

RSPO

Roundtable on Sustainable Palm Oil

**GHANA NATIONAL INTERPRETATION OF
RSPO PRINCIPLES AND CRITERIA FOR
SUSTAINABLE PALM OIL**

DRAFT 1

November 2009

Ghana National Interpretation Working Group (GNIWG)

Preamble

Sustainable palm oil production is comprised of legal, economically viable, environmentally appropriate and socially beneficial management and operations. This is delivered through the application of the generic set of RSPO principles and criteria, and the accompanying indicators and guidance. These criteria, indicators and guidance were applied for an initial pilot implementation period up to November 2007, and were reviewed at the end of this period. The objective of the pilot implementation period was to enable field testing of the principles and criteria, and thereby allow guidance to be improved.

Concerning the guidance for smallholders, the final version of the guidance for scheme smallholders was adopted by the RSPO Executive Board on the 2nd of July 2009. However, the Smallholder Task Force is still working on the guidance for independent smallholders.

The Ghana National Interpretation is based on the generic RSPO Principles & Criteria for sustainable palm oil and will be developed by a multi-stakeholder Working Group.

This document is the first draft created by the Ghana National Interpretation Working Group (GNIWG) after their first meeting on the 27th and 28th of October 2009. The main focus of the first draft is on the choice of INDICATORS and their importance (i.e. major or minor).

The first draft is open for comments (www.rspo-in-ghana.org) and during the next GNIWG meetings, the indicators will be reviewed, the national laws and regulations will be listed, and discussions on guidance (including smallholder guidance) will commence.

Principle 1 : Commitment to transparency.

Criterion	Indicator		Guidance
<p>Criterion 1.1: Oil palm growers and millers provide information to other stakeholders on environmental, social and legal issues relevant to RSPO criteria, in appropriate languages & forms to allow for effective participation in decision making.</p>	<p>Indicator 1.1.1:</p> <ul style="list-style-type: none"> • Evidence of a system whereby growers and millers respond constructively and promptly to requests for information of stakeholders. Records of request and responses must be maintained. <p>=> MAJOR.</p>	/	<p>Growers and millers should respond constructively and promptly to requests for information from stakeholders.</p> <p>See criterion 1.2 for requirements relating to publicly available documentation.</p> <p>See also criterion 6.2 relating to consultation.</p> <p><u>Scheme SH guidance:</u></p> <p><u>Independent SH guidance:</u></p>
<p>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.</p>	<p>Indicator 1.2.1:</p> <p>This concerns management documents relating to environmental, social and legal issues that are relevant to compliance with RSPO Criteria. Documents that must be publicly available include, but are not necessary limited to:</p> <ul style="list-style-type: none"> • Company policies. • Land titles/user rights (criterion 2.2). 	/	<p>Examples of commercially confidential information include financial data such as costs and income, and details relating to customers and/or suppliers. Data that affects personal privacy should also be confidential.</p> <p>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</p>

	<ul style="list-style-type: none"> • 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). • Continuous improvement plan (8.1). • Community relations strategy/CSR • Labour force information <p>⇒ MAJOR</p>		<p>of hunting or capture for trade, or sacred sites which a community wishes to maintain as private. It must be noted that non-disclosure of such information must be as a last resort after educating the parties involved.</p> <p>Hard copies and electronic copies should be available on site for review by relevant stakeholders with legal or public interest. However, copies are at a cost.</p> <p>Documents (e.g. policies & plans) can be made available on the company website or in the company journal.</p> <p>The system used should be appropriate to the scale of the organization.</p> <p>The <u>Environmental Assessment Regulations 1999</u> demands the submission of an Environmental Management Plan (EMP) every three years after receiving an environmental permit. The document covers most of the plans stated and should be publicly available.</p>
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			<u>Scheme SH guidance:</u> <u>Independent SH guidance:</u>
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Principle 2: Compliance with applicable laws and regulations

