lists'), national wildlife protection legislation, authorities responsible for protected areas and species, or relevant NGOs.

Note:

Operators need to consider a variety of land management and tenure options to secure HCV management areas in ways that also secure local peoples' rights and livelihoods. Some areas are best allocated to community management and secured through customary or legal tenures, in other cases co-management options can be considered. Where communities are asked to relinquish rights so that HCVs can be maintained or enhanced by the companies or State agencies, then great care needs to be taken to ensure that communities retain access to adequate land and resources to secure their basic needs; all such relinquishment of rights must be subjected to their free, prior, and informed consent (see Criteria 2.2 and 2.3).

Criterion 5.3 Waste is reduced, recycled, re-used and disposed of in an environmentally and socially responsible manner.

INDICATORS	GUIDANCE
<p>5.3.1 (MAJOR) All waste products and sources of pollution shall be identified and documented.</p> <p>5.3.2 (MAJOR) All chemicals and their containers shall be disposed of responsibly.</p> <p>5.3.3 A waste management and disposal plan to avoid or reduce pollution shall be documented and implemented.</p>	<p>Specific Guidance:</p> <p>For 5.3.1:Waste should be classified and quantified, at least considering the categories of hazardous and non-hazardous.</p> <p>For 5.3.3:The waste management and disposal plan should include measures for:</p> <ul style="list-style-type: none"> • Identifying and monitoring sources of waste and pollution. • Improving the efficiency of resource utilisation and recycling potential wastes as nutrients or converting them into value-added products (e.g. through animal feeding programmes). • Appropriate management and disposal of hazardous chemicals and their containers. Surplus chemical containers should be reused, recycled or disposed of in an environmentally and socially responsible way using best available practices (e.g. returned to the vendor or cleaned using a triple rinse method), such that there is no risk of contamination of water sources or risk to human health. The disposal instructions on the manufacturers' labels should be adhered to. Use of open fire for waste disposal should be avoided. <p>In Colombia, an Integrated Management Plan for Solid and Hazardous Waste is mandatory (PGIRS, PGIRSRESPEL) as established in Decree 4741 of 2005 and Law 1252 of 2008 or the regulations replacing or modifyingthem.</p> <p>Complying with the provisions of Article 7 of Resolution 693 of 2007 of the Ministry of Environment on returning pesticide containers to the</p>

manufacturer or importer is also mandatory.

Guidance:

In Colombia, wastes that are considered to be hazardous (RESPEL) are currently defined in Decree 4741 of 2005. Legal requirements on handling RESPEL are mainly covered in such Decree in the Law 1252 of 2008 and other regulations contained in the Legal Annex or regulations replacing or modifying them.

The following reference documents on best practices for waste and the proper management and utilization of the by-products of palm oil extraction is recommended:

- ICONTEC (2009) Colombian Technical Guide CTG 24: "Environmental Management. Solid Waste. Guide to source separation"; Bogotá, Colombia; 2009.
- Cenipalma (2011), Technical Bulletin No. 30 "Characterization and management of by-product of oil palm extraction"; Bogotá.
- Cenipalma (2011), Technical Bulletin No. 31 "Composting of by-products of the oil palm agroindustry in Colombia"; Bogotá.

For National Interpretation:

National Interpretation (or an RSPO recognised parallel means) should include, as appropriate: details of relevant national laws or policies, a list of waste types (hazardous, non-hazardous, domestic, etc.) which must be considered, any types of disposal which are not acceptable (e.g. untreated waste water may not be discharged directly into streams or rivers (see Criterion 4.4), existing best practice guidelines on recycling and re-use of nutrients, managing effluent ponds, increasing mill extraction efficiency and appropriate disposal of wastes.

Criterion 5.4 Efficiency of fossil fuel use and the use of renewable energy is optimized.	
INDICATORS	GUIDANCE
5.4.1 A plan for improving efficiency of the use of fossil fuels and to optimise renewable energy shall be in place and monitored.	<p>Guidance: Renewable energy use per tonne of Crude Palm Oil (CPO) or palm product in the mill should be monitored.</p> <p>Direct fossil fuel use per tonne of CPO or Fresh Fruit Bunches (FFB) should be monitored.</p> <p>Energy efficiency should be taken into account in the construction or upgrading of all operations.</p> <p>Growers and millers should assess the direct energy use of their operations, including fuel and electricity, and energy efficiency of their operations. This should include estimation of fuel use by on-site contract workers, including all transport and machinery operations.</p> <p>The feasibility of collecting and using biogas should be studied if possible.</p>
Criterion 5.5 Use of fire for preparing land or replanting is avoided, except in specific situations as identified in the ASEAN guidelines or other regional best practice.	
INDICATORS	GUIDANCE
5.5.1 (MAJOR) There shall be no land preparation by burning, other than in specific situations as the ones identified in the 'Guidelines for the Implementation of the ASEAN Policy on Zero Burning' 2003, or comparable guidelines in other regions allowed in compliance with current national regulations.	Specific Guidance: For 5.5.1 y 5.5.2: In Colombia, requirements, terms, covenants and conditions to carry out open controlled burning in agricultural activities are established in Decree 948 of 1995, Decree 2107 of 1995 and Resolution 532 of 2005 and require prior permission from the environmental authority.
5.5.2 Where fire has been used for preparing land for replanting, there	Guidance:

<p>shall be evidence of prior approval of the controlled burning as specified in 'Guidelines for the Implementation of the ASEAN Policy on Zero Burning' 2003, or comparable guidelines in other regions by the environmental authority, according to applicable national regulations.</p>	<p>Fire should be used only where an assessment has demonstrated that it is the most effective and least environmentally damaging option for minimising the risk of severe pest and disease outbreaks and as long as it is allowed by the applicable national regulations. And exceptional levels of caution should be required for use of fire on peat.</p> <p>A contingency plan against accidental burning or caused by third parties is recommended.</p> <p>Extension/training programmes for associated smallholders may be necessary.</p> <p>For National Interpretation: National Interpretation will identify any specific situations where such use of fire may be acceptable, for example through reference to 'Guidelines for the Implementation of the ASEAN Policy on Zero Burning' 2003, or comparable guidelines in other regions.</p>
<p><i>Preamble:</i> Growers and millers commit to reporting on operational greenhouse gas emissions. However, it is recognised that these significant emissions cannot be monitored completely or measured accurately with current knowledge and methodology. It is also recognised that it is not always feasible or practical to reduce or minimise these emissions.</p> <p>Growers and millers commit to an implementation period until the end of December 2016 for promoting best practices in reporting to the RSPO, and thereafter to public reporting. Growers and millers make this commitment with the support of all other stakeholder groups of the RSPO.</p> <p>Criterion 5.6 Plans to reduce pollution and emissions, including greenhouse gases, are developed, implemented and monitored.</p>	
<p style="text-align: center;">INDICATORS</p>	<p style="text-align: center;">GUIDANCE</p>
<p>5.6.1 MAJOR An assessment of all polluting activities shall be conducted, including gaseous emissions, particulate/soot emissions and effluent (see Criterion 4.4).</p>	<p>Specific Guidance: For 5.6.2: Significant contaminants that may result from crops and mills activities should be identified and prioritized in the environmental</p>

5.6.2 (MAJOR) Significant pollutants and greenhouse gas (GHG) emissions shall be identified, and plans to reduce or minimise them implemented.

5.6.3 A monitoring system shall be in place, with regular reporting on progress for these significant pollutants and emissions from estate and mill operations, using appropriate tools.

impactassessment (see Criterion 5.1).

Plans will include objectives, targets and timelines. These should be responsive to context and any changes should be justified.

For 5.6.2 y 5.6.3: The treatment methodology for POME will be recorded with its corresponding maintenance records and control tracking parameters.

For 5.6.3 (GHG): For the implementation period until December 31st 2016, an RSPO-endorsed modified version of PalmGHG which only includes emissions from operations (including land use practices) can be used as a monitoring tool.

For 5.6.3: In addition, during the implementation period, growers will start to assess, monitor and report emissions arising from changes in carbon stocks within their operations, using the land use in November 2005 as the baseline. The implementation period for Indicator 5.6.3 is the same implementation period for Criterion 7.8.

During the implementation period, reporting on GHG will be to a relevant RSPO working group (composed of all membership categories) which will use the information reported to review and fine tune the tools, emission factors and methodologies, and provide additional guidance for the process. Public reporting is desirable, but remains voluntary until the end of the implementation period.

During the implementation period the RSPO working group will seek to continually improve PalmGHG, recognising the challenges associated with measuring GHG and carbon stock.

PalmGHG or RSPO-endorsed equivalent will be used to assess, monitor and report GHG emissions. Parties seeking to use an alternative to PalmGHG will have to demonstrate its equivalence to the RSPO for endorsement.

Guidance:

Where practically feasible, operations should follow best management practices to measure and reduce emissions. Advice on this is available from the RSPO.

Promoting nutrient cycling from mill effluent and sludge in irrigation systems or composting is recommended where possible.

The Environmental Guide for the Colombian oil palm agro industry may be considered as a reference for its implementation.

PRINCIPLE 6: RESPONSIBLE CONSIDERATION OF EMPLOYEES AND OF INDIVIDUALS AND COMMUNITIES AFFECTED BY GROWERS AND MILLERS

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.

INDICATORS	GUIDANCE
<p>6.1.1 (MAJOR) A social impact assessment (SIA) including records of meetings shall be documented.</p> <p>6.1.2 (MAJOR) There shall be evidence that the assessment has been done with the participation of affected parties and a report of the meeting shall be included.</p> <p>6.1.3 (MAJOR) Plans for avoidance or mitigation of negative impacts and promotion of the positive ones, and monitoring of impacts identified, shall be developed in consultation with the affected parties, documented and timetabled, including responsibilities for implementation.</p> <p>6.1.4 The plans shall be reviewed as a minimum once every two years and updated as necessary, in those cases where the review has concluded that changes should be made to current practices. There shall be evidence that the review includes the participation of affected parties.</p> <p>6.1.5 Particular attention shall be paid to the impacts of smallholder schemes (where the plantation includes such a scheme).</p>	<p>Identification of social impacts should be carried out by the grower with the participation of affected parties, including women and migrant workers as appropriate to the situation. The involvement of independent experts should be sought where this is considered necessary to ensure that all impacts (both positive and negative) are identified.</p> <p>Mechanisms should be established for companies to promote that part of the property where oil palm farmers inhabit is devoted to food crops in order to protect their food security through participatory mechanisms.</p> <p>The term “Participation” in this context means that affected parties are able to express their views through their own representative institutions, or freely chosen spokespersons, during the identification of impacts, reviewing findings and plans for mitigation, and monitoring the success of implemented plans.</p> <p>Potential social impacts may result from activities such as: building new roads, processing mills or other infrastructure; replanting with different crops or expansion of planting area; disposal of mill effluents; clearing of remaining natural vegetation; changes in employee numbers or employment terms; smallholder schemes.</p> <p>Plantation and mill management may have social impacts (positive or</p>

negative) on factors such as:

- Access and use rights;
- Economic livelihoods (e.g. paid employment) and working conditions;
- Subsistence activities;
- Cultural and religious values;
- Health and education facilities;
- Other community values, resulting from changes such as improved transport /communication or arrival of substantial migrant labour force.
- Family nucleus structure, income distribution and proper handling of free time.

Other recommended actions include:

- Verifying if the actors of the process were called to participate.
- Keep track of dates, topics and conclusions of the process.
- Demonstrate the implementation of agreed upon recommendations

~~The review can be done (once every two years) internally or externally.~~

For National Interpretation:

As social impacts are particularly dependent on local social conditions, National Interpretation will identify the important issues, and methodologies for collecting data and using the results. This should include adequate consideration of the impacts on the customary or traditional rights of local communities and indigenous people, where these exist (Criteria 2.3 and 6.4).

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.

INDICATORS	GUIDANCE
<p>6.2.1 (MAJOR) Consultation and communication procedures shall be documented.</p> <p>6.2.2 A management official responsible for these issues shall be nominated.</p> <p>6.2.3 A list of stakeholders, records of all communication, including confirmation of receipt and that efforts are made to ensure understanding by affected parties, and records of actions taken in response to input from stakeholders, shall be maintained. Communications about consultations and consultations themselves should also be conducted in the native language of the recipients by request of those interested.</p>	<p>Specific Guidance: For 6.2.3, mechanisms to ensure effective communication for special consultations will be used.</p> <p>Guidance: Decisions that the growers or mills are planning to make should be made clear, so that local communities and other interested parties understand the purpose of the communication and/or consultation. Communication and consultation mechanisms should be designed in collaboration with local communities and other affected or interested parties. These should consider the use of appropriate existing local mechanisms and languages. Consideration should be given to the existence/formation of a multi-stakeholder forum. Communications should take into account differential access by women as compared to men information by village leaders as compared to day labourers, new versus established community groups, and different ethnic groups.</p> <p>Consideration should be given to involving third parties, such as disinterested community groups, NGOs, or government (or a combination of these), to facilitate smallholder schemes and communities, and others as appropriate, in these communications.</p> <p>For National Interpretation: National Interpretation will consider issues such as appropriate levels of consultation and the types of organisation or individuals that should be included.</p>

<p>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..</p>	
INDICATORS	GUIDANCE
<p>6.3.1 (MAJOR) 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.</p> <p>6.3.2 (MAJOR) Documentation of both the process by which a dispute was resolved and the outcome shall be available.</p>	<p>Specific Guidances: For 6.3.1: The system should aim to reduce the risks of reprisal.</p> <p>Guidance: See also to Criterion 1.2.</p> <p>Dispute resolution mechanisms should be established through open and consensual agreements with relevant affected parties.</p> <p>Complaints should be dealt with by mechanisms such as Joint Consultative Committees (JCC), with gender representation as necessary. Grievances may be internal (employees) or external.</p> <p>Where a resolution is not found mutually, complaints can be brought to the attention of the RSPO Complaints System.</p> <p>Each company is autonomous to implement its own Management System for Requests, Complaints and Claims (RCC), which should contain:</p> <ul style="list-style-type: none"> • Rights and responsibilities of the company and its employees and contractors • Response times • Procedure of RCC system management. • Acknowledgments

	<ul style="list-style-type: none"> • Effectiveness in RCC solving. <p>Regarding the process established for Right to Petition, the following reference documents are recommended:</p> <ul style="list-style-type: none"> • Article 23 of the Political Constitution (Title I): The right to petition is a fundamental right. • Title II of the law 1437 of 2011: Rights to petition to the authorities. <p>The ISO 9001 quality standard, and statistical information and management indicators where the degree of satisfaction, effectiveness and monitoring of items referred to in this criterion is displayed, are recommended as reference.</p> <p>For scheme and independent smallholders, refer to ‘<i>Guidance for Independent Smallholders under Group Certification</i>’, June 2010, and ‘<i>Guidance on Scheme Smallholders</i>’, July 2009.</p> <p>Refer to helpful texts for guidance, such as the Human Rights Commission (HRC) endorsed ‘<i>Guiding Principles on Business and Human Rights: Implementing the UN “Protect, Respect and Remedy” Framework</i>’, 2011.</p>
<p>Criterion 6.4: Any negotiations concerning compensation for loss of legal, customary or user rights are dealt with through a documented system that enables indigenous peoples, local communities and other stakeholders to express their views through their own representative institutions.</p>	
<p>INDICATORS</p>	<p>GUIDANCE</p>
<p>6.4.1 (MAJOR) A procedure for identifying legal procedures shall be followed to identify legal, customary or use rights, and a procedure for identifying people entitled to compensation, shall be in place.</p> <p>6.4.2 A procedure for calculating and distributing fair compensation</p>	<p>Specific Guidance:</p> <p>For 6.4.2: Companies should make best efforts to ensure that equal opportunities have been provided to both female and male heads of households to hold land titles in smallholder schemes.</p>

<p>(monetary or otherwise) shall be established and implemented, monitored and evaluated in a participatory way, and corrective actions taken as a result of this evaluation. This procedure shall take into account: gender differences in the power to claim rights, ownership and access to land; differences of transmigrants and long-established communities; and differences in ethnic groups' proof of legal versus communal ownership of land.</p> <p>6.4.3 (MAJOR) The process and outcome of any negotiated agreements and compensation claims shall be documented, with evidence of the participation of affected parties, and made publicly available.</p>	<p>Guidance: Companies should make best efforts to ensure that equal opportunities have been provided to both female and male heads of households to hold land titles in smallholder schemes.</p> <p>Documentation should include, as a minimum and according to its applicability, the following:</p> <ul style="list-style-type: none"> • Titles of land ownership. • Demographic, ethnographic and sociological characteristics of the involved communities. • Procedures for the identification of customary rights. • Scenarios for agreement. • Agreed compensation. • Mechanisms used for conflict resolution. • State administrative acts concerning the process. • Relocation procedures <p>Documentation of all compensation processes and agreements with communities, land titles, and conflict resolution, should be available.</p> <p>A monitoring tool to ensure that negotiation agreements are met should be in place.</p>
<p>Criterion 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.</p>	
<p style="text-align: center;">INDICATORS</p>	<p style="text-align: center;">GUIDANCE</p>
<p>6.5.1 (MAJOR) Documentation of pay and working conditions shall be available.</p>	<p>Specific Guidance: For 6.5.3. It is applicable when employees live in company facilities</p>

6.5.2 (MAJOR) Labour laws, union agreements or direct contracts of employment detailing payments and conditions of employment (e.g. working hours, deductions, overtime, sickness, holiday entitlement, maternity leave, reasons for dismissal, period of notice, etc.) shall be available in the languages understood by the workers or explained carefully to them by a management official.

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.

For 6.5.4 It will apply to companies providing food service to their employees.

Guidance:

Periodic reviews of service contracts should be conducted to guarantee the inclusion of appropriate standards of remuneration, compensation and hiring. There should be an employment policy in which non-discriminatory practices are specified and a post-entry guidance program focused particularly in good treatment, safety, labor laws, cultural practices and decent life conditions is provided.

As far as possible, mechanisms such as strategic alliances and cooperatives should be promoted; new business alternatives that improve workers' income should be supported.

Additionally, compliance with minimum legal standards will be demonstrated with evidence of:

- Payment forms and pay stubs
- Payment of social security (health, pension and ARL) and parafiscal contributions (SENA, ICBF, compensation funds)
- Type of contract
- Accounting records
- Relation of industrial safety equipment
- Demarcation of high risk areas
- Agreements and contracts according to the Law

Companies should have awareness programs and/or training for Top Management personnel on the international principles concerning the fundamental rights at the workplace, and the rights and duties of employees and employers that have been established in the law and

	<p>international standards on the subject.</p> <p>Companies should conduct periodic due diligence measures to assess their degree of adherence to norms and national and international principles on the subject.</p> <p>Special sanctions for company personnel that violates guiding principles in the subject will be established.</p> <p>The company will adopt a human resources policy, appropriate to its size and workforce, that sets out its approach on employee management.</p> <p>When a company expects to reduce its workforce or plans to dismiss a substantial number of employees, it will develop a plan to mitigate the adverse impacts of reducing the size of its workforce. The plan will be based on a non-discrimination principle and will reflect the results of consultations with the employees, their organizations and, where appropriate, with the government.</p> <p>The company may provide facilities for employees to have access to adequate food.</p> <p>For National Interpretation: National Interpretation will define a Decent Living Wage. Where there is no National Interpretation, the legal minimum wage will be used.</p>
<p>Criterion 6.6 The employer respects the rights of all personnel to form and join trade unions of their choice and to bargain collectively. Where the right to freedom of association and collective bargaining are restricted under law, the employer facilitates parallel means of independent and free association and bargaining for all such personnel.</p>	
<p>INDICATORS</p>	<p>GUIDANCE</p>
<p>6.6.1 (MAJOR)A published statement in local languages</p>	<p>Guidances:</p>

recognising freedom of association shall be available.

6.6.2 Minutes of meetings with main trade unions or workers representatives shall be documented.

The right of employees, including migrant and transmigrant workers and contract workers, to form associations and bargain collectively with their employer should be respected, in accordance with Conventions 87 and 98 of the International Labour Organisation (ILO).

Labour laws and union agreements, or in their absence direct contracts of employment detailing payments and other conditions, should be available in the languages understood by the workers or explained carefully to them by a management official.

Mechanisms that allow workers to unite and have freedom of expression and defense of their interests should be respected.

Companies should have a documented policy that recognizes freedom of association, with the following:

- Publication of the internal work regulations.
- The right to accurate information
- Evidence of compliance with collective bargaining agreements, when they exist

Companies should have periodic follow-up and adjustment measures to operate according to norms and international principles on this subject.

When there is knowledge of practices that violate the right of association, appropriate measures that could lead to special sanctions for those employees that violate guiding principles in the matter will be taken.

Initiatives that promote tolerance and negotiated solution with authorities, communities and labor unions such as local campaigns, awareness

	<p>programs, workshops, etc. will be developed in accordance with the specific needs of each community, as possible.</p> <p>For National Interpretation: National Interpretation will define migrant and transmigrant workers. ILO definitions and other international protocols, instruments and explanations should be used throughout.</p>
<p>Criterion 6.7 Children are not employed or exploited.</p>	
INDICATORS	GUIDANCE
<p>6.7.1 (MAJOR) There shall be documentary evidence that minimum age requirements are met.</p> <p>6.7.2 Companies shall have evidence of a procedure to guide them in taking appropriate measures if they become aware of child and forced labor in their FFB supply chain.</p> <p>6.7.3 Evidence that children working in smallholders' family farms are in the education system.</p>	<p>Guidances: Growers and millers should clearly define the minimum working age, together with working hours. Only workers above the minimum school leaving age in the country or who are at least 15 years old may be employed. The minimum age of workers will not be less than stated under national regulations. Any hazardous work should not be done by those under 18, as per International Labour Organisation (ILO) Convention 138.</p> <p>The minimum age of workers will not be less than that set under the national regulation (18). This guideline should be reflected in company policies and internal work regulations.</p> <p>Child labor in plantations and mills is only allowed when part of educational practices by accredited and recognized educational institutions. No hazardous work will be done with children under 18 years according to the International Labour Organization Convention 138.</p> <p>Training programs for businesses, mills, productive alliances, customers, suppliers, contractors and the community at large about national regulations and international norms and principles in this topic should be</p>

	<p>developed.</p> <p>Companies, productive alliances, customers, suppliers and contractors should conduct periodic due diligence measures to assess the level of adherence to international principles in this field. Such measures should consider ILO Conventions 138 and 182 and the principles derived from them by the ILO supervisory bodies.</p> <p>Local community programs to prevent school dropout and discourage child labor should be carried out.</p> <p>Local campaigns, together with the authorities and the community to promote rejection of child labor should be carried out. These activities should be documented.</p> <p>Please refer to 'Guidance for Independent Smallholders under Group Certification', June 2010, and 'Guidance on Scheme Smallholders', July 2009 for additional guidance on family farms.</p>
<p>Criterion 6.8: Any form of discrimination based on race, caste, national origin, religion, disability, gender, sexual orientation, union membership, political affiliation, or age, is prohibited.</p>	
INDICATORS	GUIDANCE
<p>6.8.1 (MAJOR) A publicly available equal opportunities policy including identification of relevant/affected groups in the local environment shall be documented.</p> <p>6.8.2 (MAJOR) Evidence shall be provided that employees and groups including local communities, women, and migrant workers have not been discriminated against.</p>	<p>Guidance: Examples of compliance can be appropriate documentation (e.g. job advertisements, job descriptions, appraisals, etc.), and/or information obtained via interviews with relevant stakeholders such as affected groups which may include women, local communities, foreign workers, and migrant workers, etc.</p> <p>Notwithstanding national legislation and regulation, medical conditions should not be used in a discriminatory way.</p>

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.

The grievance procedures detailed in Criterion 6.3 apply. Positive discrimination to provide employment and benefits to specific communities is acceptable as part of negotiated agreements.

Evidence that the company promotes training for its employees at all levels on the elimination of prejudices and customary practices and all other practices based on the idea of inferiority or superiority of either gender or on stereotyped roles for men and women.

In order to implement the principle of equal remuneration for men and women, companies will seek to adopt objective methods of job evaluation, based on the work that these entail.

There is a procedure for the study, analysis and recording of gender, age and other demographic characteristics of workers, including the identification of relevant-affected groups in the local environment, as a basis to generate a non-discrimination policy by the company.

Companies should require and check that these requirements are met by contractors or productive alliances linked to their productive activity.

The allocation of positions or jobs should be consistent with the results of examinations and an occupational profile of competencies and skills.

The company should not make employment decisions on the basis of personal characteristics unrelated to inherent job requirements. The company will have relations based on the principle of equal opportunities and fair treatment, and will not discriminate based on aspects of the employment relationship.

Companies should identify good working practices that prevent direct and indirect discrimination based on international principles on the subject (ILO Convention 100).

Training programs for companies, productive alliances, customers, suppliers, contractors and the general community on national regulations and international principles in the topic should be developed. The content of ILO Conventions 100 and 111, as well as principles derived from them by ILO supervisory bodies, should be explicit in such programs.

Activities should be carried out with the local community to avoid discrimination.

Human resource policies will aim to ensure equal opportunity and treatment, among others, in:

- a. Access to vocational training, based on individuals' suitability for such training or employment.
- b. Promotion in accordance with the character, experience, ability and diligence of personnel.
- c. Working conditions, including working hours, resting periods, annual paid leave, health and safety at work, social security, social services and employment benefits.

Companies should promote that communications with personnel avoid the use of discriminatory language or that presuppose discrimination between male and female workers.

Companies should be aware that there are population groups vulnerable to discrimination because of their relation with the armed conflict. In such cases, measures should be taken to avoid discriminating ex-combatants and displaced populations.

Criterion 6.9: There is no harassment or abuse in the work place, and reproductive rights are protected.

INDICATORS

GUIDANCE

6.9.1 (MAJOR) A policy to prevent sexual and all other forms of harassment and violence shall be implemented and communicated to all levels of the workforce.

6.9.2 (MAJOR) A policy to protect the reproductive rights of all, especially of women, shall be implemented and communicated to all levels of the workforce.

6.9.3 A specific grievance mechanism, attended by trained personnel and of the same gender of the applicant, which respects anonymity and protects complainants where requested shall be established, implemented, and communicated to all levels of the workforce.

Specific Guidance:

For 6.9.1 and 6.9.2: These policies should include education for women and awareness of the workforce. There should be programmes provided for particular issues faced by women, such as violence and sexual harassment in the workplace. A gender committee specifically to address areas of concern to women will be used to comply with this Criterion. This committee, which should include representatives from all areas of work, will consider matters such as: training on women’s rights; counselling for women affected by violence; child care facilities to be provided by the growers and millers; women to be allowed to breastfeed up to nine months before resuming chemical spraying or usage tasks; and women to be given specific break times to enable effective breastfeeding.

For 6.9.3 There should be evidence of the implementation of a special grievance system for women as part of the grievance mechanism, and that considers protecting their identity when they prefer so.

For 6.9.2: see Indicator 4.6.12.

Guidance:

There should be a clear policy developed in consultation with employees, contract workers and other relevant stakeholders, and the policy should be

	publicly available. Progress in implementing the policy should be regularly monitored, and the results of monitoring activities should be recorded. Notwithstanding national legislation and regulation, reproductive rights are respected.
Criterion 6.10: Growers and millers deal fairly and transparently with smallholders and other local businesses.	
INDICATORS	GUIDANCE
<p>6.10.1 Current and past prices paid for Fresh Fruit Bunches (FFB) shall be publicly available.</p> <p>6.10.2 (MAJOR) 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).</p> <p>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.</p> <p>6.10.4 Agreed payments shall be made in a timely manner.</p>	<p>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.</p> <p>Smallholders should have access to the grievance procedure under Criterion 6.3 if they consider that they are not receiving a fair price for FFB, whether or not middle men are involved.</p> <p>The need for a fair and transparent pricing mechanism is particularly important for outgrowers who are contractually obliged to sell all FFB to a particular mill.</p> <p>Promoting associativity and ensuring contractual balance is recommended to ensure better conditions for negotiating a fair price.</p> <p>If mills require smallholders to change practices to meet the RSPO Principles and Criteria, consideration should be given to the costs of such changes, and the possibility of advance payments for FFB can be considered.</p>

	<p>There should be a mechanism for training and information sharing for smallholders and others about the price homologation process for FFB purchase and sale.</p> <p>Each organization will generate policies for fair competition among mills (including producers harvesting cycles, good standing with other mills, tables of incentives and sanctions).</p> <p>Training and guidance to small producers should be conducted for the legalization of documents or records within the legal framework of the activity, including, among others, having the oil palm national registry.</p>
<p>Criterion 6.11: Growers and millers contribute to local sustainable development where appropriate.</p>	
INDICATORS	GUIDANCE
<p>6.11.1 Contributions to local development that are based on the results of consultation with local communities shall be demonstrated.</p> <p>6.11.2 Where there are scheme smallholders, there shall be evidence that efforts and/or resources have been allocated to improve smallholder productivity.</p>	<p>Guidance: Contributions to local development should be based on the results of consultation with local communities, collected in a sustainability balance. See also Criterion 6.2. Such consultation should be based on the principles of transparency, good faith openness and participation, and should encourage communities to identify their own priorities and needs, including the different needs of men and women.</p> <p>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.</p> <p>Where sourcing of fruit is from identified independent smallholders, efforts should be made to contribute to the improvement of their farming practices.</p>

	<p>Regardless of the social responsibility of growers and mills in fulfilling this criterion, they should not replace the State in its obligations, but can support local community development through their social responsibility policies.</p> <p>When there is no local workforce, workers brought in from other areas are trained to build respect for the local culture.</p> <p>For National Interpretation: National Interpretation will consider specific parameters or thresholds such as use of local and national goods and services where possible, whether a certain percentage of the plantation's profit/turnover should be used for social development projects, and minimum quotas for local employment.</p>
<p>Criterion 6.12: No forms of forced or trafficked labour are used.</p>	
<p>INDICATORS</p>	<p>GUIDANCE</p>
<p>6.12.1 (MAJOR) There shall be evidence that no forms of forced or trafficked labour are used. This covers any kind of involuntary or compulsory labor, as that of a forced contract, in bondage labor or similar contractual arrangements.</p> <p>6.12.2 Where applicable, it shall be demonstrated that no contract substitution has occurred.</p> <p>6.12.2 (MAJOR) Where temporary or migrant workers are employed, a special labour policy and procedures shall be established and implemented.</p>	<p>Specific Guidance: For 6.12.1: Workers should enter into employment voluntarily and freely, without the threat of a penalty, and should have the freedom to terminate employment without penalty given reasonable notice or as per agreement. For 6.12.3: The special labour policy should include:</p> <ul style="list-style-type: none"> • Statement of the non-discriminatory practices; • No contract substitution; • Post-arrival orientation programme to focus especially on language, safety, labour laws, cultural practices etc.; • Decent living conditions to be provided. • Decent living conditions to be provided, when housing is provided by the company.

	<p>Guidance</p> <p>Migrant workers should be legalised, and a separate employment agreement should be drawn up to meet immigration requirements for foreign workers and international standards. Any deductions made should not jeopardise a decent living wage. This wage should be established for each worker according to the capacity and context of the organization, and with a specified methodology.</p> <p>Passports should only be voluntarily surrendered.</p> <p>There should be evidence of due diligence in applying this to all sub-contract workers and suppliers. National guidance should be used on contract substitution.</p> <p>For National Interpretation: National Interpretation will define the following: temporary workers; migrant workers; special labour policy; contract substitution; and decent living wage. International Labour Organisation (ILO) definitions (ILO Convention 29 and 105) and other international protocols, instruments and explanations should be used throughout. See Criterion 6.5 for further guidance.</p>
<p>Criterion 6.13: Growers and millers respect human rights.</p>	
INDICATORS	GUIDANCE
<p>6.13.1 (MAJOR) A policy to respect human rights shall be documented and communicated to stakeholders and to all levels of the workforce and operations. This includes third parties hired (e.g., those involved in security). (see Criteria 1.2 and 2.1).</p> <p>6.13.2 Evidence of the progressive implementation of due diligence mechanisms to identify the level of adherence of their business practices</p>	<p>Guidance: See also Criterion 6.3. All levels of operations will include contracted third parties (e.g. those involved in security).</p> <p>Note: From the UN Guiding Principles on Business and Human Rights:</p>

to international human rights norms.

6.13.3 Evidence that measures were taken to ensure that hiring private security and surveillance services did not involve people with criminal records, criminal investigations in progress, or that have committed crimes against humanity must be shown.

“The responsibility of business enterprises to respect human rights refers to internationally recognised human rights – understood, at a minimum, as those expressed in the International Bill of Human Rights and the principles concerning fundamental rights set out in the International Labour Organization’s Declaration on Fundamental Principles and Rights at Work” (“The corporate responsibility to respect human rights” in Guiding Principles on Business and Human Rights).

The RSPO WG on Human Rights will provide a mechanism to identify, prevent, mitigate and address human rights issues and impacts. The resulting Guidance will identify the relevant issues on human rights to all RSPO Members.

Timetables, mechanisms and protocols for periodic meetings to discuss issues relating to the security and protection of working areas.

Refer to the Recommendation of the Mining and Energy Committee MEC: "Recommendations for the Contractual Management of Surveillance and Private Security" and the safety guidelines in the Colombian Guides in Human Rights and International Humanitarian Law.

PRINCIPLE 7. RESPONSIBLE DEVELOPMENT OF NEW PLANTINGS

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 **(MAJOR)** 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 **strategic allies organizations** ~~an outgrower scheme~~, the impacts of the scheme and the implications of the way it is managed shall be given particular attention.

GUIDANCE

Guidance:

See also Criteria 5.1 and 6.1.

The terms of reference should be defined and impact assessment should be carried out by independent **and suitable** experts **or expert groups**, in order to ensure an objective process. Both should not be done by the same body **or group of experts**.

In Colombia, a suitable expert should be understood as:

- Has a recognized registration as a professional
- Demonstrates experience in Environmental and Social Impact Assessments
- Others that the organization considered in their policies

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.

~~It is recognised that~~ Oil palm development can cause both positive and negative impacts. ~~These developments~~ **In particular**, it can lead to some indirect/secondary impacts which are not under the control of individual growers and millers. To this end, growers and millers should seek to identify the indirect/secondary impacts within the SEIA, and where

possible work with partners to explore mechanisms to mitigate the negative indirect impacts and enhance the positive impacts.

The potential impacts of all major proposed activities should be assessed in a participatory way prior to development. The assessment should include, in no order of preference and as a minimum:

- Assessment of the impacts of all major planned activities, including planting, mill operations, roads and other infrastructure;
- Assessment, including stakeholder consultation, of High Conservation Values (see Criterion 7.3) that could be negatively affected;
- Assessment of potential effects on adjacent natural ecosystems of planned developments, including whether development or expansion will increase pressure on nearby natural ecosystems;
- Identification of watercourses and wetlands and assessment of potential effects on hydrology and land subsidence of planned developments. Measures should be planned and implemented to maintain the quantity, quality and access to water and land resources;
- Baseline soil surveys and topographic information, including the identification of steep slopes, marginal and fragile soils, areas prone to erosion, degradation, subsidence, and flooding;
- Analysis of type of land ~~to be used~~ intended for the project (forest, degraded, other natural ecosystems, crops, or pastures);
- Analysis of land ownership and user rights;
- Analysis of current land use patterns;
- Assessment of potential social impacts on surrounding communities of a plantation, including an analysis of potential effects on livelihoods, and differential effects on women versus men, ethnic communities, and migrant versus long-term residents;
- Identification of activities which may generate significant GHG

emissions.

- Compatibility of the project with existing territorial and environmental planning/zoning of the area where it will be held.

Plans and field operations should be developed and implemented to incorporate the results of the assessment. One potential outcome of the assessment process is that the development may not proceed because of the magnitude of potential impacts.

Unacceptable negative social impacts include, among others, forced displacement and loss of food security of the local population.

For smallholder schemes, the scheme management should address this Criterion. For individual smallholders, this Criterion does not apply.

~~Where there is no National Interpretation,~~ For new project or land areas greater than 500ha, a full independent assessment will be required. For land areas less than 500ha, an internal assessment using selected components of SEIA and HCV assessments can be used. Where such internal assessments identify significant environmentally or socially sensitive areas or issues, an independent assessment will be undertaken.

Free, prior and informed consent (FPIC) is a guiding principle and should be applied according to Colombian law and jurisprudence.

For National Interpretation:

National Interpretation will identify the relevant accreditations for independent experts.

National Interpretation will consider setting an appropriate threshold for the size of new plantings, below which an internal assessment is allowed, and above which an independent SEIA is required. This will list negative social

	impacts (e.g. displacement, loss of the livelihoods of local peoples, etc.) in the national context.
Criterion 7.2 Soil surveys and topographic information are used for site planning in the establishment of new plantings, and the results are incorporated into plans and operations.	
INDICATORS	GUIDANCE
<p>7.2.1 (MAJOR) Soil suitability maps or soil surveys adequate to establish the long-term suitability of land for oil palm cultivation shall be available and taken into account in plans and operations.</p> <p>7.2.2 Topographic information adequate to guide the planning of drainage and irrigation systems, roads and other infrastructure shall be available and taken into account in plans and operations.</p>	<p>Guidance: These activities can be linked to the Social and Environmental Impact Assessment (SEIA) (see Criterion 7.1) but need not be done by independent experts.</p> <p>Soil suitability maps or soil surveys should be appropriate to the scale of operation and should include information on soil types, topography, hydrology, rooting depth, moisture availability, stoniness and fertility to ensure long-term sustainability of the development. Soils requiring appropriate practices should be identified (see Criteria 4.3 and 7.4). This information should be used to plan planting programmes, etc. Measures should be planned to minimise erosion through appropriate use of heavy machinery, terracing on slopes, appropriate road construction, rapid establishment of cover, protection of riverbanks, etc. Areas located within the plantation perimeters that are considered unsuitable for long-term oil palm cultivation will be delineated in plans and included in operations for conservation or rehabilitation as appropriate (see Criterion 7.4).</p> <p>It is recommended, where possible, to adopt the agronomic management units (AMU) proposed by Cenipalma.</p> <p>Assessing soil suitability is also important for smallholders, particularly where there are significant numbers operating in a particular location. Information should be collected on soil suitability by companies planning to purchase Fresh Fruit Bunches (FFB) from potential developments of</p>

	<p>independent smallholders in a particular location. Companies should assess this information and provide information to independent smallholders on soil suitability, and/or in conjunction with relevant government/public institutions and other organisations (including NGOs) provide information in order to assist independent smallholders to grow oil palm sustainably.</p> <p>For National Interpretation: National Interpretation will specify the local or national code of practice or other guidelines that should be followed, or set out what 'good practice' constitutes within the local and national context.</p>
<p>Criterion 7.3 New plantings since November 2005 have not replaced primary forest or any area required to maintain or enhance one or more High Conservation Values.</p>	
INDICATORS	GUIDANCE
<p>7.3.1 (MAJOR) There shall be evidence that no new plantings have replaced primary forest, or any area required to maintain or enhance one or more High Conservation Values (HCVs), since November 2005. New plantings shall be planned and managed to best ensure the HCVs identified are maintained and/or enhanced (see Criterion 5.2).</p> <p>7.3.2 (MAJOR) A comprehensive HCV assessment, including stakeholder consultation, shall be conducted prior to any conversion or new planting. This shall include a land use change analysis to determine changes to the vegetation since November 2005. This analysis shall be used, with proxies, to indicate changes to HCV status.</p> <p>7.3.3 Dates of land preparation and commencement shall be recorded.</p> <p>7.3.4 (MAJOR) An action plan shall be developed that describes operational actions consequent to the findings of the HCV assessment,</p>	<p>Specific Guidance: For 7.3.1: Evidence should include historical remote sensing imagery which demonstrates that there has been no conversion of primary forest or any area required to maintain or enhance one or more HCV. Satellite or aerial photographs, land use maps and vegetation maps should be used to inform the HCV assessment.</p> <p>Where land has been cleared since November 2005, and without a prior and adequate HCV assessment, it will be excluded from the RSPO certification programme until an adequate HCV compensation plan has been developed and accepted by the RSPO. For those areas where new plantings have been established after 2005 without a prior and adequate HCV assessment, an analysis based on historical information will be required to assess whether oil palm developments affected areas required to maintain HCV. In the event that HCV were affected, or that the contrary could not be demonstrated, such cultivation areas will be excluded from</p>

and that references the grower's relevant operational procedures (see Criterion 5.2).

7.3.5 Areas required by affected communities to meet their basic needs, taking into account potential positive and negative changes in livelihood resulting from proposed operations, shall be identified in consultation with the communities and incorporated into HCV assessments and management plans (see Criterion 5.2).

7.3.6 Evidence of socializing and training to employees about rare, threatened or endangered species present in the region and their management plan within the plantation.

RSPO certification until an adequate compensation has been made according to the RSPO compensation guidelines (under development) or to Colombian regulations for environmental compensation.

For 7.3.5: The management plan will be adaptive to changes in HCV 5 and 6. Decisions will be made in consultation with the affected communities.

Guidance:

This Criterion applies to forests and other vegetation types. This applies irrespective of any changes in land ownership or farm management that have taken place since November 2005. HCVs may be identified in restricted areas of a landholding, and in such cases new plantings can be planned to allow the HCVs to be maintained or enhanced.

The HCV assessment process requires appropriate training and expertise, and will include consultation with local communities, particularly for identifying social HCVs. HCV assessments should be conducted ~~according to the National Interpretation of the HCV criteria~~ or according to the Global HCV Toolkit ~~if a National Interpretation is not available~~, or based on the National Interpretation for Colombia of the HCV Criteria, if it is developed.

Developments should actively seek to utilise previously cleared and/or degraded land on mineral soil. Plantation development should not put indirect pressure on forests through the use of all available agricultural land in an area.

Where landscape level HCV maps have been developed, these should be taken into account in project planning, whether or not such maps form part of government land use plans.

	<p>In case of small areas located either in hydrologically sensitive landscapes or in HCV areas where conversion can jeopardise large areas or species, an independent assessment will be required. HCV areas can be very small.</p> <p>Small growers should apply this criterion according to their possibilities or through partnership arrangements with other farmers, with their integrators or their customers (mills).</p> <p>Once established, new developments should comply with Criterion 5.2.</p> <p>For National Interpretation:</p> <p>National Interpretation should refer to existing national definitions of HCVs (or where these do not exist refer to definitions in this document), or equivalent land-use/conservation plans or consider how growers and the audit team can identify High Conservation Values. This may involve collaboration with other bodies.</p>
<p>Criterion 7.4 Extensive planting on steep terrain, and/or marginal and fragile soils, including peat, is avoided.</p>	
INDICATORS	GUIDANCE
<p>7.4.1 Maps identifying marginal and fragile soils, including excessive gradients and peat soils, shall be available and used to identify areas to be avoided</p> <p>7.4.2 (MAJOR) Where limited planting on fragile and marginal soils, including peat, is proposed, plans shall be developed and implemented to protect them without incurring adverse impacts.</p>	<p>Guidance:</p> <p>This activity should be integrated with the social and environmental impact assessment (SEIA) required by Criterion 7.1.</p> <p>Planting on extensive areas of peat soils and other fragile soils should be avoided (see Criterion 4.3). Adverse impacts may include hydrological risks or significantly increased risks (e.g. fire risk) in areas outside the plantation (see Criterion 5.5).</p>

As far as possible, no plantations will be developed on terrain with a slope exceeding 12%; if this occurs, terracing systems should be established.

Considering the technical guidelines developed by Cenipalma on soil requirements and precision agriculture is recommended.

Consulting Watershed Management Plans (POMCA), municipal Land Management Plans (POT) or Land Management Schemes (EOT) and other proposed regional land management plans is recommended when identifying fragile and marginal soils.

Riparian zones should be maintained according to applicable local or national regulations.

Small growers should adopt this criterion according to their possibilities or through associative mechanisms.

For National Interpretation:

National Interpretation will determine:

- specific controls and thresholds, such as slope limits,
- listing soil types on which planting should be avoided (especially peat soils),
- the proportion of plantation area that can include marginal/fragile soils, and
- definitions of:
 - “extensive”,
 - “marginal”,
 - “fragile” and
 - “excessive”.

<p>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.</p>	
INDICATORS	GUIDANCE
<p>7.5.1 (MAJOR) Evidence shall be available that affected local peoples* understand they have the right to say 'no' to operations planned on their lands before and during initial discussions, during the stage of information gathering and associated consultations, during negotiations, and up until an agreement with the grower/miller is signed and ratified by these local peoples.</p> <p>*Affected local peoples, refer to those that demonstratethey have legal, customary or use rights.</p> <p>7.5.2 The company, the medium or small owner who will acquire a new property shall apply due diligence to verify the legal status of the land to be acquired, so that the property is free of any legal issues.</p>	<p>Refer also to criteria 2.2, 2.3, 6.2, 6.4 and 7.6 for Indicators and Guidance on compliance.</p> <p>Guidance: This activity should be integrated with the Social and Environmental Impact Assessment (SEIA) required by Criterion 7.1.</p> <p>Where new plantings are considered to be acceptable, management plans and operations should maintain sacred sites. Agreements with indigenous peoples, local communities and other stakeholders should be made without coercion or other undue influence (see Guidance for Criterion 2.3).</p> <p>Relevant stakeholders include those affected by or concerned with the new plantings.</p> <p>Free, prior and informed consent (FPIC) is a guiding principle and should be applied to all RSPO members throughout the supply chain. Refer to RSPO approved FPIC guidance ('FPIC and the RSPO; A Guide for Companies', October 2008).</p> <p>Customary and user rights will be demonstrated through participatory user mapping as part of the FPIC process.</p> <p>Havingwritten evidence of compliance with the municipal Land Management Plan (POT), especially regarding collective indigenous reserves and Afro-Colombian ancestral lands, is recommended.</p>

	<p>Small growers should meet this criterion according to their possibilities or through associative mechanisms.</p>
<p>Criterion 7.6 Where it can be demonstrated that local peoples have legal, customary or user rights, they are compensated for any agreed land acquisitions and relinquishment of rights, subject to their free, prior and informed consent and negotiated agreements.</p>	
INDICATORS	GUIDANCE
<p>7.6.1 (MAJOR) Documented identification and assessment of demonstrable legal, customary and user rights shall be available.</p> <p>7.6.2 (MAJOR) A system for identifying people entitled to compensation shall be in place.</p> <p>7.6.3 (MAJOR) A system for calculating and distributing fair compensation (monetary or otherwise) shall be in place.</p> <p>7.6.4 Communities that have lost access and rights to land for plantation expansion shall be given opportunities to benefit from plantation development.</p> <p>7.6.5 The process and outcome of any compensation claims shall be documented and made publicly available.</p> <p>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.</p>	<p>Specific Guidance: For 7.6.1: This activity shall be integrated with the social and environmental impact assessment (SEIA) required by Criterion 7.1.</p> <p>For 7.6.6: Growers and millers will confirm that the communities (or their representatives) gave consent to the initial planning phases of the operations prior to the new issuance of a concession or land title to the operator.</p> <p>Guidance: Refer to Criteria 2.2, 2.3 and 6.4 and associated Guidance.</p> <p>This requirement includes indigenous peoples.</p> <p>Refer to RSPO approved FPIC guidance ('FPIC and the RSPO; A Guide for Companies', October 2008)</p> <p>In no cases should forced displacement processes be generated as a result of the expansion of oil palm plantations.</p> <p>The inalienable, indefeasible, and imprescriptible character of the collective territories of indigenous and Afro-descendant communities should be considered. These territories may not be acquired by third</p>

	parties to develop oil palm activities.
Criterion 7.7 No use of fire in the preparation of new plantings other than in specific situations, as identified in the ASEAN guidelines or other regional best practice.	
INDICATORS	GUIDANCE
<p>7.7.1 (MAJOR) There shall be no land preparation by burning, other than in specific situations, as those allowed in the current national regulation, identified in the 'Guidelines for the Implementation of the ASEAN Policy on Zero Burning' 2003, or comparable guidelines in other regions.</p> <p>7.7.2 In exceptional cases where fire has to be used for preparing land for planting, there shall be evidence of prior approval of the controlled burning by the environmental authority, according to the current national regulation, as specified in 'Guidelines for the Implementation of the ASEAN Policy on Zero Burning' 2003, or comparable guidelines in other regions.</p>	<p>Specific Guidance: For 7.7.2: This activity shall be integrated with the social and environmental impact assessment (SEIA) required by Criterion 7.1.</p> <p>Guidance: Fire should be used only where an assessment has demonstrated that it is the most effective and least environmentally damaging option for minimising the risk of severe pest and disease outbreaks, and as long as it is permitted by the applicable national regulations. Exceptional levels of caution are required for use of fire on peat. This should be subject to regulatory provisions under respective national environmental legislation.</p> <p>Extension/training programmes for smallholders may be necessary.</p> <p>For National Interpretation: National Interpretation will identify any specific situations where such use of fire may be acceptable, for example through reference to 'Guidelines for the Implementation of the ASEAN Policy on Zero Burning' 2003, or comparable guidelines in other regions.</p>
Criterion 7.8 New plantation developments are designed to minimise net greenhouse gas emissions..	
<p>Preamble. <i>It is noted that oil palm and all other agricultural crops emit and sequester greenhouse gases (GHG). There has already been significant progress by the oil palm sector, especially in relation to reducing GHG emissions relating to operations. Acknowledging both the importance of GHGs, and the current difficulties of determining emissions, the following new Criterion is introduced to demonstrate RSPO's commitment to establishing a credible</i></p>	

basis for the Principles and Criteria on GHGs.

Growers and millers commit to reporting on projected GHG emissions associated with new developments. However, it is recognised that these emissions cannot be projected with accuracy with current knowledge and methodology.

Growers and millers commit to plan development in such a way to minimise net GHG emissions towards a goal of low carbon development (noting the recommendations agreed by consensus of the RSPO GHG WG2).

Growers and millers commit to an implementation period for promoting best practices in reporting to the RSPO, and after December 31st 2016 to public reporting. Growers and millers make these commitments with the support of all other stakeholder groups of the RSPO.

INDICATORS	GUIDANCE
<p>7.8.1 (MAJOR) The carbon stock of the proposed development area and major potential sources of emissions that may result directly from the development shall be identified and estimated.</p> <p>7.8.2 There shall be a plan to minimise net GHG emissions which takes into account avoidance of land areas with high carbon stocks and/or sequestration options.</p>	<p>Specific Guidance: For 7.8.1: GHG identification and estimates can be integrated into existing processes such as HCV and soil assessments.</p> <p>The RSPO carbon assessment tool for new plantings will be available to identify and estimate the carbon stocks. It is acknowledged that there are other tools and methodologies currently in use; the RSPO working group will not exclude these, and will include these in the review process.</p> <p>The RSPO PalmGHG tool or an RSPO-endorsed equivalent will be used to estimate future GHG emissions from new developments using, amongst others, the data from the RSPO carbon assessment tool for new plantings.</p> <p>Parties seeking to use an alternative tool for new plantings will have to demonstrate its equivalence to the RSPO for endorsement.</p> <p>For 7.8.2: Growers are strongly encouraged to establish new plantings on mineral soils, in low carbon stock areas, and cultivated areas, which the current users are willing to develop into oil palm. Millers are encouraged to</p>

adopt low-emission management practices (e.g. better management of palm oil mill effluent (POME), efficient boilers etc.) in new developments.

Growers and millers should plan to implement RSPO best management practices for the minimisation of emissions during the development of new plantations.

Guidance:

This Criterion covers plantations, mill operations, roads and other infrastructure. It is recognised that there may be significant changes between the planned and final development area, hence the assessment may need to be updated before the time of implementation.

Public reporting is desirable, but remains voluntary until the end of the implementation period.

During the implementation period until December 31st 2016 (as specified in Criterion 5.6), reporting on GHG will be to a relevant RSPO working group (composed of all membership categories) which will use the information reported to review and fine tune the tools, emission factors and methodologies, and provide additional guidance on the process. During the implementation period the RSPO working group will seek to further develop and continually improve the RSPO carbon assessment tool for new plantings, recognising the challenges associated with estimating carbon stocks and projecting GHG emissions from new developments.

Thereafter growers and millers will ensure that new plantation developments are designed to minimise net GHG emissions and commit to reporting publicly on this.

Once established, new developments should report on-going operational, land use and land use change emissions under Criterion 5.6.

PRINCIPLE 8: COMMITMENT TO CONTINUAL IMPROVEMENT IN KEY AREAS OF ACTIVITY

Criterion 8.1: Growers and millers regularly monitor and review their activities, and develop and implement action plans that allow demonstrable continual improvement in key operations.

INDICATORS	GUIDANCE
<p>8.1.1 (MAJOR) The action plan for continual improvement shall be implemented, based on a consideration of the main social and environmental impacts and opportunities of the grower/mill, and shall include a range of Indicators covered by these Principles and Criteria.</p> <p>As a minimum, these shall include, but are not necessarily be limited to:</p> <ul style="list-style-type: none"> • Reduction in use of pesticides (Criterion 4.6); • Environmental impacts (Criteria 4.3, 5.1 and 5.2); • Waste reduction (Criterion 5.3); • Pollution and greenhouse gas (GHG) emissions (Criteria 5.6 and 7.8); • Social impacts (Criterion 6.1); • Optimising the yield of the supply base. 	<p>Guidance: Growers should have a system to improve practices in line with new information and techniques, and a mechanism for disseminating this information throughout the workforce.</p> <p>For smallholders, there should be systematic guidance and training for continual improvement.</p> <p>Internal audits, including verification of indicators, are recommended to monitor the implementation of the continuous improvement plan.</p> <p>For National Interpretation: National Interpretation will include specific minimum performance thresholds for key indicators (Criteria 4.2, 4.3, 4.4, and 4.5).</p>

SECTION 2: RSPO PRINCIPLES AND CRITERIA FOR SUSTAINABLE PALM OIL PRODUCTION FOR SMALLHOLDERS SCHEME

NO COLOR – ORIGINAL TEXT: ORIGINAL CONTENT OF THE RSPO 2009 STANDARD FOR SMALLHOLDERS

YELLOW: NEW TEXTS INCLUDED FOR THE COLOMBIAN NATIONAL INTERPRETATION

RED: TEXTS REMOVED FROM THE RSPO 2009 SMALLHOLDERS STANDARD FOR THE COLOMBIAN NATIONAL INTERPRETATION

PRINCIPLE 1: COMMITMENT TO TRANSPARENCY	
Criterion	Guidance on Smallholders
<p>Criterion 1.1: Oil palm growers and millers provide adequate information to other stakeholders on environmental, social and legal issues relevant to RSPO Criteria, in appropriate languages & forms to allow for effective participation on decision making.</p>	<p>Guidance for scheme managers: Scheme managers must ensure that participants smallholders are provided copies of :</p> <ul style="list-style-type: none"> • Contracts between scheme managers and smallholders (criterion 1.2) • Land titles/smallholders' user rights (2.2) • Training materials in IPDM and safe use of agro-chemical use (4.6) • Health and safety plan (4.7). • Plans and impact assessments relating to environmental and social impacts (5.1, 6.1, 7.1, 7.3). • Pollution prevention plans (5.6). • Details of complaints and grievances (6.3). • Negotiation procedures (6.4). • Procedure for calculating prices, and for grading, FFB (6.10) • Up-to-date records of debts and repayments, charges and fees (6.10) • Continuous improvement plan (8.1).
<p>Criterion 1.2: Management documents are publicly available, except where this is prevented by commercial confidentiality or</p>	<p>Guidance for scheme managers: Scheme managers have shared and explained</p>

<p>where disclosure of information would result in negative environmental or social outcomes.</p>	<p>management plans to smallholders and/or their cooperatives, including documents summarising complaints and grievance procedures and land acquisition processes. Smallholders have contracts from the scheme managers.</p>
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PRINCIPLE 2. COMPLIANCE WITH APPLICABLE LAWS AND REGULATIONS

Criterion	Guidance on Smallholders
<p>Criterion 2.1 There is compliance with all applicable local, national and ratified international laws and regulations.</p>	<p>Guidance for scheme managers: Scheme managers must regularly provide an up-to date list of applicable laws and must ensure smallholders can show evidence of compliance with all relevant legal requirements including legally or contractually obligated provisions of lands, plantings, training and services to smallholders.</p> <p>Scheme smallholders should be aware of and understand the intent of applicable laws and regulations. Training of smallholders is required under 4.8. More detailed guidance should be given in the national interpretations.</p>
<p>Criterion 2.2: Private ownership of the land will be demonstrated in accordance with the legal requirements. Any permission to use the land by persons other than owners should be in accordance with processes and actions legally established. The right to use the land can be demonstrated, and is not legitimately contested by local communities with demonstrable rights.</p>	<p>Guidance for scheme managers: Scheme managers will have information related to the type of ownership/use rights that smallholders have over their land, in order to provide technical assistance on this topic if it is required.</p> <p>scheme managers have maps or other documents showing land allocations for scheme smallholders and can show these lands are not claimed or contested by third parties with legitimate claims. Where the land titles of scheme smallholders are retained by mills until the smallholder debts have been paid off, the scheme manager need to show clearly which lands are allocated to which smallholders (and see 1.1).</p>
<p>Criterion 2.3: Use of the land for oil palm does not diminish the legal rights, or customary rights, of other users, without their free, prior and informed consent.</p>	<p>Guidance for scheme managers: scheme managers can show that lands acquired for smallholders do not diminish legal or customary rights. Where others' customary or legally owned lands have been taken over there is documentary proof of transfer of rights (eg sale) and of payment or provision of agreed compensation</p>

PRINCIPLE 3: COMMITMENT TO LONG-TERM ECONOMIC AND FINANCIAL VIABILITY

Criterion	Guidance on Smallholders
Criterion 3.1: There is an implemented management plan that aims to achieve long-term economic and financial viability.	Guidance for scheme managers: Scheme managers have a documented management plan for scheme smallholders (minimum 3 years) which is shared with them in appropriate languages.

PRINCIPLE 4: USE OF APPROPRIATE BEST PRACTICES BY GROWERS AND MILLERS

Criterion	Guidance on Smallholders
Criterion 4.1 Operating procedures are appropriately documented and consistently implemented and monitored.	Guidance for scheme managers: Scheme managers can show how they document, monitor and manage implementation of best practices by smallholders. Scheme managers should ensure that smallholders can show evidence of compliance. More detailed guidance should be given in the national interpretations. Training should be provided under 4.8.
Criterion: 4.2 Practices maintain soil fertility at, or where possible improve soil fertility to, a level that ensures optimal and sustained yield.	Guidance for scheme managers: Scheme managers can show that lands prepared for smallholdings have been chosen so as to maintain soil fertility, that they have carried out trainings with scheme smallholders to explain best practices (see 4.8) and that they can monitor and verify effective implementation.
Criterion 4.3 Practices minimise and control erosion and degradation of soils.	Guidance for scheme managers: Scheme managers can show that lands prepared for smallholdings have been chosen so as to minimise and control erosion and soil degradation in accordance with the indicators. National interpretations will include details on peat depth.
Criterion 4.4 Practices maintain the quality and availability of surface and ground water.	Guidance for scheme managers: Scheme managers can show they have chosen and prepared lands allocated for smallholdings so as to maintain the quality and availability of surface and ground water, have carried out trainings with scheme smallholders to explain best practices (and see 4.8) and can monitor, manage and verify effective implementation by smallholders. Scheme managers should provide information and training about appropriate technology and efficient water management practices to minimise water loss and improve efficiency of use. Scheme managers should ensure that smallholders can show evidence of compliance. More detailed guidance should be given in the national interpretations.
Criterion 4.5 Pests, diseases, weeds and invasive introduced species are effectively managed through using appropriate Integrated Pest and	Guidance for scheme managers: Scheme managers should provide regular training to scheme smallholders in IPDM techniques (incorporating cultural,

<p>Disease Management (IPDM) techniques.</p>	<p>biological, mechanical or physical methods – see 4.8) to minimise use of chemicals and provide appropriate assistance for application. Scheme managers should manage implementation of best practices by smallholders and ensure that smallholders can show evidence of compliance where good quality inputs are available at affordable prices in local markets. More detailed guidance should be given in the national interpretations.</p>
<p>Criterion 4.6. Agrochemicals are used in a way that does not endanger health or the environment.</p>	<p>Guidance for scheme managers: Scheme managers should guarantee will provide regular training to scheme smallholders on agrochemical use (see 4.8), especially on how:</p> <ul style="list-style-type: none"> • chemicals should only be applied in accordance with the product label. • appropriate safety equipment can be acquired and used (or provided by nucleus states). • all precautions attached to the products should be properly observed, applied, and understood. • chemicals should be securely and safely stored. All chemical containers must be properly disposed of and not used for other purposes (and see criterion 5.3). • pesticides should be applied by proven methods that minimise risk and impacts. • Proper disposal of waste material, according to procedures that are fully understood by workers and managers. (Also see criterion 5.3 on waste disposal). <p>Scheme managers records will also show::</p> <ul style="list-style-type: none"> • Justification of all chemical use • list of all agrochemicals used • Records of pesticides supplied to smallholders. • Documentary evidence that use of chemicals categorised as World Health Organisation Type 1A or 1B, or listed by the Stockholm or Rotterdam Conventions, and paraquat is reduced and/or eliminated.

	<ul style="list-style-type: none"> • Evidence of CPO residue testing, as required by the supply chain. • Annual health screening for all smallholders using or handling agrochemicals categorised as World Health Organisation Type 1A or 1B, or listed by the Stockholm or Rotterdam Conventions, and paraquat. • Chemical spraying by pregnant, breastfeeding women or children will be avoided. <p>Note: RSPO will identify safe and cost effective alternatives to replace chemicals that are categorised as World Health Organisation Type 1A or 1B, or listed by the Stockholm or Rotterdam Conventions, and paraquat. Results will be collated and reported by November 2007.</p>
<p>Criterion 4.7 An occupational health and safety plan is documented, effectively communicated and implemented.</p>	<p>Guidance for scheme managers: Scheme managers have a health and safety plan for scheme smallholders and their families which is managed, implemented and monitored. There are records of regular meetings between the responsible person and smallholders where concerns about health, safety and welfare are discussed. Accident and emergency procedures should exist and instructions should be clearly explained to all smallholders (and see 4.8) and provided in written form to all smallholders in appropriate languages. Scheme managers should ensure that smallholders understand and implement health and safety procedures.</p> <p>More detailed guidance should be given in the national interpretations.</p>
<p>Criterion 4.8 All staff, workers, smallholders and contractors are appropriately trained.</p>	<p>Guidance for scheme managers: Scheme managers provide a formal training and awareness raising programme that includes regular assessment of training needs and documentation of the programme and records the training provided to each scheme smallholder.</p> <p>This training includes how to fulfil their tasks and responsibilities in accordance with documented procedures, and in compliance with the requirements of the RSPO principles, criteria and guidance for smallholders. Training and awareness raising may also be provided through extension services and through smallholders' organisations such as cooperatives or community</p>

institutions.

Training methods must be effective utilising adult education methods. Training should cover:

- The relevance of the RSPO standard
- Legal compliance (see 2.1)
- Operating procedures (see 4.1)
- Soil and water management (see 4.2 & 4.4)
- Integrated Pest Management (see 4.5)
- Agrochemical use (see 4.6)
- Occupational Health and Safety (see 4.7)
- Use of fire and relevant regulations (see 5.5)

PRINCIPLE 5: ENVIRONMENTAL RESPONSIBILITY AND CONSERVATION OF NATURAL RESOURCES AND BIODIVERSITY	
Criterion	Guidance on Smallholders
<p>Criterion 5.1 Aspects of plantation and mill management 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 continuous improvement.</p>	<p>Guidance for scheme managers: Scheme managers must undertake and document an impact assessment, developed with the participation of smallholders, that includes all the scheme smallholdings and sets out appropriate management planning and operational procedures for each impact identified which requires changes in current practice. They have a timetable for the implementation of required actions, which are monitored to demonstrate continuous improvement. Impact assessments will include consideration of:</p> <ul style="list-style-type: none"> • Building and maintenance of roads to service smallholdings and provide access to mills • Putting in drainage or irrigation systems. • Replanting or expansion of smallholdings. • Clearing of remaining natural vegetation and the need to avoid the use of fire (see 5.5).
<p>Criterion 5.2 The status of rare, threatened or endangered species and 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 their conservation taken into account in management plans and operations.</p>	<p>Guidance for scheme managers: Scheme managers will compile information about the status of these aspects for scheme smallholdings, as well as the associated mill and directly managed estate (if any). This information should be provided to scheme smallholders and should cover:</p> <ul style="list-style-type: none"> • Presence of protected areas that could be significantly affected by smallholdings • Conservation status (e.g. IUCN status), legal protection, population status and habitat requirements of rare, threatened, or endangered species, that could be significantly affected by the smallholdings. • Identification of high conservation value habitats, such as rare and threatened ecosystems, that could be significantly affected by the smallholdings.

	<p>If rare, threatened or endangered species, or high conservation value habitats, are present, appropriate measures for management planning and operations will include:</p> <ul style="list-style-type: none"> • Ensuring that any legal requirements relating to the protection of the species or habitat are met. • Avoiding damage to and deterioration of applicable habitats. • Controlling any illegal or inappropriate hunting, fishing or collecting activities; and developing responsible measures to resolve human-wildlife conflicts (e.g., incursions by elephants).
<p>Criterion 5.3 Waste is reduced, recycled, re-used and disposed of in an environmentally and socially responsible manner.</p>	<p>Guidance for scheme managers: Scheme managers must develop and implement a plan for a comprehensive management and disposal of waste from smallholdings include the safe disposal of pesticide containers. This waste management and disposal plan should include measures for:</p> <ul style="list-style-type: none"> • Identifying and monitoring sources of waste and pollution from smallholdings and mills which process their FFB. • Improving the efficiency of resource utilisation and recycling potential wastes as nutrients or converting them into value-added products (e.g. through animal feeding programmes). • Appropriate disposal of hazardous chemicals and their containers. Surplus chemical containers should be disposed of such that there is no risk of contamination of water sources or to human health. The disposal instructions on manufacturer's labels should be adhered to.
<p>Criterion 5.4 Efficiency of energy use and use of renewable energy is maximised.</p>	<p>Guidance for scheme managers: Scheme managers should develop provisions for improving the efficiency of energy use by scheme smallholders. This provision may not apply to scheme smallholders who only use manual labour to care for and harvest FFB.</p>
<p>Criterion 5.5 Use of fire for waste disposal and for preparing land for</p>	<p>Guidance for scheme managers: Scheme managers will carry out training</p>

<p>replanting is avoided except in specific situations, as identified in the ASEAN guidelines or other regional best practice allowed in the current national regulation.</p>	<p>and provide extension support to scheme smallholders to ensure smallholder awareness and that fire is not used except in accordance with ASEAN guidelines or other regional best practice (see 4.8). National Interpretations should consider setting thresholds of pest attacks before burning is acceptable.</p>
<p>Criterion 5.6 Plans to reduce pollution and emissions, including greenhouse gases, are developed, implemented and monitored.</p>	<p>Guidance for scheme managers: Scheme managers must include an assessment of all polluting activities of scheme smallholdings in their overall plans for pollution and emissions abatement. Significant pollutants and emissions from scheme smallholdings must be identified and plans to reduce them implemented.</p>

PRINCIPLE 6: RESPONSIBLE CONSIDERATION OF EMPLOYEES AND OF INDIVIDUALS AND COMMUNITIES AFFECTED BY GROWERS AND MILLS

Criterion	Guidance on Smallholders
<p>Criterion 6.1: Aspects of plantation and mill management that have social impacts 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 continuous improvement.</p>	<p>Guidance for scheme managers: Scheme managers must be able to demonstrate that scheme smallholders participated in the development of impact assessments for smallholder schemes. Scheme managers must provide:</p> <ul style="list-style-type: none"> • A documented social impact assessment. • Evidence that the assessment has been done with the participation of scheme smallholders. Participation in this context means that scheme smallholders are able to express their views by themselves or through organizations their own representative institutions during the identification of impacts, reviewing findings and plans for mitigation, and monitoring the success of implemented plans. • A timetable with responsibilities for mitigation and monitoring, reviewed and updated as necessary, in those cases where the assessment has concluded that changes should be made to current practices. <p>The involvement of independent experts should be sought where this is considered necessary to ensure that all impacts (both positive and negative) are identified.</p>
<p>Criterion 6.2: There are open and transparent methods for communication and consultation between growers and/or mills, local communities and other affected or interested parties.</p>	<p>Guidance for scheme managers: Scheme managers must have documentary evidence that they have clear, implemented procedures for regular communications and consultations with scheme smallholders, including:</p> <ul style="list-style-type: none"> • A nominated manager responsible for these issues. • Maintenance of a list of scheme smallholders, records of all communication and records of actions taken in response to input from scheme

	<p>smallholders.</p> <p>Communications and consultations should make use of existing local mechanisms and languages.</p>
<p>Criterion 6.3: There is a mutually agreed and documented system for dealing with complaints and grievances, which is implemented and accepted by all parties.</p>	<p>Guidance for scheme managers: Scheme managers will promote the proper use of the law in conflicts over land ownership involving smallholders.</p> <p>Judicial decisions, and those of other authorized authorities, to resolve disputes arising in this regard, will be respected. Scheme managers have a documented system to resolve disputes concerning scheme smallholdings in an effective, timely and appropriate manner.</p> <p>Documents exist of both the process by which a dispute was resolved and the outcome showing the process was open to any affected parties.</p> <p>These dispute resolution mechanisms are established in the law. should be established through open and consensual agreements with smallholders.</p>
<p>Criterion 6.4: Any land acquisitions should be in accordance to legal provisions. If there is an interest to acquire collective properties of ethnic groups, their inalienable and imprescriptible character must be considered. Current regulations must be followed in regard to ethnic communities.</p> <p>Any negotiations concerning compensation for loss of legal or customary rights are dealt with through a documented system that enables indigenous peoples, local communities and other stakeholders to express their views through their own representative institutions.</p>	<p>Guidance for scheme managers: scheme managers must be able to show that they have acquired and/or allocated land for smallholdings in compliance with this criterion. This includes:</p> <ul style="list-style-type: none"> • Establishment of a procedure Verifying with national and local authorities when identifying legal and customary rights and a procedure for identifying people entitled to compensation. • Identifying the permitted procedures for land acquisition. • Establishing and implementing a procedure for calculating and distributing fair compensation. (monetary or otherwise) <p>These procedures should take into account gender differences in the power to claim rights, ownership and access to land; differences of transmigrants and</p>

	<p>long established communities and; differences in ethnic groups' proof of legal versus communal ownership of land. Compensation should be in line with fair market value or replacement cost.</p> <p>The process and outcome of any negotiated agreements and compensation claims is documented and made publicly available where beneficiaries agree.</p> <p>This criterion should be considered in conjunction with Criterion 2.3 and the associated guidance.</p>
<p>Criterion 6.5: Pay and conditions for employees of contractors always meet at least legal or industry minimum standards and are sufficient to meet basic needs of personnel and to provide some discretionary income.</p>	<p>Guidance for scheme managers: Scheme managers must ensure foster that workers employed to service smallholders have access to enjoy the same rights, conditions and protections established by law and mill employees in accordance with RSPO P&C.</p>
<p>Criterion 6.6. The employer respects the right of all personnel to form associations trade unions of their choice and to bargain collectively.</p> <p>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.</p>	<p>Guidance for scheme managers: Scheme managers must respect the right of scheme smallholders to form and represent themselves through their own representative associations and / or associations trades unions and accept them as parties to participatory processes, consultations, communications and negotiations in the management of the scheme.</p>
<p>Criterion 6.7 Child labour is not used. Children are not exposed to hazardous working conditions.</p>	<p>Guidance for scheme managers: Scheme managers will train scheme smallholders in the national and ratified international legal requirements for avoiding the use of child labour.</p> <p>Work by children on family smallholdings within the scheme is only acceptable under adult supervision and when not interfering with education programmes and if permitted by national and ratified international laws.</p>
<p>Criterion 6.8. The employer shall not engage in or support discrimination based on race, caste, national origin, religion, disability, gender, sexual orientation, union membership, political affiliation, or age.</p>	<p>Guidance for scheme managers: Scheme managers must promote ensure that there is no discrimination in the recruitment and employment of workers employed to service smallholders. Scheme managers will not allocate smallholdings or recruit smallholders in a discriminatory way, except where local communities have negotiated to be provided smallholdings in accepting the</p>

	<p>establishment of schemes on their lands, where applicable.</p> <p>Scheme managers must ensure that women, indigenous peoples and minorities participate in negotiating processes.</p>
<p>Criterion 6.9: A policy to prevent sexual harassment and all other forms of violence against women and to protect their reproductive rights is developed and applied.</p>	<p>Guidance for scheme managers: Scheme managers must ensure that this provision applies to personnel employed to service smallholders, as well as those working in mills and estates as well as smallholders and those they employ.</p>
<p>Criterion 6.10: Growers and mills deal fairly and transparently with smallholders and other local businesses.</p>	<p>Guidance for scheme managers: Scheme managers must ensure that:</p> <ul style="list-style-type: none"> • Current and past prices paid for FFB are publicly available. • Fair Reasonable and transparent pricing mechanisms must be established. • Pricing mechanisms for FFB and inputs/services are documented (where these are under the control of the mill or plantation). • Evidence is available that all parties understand the contractual agreements they enter into, and that contracts are fair, legal, transparent and in appropriate terms languages and all costs, fees and levies are explained and agreed in advance. • Agreed payments are made in a timely manner. • Debt repayment schemes are fair and fully transparent. • Where smallholders pay relevant service fee, roads must be maintained and transportation provided in a timely manner. • Renegotiations over second plantings or extensions are commenced with an adequate lead in time. <p>Transactions with scheme smallholders should deal fairly with issues such as the role of middle men, transport and storage of FFB, quality and grading, and inputs from family labour.</p> <p>Smallholders must 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</p>

	<p>middle men are involved.</p> <p>If mills require smallholders to change practices to meet RSPO criteria, consideration must be given to the costs of such changes, and the possibility of advanced anticipated payments for FFB to small producers could be considered.</p>
<p>Criterion 6.11: Growers and millers contribute to local sustainable development wherever appropriate.</p>	<p>Guidance for scheme managers: This criterion is not applicable at the generic level but could be considered by National Interpretations. However, scheme managers are encouraged to facilitate the identification of local sustainable development needs.</p> <p>Contributions to local sustainable development should be based on the results of consultation with local communities and should be entered into on a free will basis.</p> <p>See also criterion 6.2. Such consultation should be based on the principles of transparency, openness and participation, and should encourage communities to identify their own priorities and needs, including the different needs of men and women. Funds should where possible be used in ways that are sustainable, productive, build community capacity and ownership, do not create dependency and seek to achieve long-term, quality of life improvements for local communities.</p>

PRINCIPLE 7: RESPONSIBLE DEVELOPMENT OF NEW PLANTINGS.

Criterion	Guidance on Smallholders
<p>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.</p>	<p>Guidance for scheme managers: Where proposed new plantings include schemes for smallholders, scheme managers should ensure that local communities, indigenous peoples and prospective smallholders participate actively in impact assessments. In addition to the considerations outlined in the RSPO P&C such assessments must include participatory consideration of:</p> <ul style="list-style-type: none"> • Land use planning and land allocations to smallholders and arrangements regarding land acquisition. • Identification and mitigation of environmental impact, road building and road maintenance. • Debt provisions and payments, FFB pricing procedures, transport and grading. • Conservation Values (see criterion 7.3) that could be negatively affected. • Assessment of potential effects on adjacent natural ecosystems of planned smallholding developments, including whether development or expansion will increase pressure on nearby natural ecosystems. • Identification of watercourses and assessment of potential effects on hydrology by planned smallholding developments. Measures should be planned and implemented to maintain the quantity and quality of water resources. • Baseline soil surveys and topographic information, including the identification of marginal and fragile soils, areas prone to erosion and slopes unsuitable for planting. • Analysis of type of land to be used (forest, degraded forest, cleared land). • Analysis of land ownership and user rights.

	<ul style="list-style-type: none"> • Analysis of current land use patterns. • Assessment of potential social impact on surrounding communities of a plantation and associated smallholdings, including an analysis of differential effect on women versus men, ethnic communities, migrant versus long-term residents. <p>Plans and field operations should be developed and implemented with the participation of smallholders to incorporate the results of the assessment.</p> <p>National interpretations should consider setting a minimum threshold of the size of new plantings, e.g. 50 ha, above which an SEIA is required and should consider listing unacceptable negative social impacts (e.g., displacement, loss of the food security of local people, etc.) in the national context.</p>
<p>Criterion 7.2 Soil surveys and topographic information are used for site planning in the establishment of new plantings, and the results are incorporated into plans and operations.</p>	<p>Guidance for scheme managers: Scheme managers must ensure that they apply the same procedures required for mills and new estates to all associated smallholders schemes. Information on soils may be collected and provided by scheme management or the mill that purchases the scheme's FFB. National interpretations should include detail on peat depth.</p>
<p>Criterion 7.3 New plantings since November 2005 (which is the date of adoption of these criteria by the RSPO membership), have not replaced primary forest on any area containing one or more High Conservation Values.</p>	<p>Guidance for scheme managers: Scheme managers must ensure that this criterion is applied to scheme smallholdings.</p>
<p>Criterion 7.4 Extensive planting on steep terrain, and/or on marginal and fragile soils, is avoided.</p>	<p>Guidance for scheme managers: Scheme managers must ensure that no lands from the smallholders scheme are cultivated on steep terrain and/or on marginal and fragile soils. Where limited planting is proposed it must be fully justified and must not push people into poverty, and must be done in accordance with the indicators.</p> <p>National interpretations should consider including specific controls and thresholds, such as slope limits, listing soil types that on which planting should</p>

	<p>be avoided(especially peat soils), the proportion of plantation area that can includemarginal/fragile soils, and/or definitions of ‘extensive’, ‘marginal’ and ‘fragile’.Marginal and degraded lands suitable for restoration should be distinguished fromfragile lands that need to be avoided.</p>
<p>Criterion 7.5 Forthe development of new plantings, the applicant shall verifyland ownership of the land Any land acquisition shall be in accordance with the provisions of the law. The presence of ethnic groups shall also be verified with the relevant authorities, and if they are present the inalienable and imprescriptible character of theircollective territories must be considered, as well as legal requirements for public consultation.</p> <p>No new plantings are established on local peoples’ land without their free, prior and informed consent, dealt with through a documented system that enables indigenous peoples, local communities and other stakeholders to express their views through their own representative institutions.</p>	<p>Guidance for scheme managers: This criterion must be considered with 2.2, 2.3, 6.4and 7.6. Scheme managers must ensure that they first identify local owners of any andall lands for proposed scheme smallholdings. Scheme managers must provide</p> <ul style="list-style-type: none"> • Maps showing extent of recognised customary rights (criteria 2.3, 7.5 and 7.6). • Copies of negotiated agreements detailing process of consent where applicable(criteria 2.3, 7.5 and7.6) <p>Guidance: Where lands are encumbered by legal or customary rights, the scheme manager mustdemonstrate that these rights are understood and are not being threatened orreduced. This criterion should be considered in conjunction with criteria 6.4 and 7.6.</p> <p>Where customary rights areas are unclear,these are best established through participatory mapping exercises involving affected and neighbouring communities,relevantauthorities will be asked for a certificationof those communities with customary rights in the area.</p> <p>Fair compensation for sales and negotiated agreements will be madeThis criterion allows for sales and negotiated agreements to compensate other users for lost benefits and/or relinquished rights. Negotiated agreements to acquire lands for scheme smallholdings should be non-coercive and entered into voluntarily, carried out prior to new investments or operations andbased on an open sharing of allrelevant information in appropriate forms and languages, including assessments ofimpacts, proposed benefit sharing and</p>

	<p>legal arrangements.</p> <p>Communities must be permitted to seek legal counsel if they so choose. Communities must be represented through institutions or representatives of their own choosing, operating transparently and in open communication with other community members. Adequate time must be given for customary decision-making and iterative negotiations allowed for, where requested. Negotiated agreements should be binding on all parties and enforceable in the courts.</p> <p>Scheme managers have maps or other documents showing land allocations for scheme smallholders and can show these lands are not claimed or contested by third parties with legitimate claims.</p> <p>Scheme managers can show that lands acquired for smallholders do not diminish legal or customary rights. Where others' customary or legally owned lands have been taken over there is documentary proof of transfer of rights (eg sale) and of payment or provision of agreed compensation.</p>
<p>Criterion 7.6 Local people are compensated for any agreed land acquisitions and relinquishment of rights, subject to their free, prior and informed consent and negotiated agreements.</p>	<p>Guidance for scheme managers: see 7.5 above.</p>
<p>Criterion 7.7 Use of fire in the preparation of new plantings is avoided other than in specific situations, as identified in the ASEAN guidelines or other regional best practice. allowed in the current national regulation.</p>	<p>Guidance for scheme managers: Scheme managers must ensure that no fire is used to establish new plantings.</p> <p>Fire should be used only where an assessment has demonstrated that it is the most effective and least environmentally damaging option for minimising the risk of severe pest and disease outbreaks during the preparation of new plantings, and with evidence that fire-use is carefully controlled.</p> <p>National interpretation should identify any specific situations where such use of fire may be acceptable, for example through reference to 'Guidelines for</p>

	the implementation of the ASEAN policy on zero burning', or comparable guidelines in other locations.
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PRINCIPLE 8: COMMITMENT TO CONTINUOUS IMPROVEMENT IN KEY AREAS OF ACTIVITY

Criterion	Guidance on Smallholders
Criterion 8.1: Growers and millers regularly monitor and review their activities and develop and implement action plans that allow demonstrable continuous improvement in key operations.	Guidance for scheme managers: Scheme managers must develop an action plan for continual improvement, in a participatory manner with smallholders, based on a consideration of the main social and environmental impacts and opportunities of the smallholdings, and should include a range of indicators covered by these principles and criteria.