Criterion	Indicator		Guidance
<p>Criterion 2.1 There is compliance with all applicable local, national and ratified international laws and regulations.</p>	<p>Indicator 2.1.1:</p> <ul style="list-style-type: none"> • Evidence of compliance with relevant legal requirements. <p>⇒ MAJOR</p> <p>Indicator 2.1.2:</p> <ul style="list-style-type: none"> • A mechanism for ensuring that they are implemented. <p>⇒ MAJOR</p>	<p>Indicator 2.1.3:</p> <ul style="list-style-type: none"> • A document system, which includes written information on legal requirements. <p>⇒ MINOR</p> <p>Indicator 2.1.4:</p> <ul style="list-style-type: none"> • A system for tracking any changes in the law. <p>⇒ MINOR</p>	<p>Implementing all legal requirements is an essential baseline requirement for all growers whatever their location or size.</p> <p>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 Biodiversity, CBD).</p> <p>Furthermore, where countries have provisions to respect customary law, these must be taken into account.</p> <p>The system used to ensure compliance to legal requirements should be appropriate to the scale of the organization and should</p>

			<p>include the following:</p> <ol style="list-style-type: none"> 1. List all applicable laws including international laws and conventions ratified by the Ghanaian government. 2. Display applicable licenses and permits including their conditions. 3. Identify person(s) responsible to monitor compliance to both (1) and (2). <p><u>Scheme SH guidance:</u></p> <p><u>Independent SH guidance:</u></p>
<p>Criterion 2.2 The right to use the land can be demonstrated, and is not legitimately contested by local communities with demonstrable rights</p>	<p>Indicator 2.2.1:</p> <ul style="list-style-type: none"> • Documents showing legal ownership or lease, history of land tenure and the actual legal use of the land. <p>⇒ MAJOR</p> <p>Indicator 2.2.2:</p> <ul style="list-style-type: none"> • Evidence that legal boundaries are clearly demarcated and visibly maintained. 	/	<p>For any conflict or dispute over the land, the extent of the disputed area should be mapped out in a participatory way.</p> <p>Where there is a conflict on the condition of land use as per land title, growers should show evidence that necessary action has been taken to resolve the conflict with relevant parties.</p> <p>Ensure a mechanism to solve the conflict (criteria 6.3 and 6.4).</p> <p>All operations should cease on</p>

	<p>⇒ MAJOR</p> <p>Indicator 2.2.3:</p> <ul style="list-style-type: none"> • Where there are, or have been, disputes, proof of resolution or progress towards resolution by conflict resolution processes acceptable to all parties are implemented (criteria 6.3 and 6.4). <p>⇒ MAJOR</p>		<p>land planted beyond the legal boundary.</p> <p><u>Scheme SH guidance:</u></p> <p><u>Independent SH guidance:</u></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>Indicator 2.3.1:</p> <ul style="list-style-type: none"> • Maps of an appropriate scale showing extent of recognized customary rights (criteria 2.3, 7.5 and 7.6). <p>=>MAJOR (?)</p> <p>Indicator 2.3.2:</p> <ul style="list-style-type: none"> • Copies of negotiated agreements detailing process of consent (criteria 2.3, 7.5 and 7.6) 	/	<p>Where lands are encumbered by legal or customary rights, the grower must demonstrate that these rights are understood and are not being threatened or reduced.</p> <p>This criterion should be considered in conjunction with criteria 6.4, 7.5 and 7.6.</p> <p>Where customary rights areas are unclear these are best established through participatory mapping exercises involving affected and neighbouring communities.</p>

	⇒ MAJOR (?)		<p>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 in appropriate forms and languages, including assessments of impacts, proposed benefit sharing and 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.</p> <p>Adequate time must be given for customary decision-making and iterative negotiations allowed for, where requested.</p> <p>Negotiated agreements should be binding on all parties and enforceable in the courts. Establishing certainty in land negotiations is of long-term</p>
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			<p>benefit for all parties.</p> <p>For definition of 'customary rights', see definitions.</p> <p><u>Scheme SH guidance:</u></p> <p><u>Independent SH guidance:</u></p>
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Principle 3: Commitment to long-term economic and financial viability.

Criterion	Indicator		Guidance
<p>Criterion 3.1 There is an implemented management plan that aims to achieve long-term economic and financial viability.</p>	<p>Indicator 3.1.1:</p> <ul style="list-style-type: none"> • A documented business or management plan (minimum 5 years). <p>⇒ MAJOR</p> <p>Indicator 3.1.2:</p> <ul style="list-style-type: none"> • Annual replanting programme, where applicable, projected for a minimum of 5 years with yearly review. <p>⇒ MAJOR</p>	<p>/</p>	<p>Whilst it is recognized that long-term profitability is also affected by factors outside their direct control, top management must be able to demonstrate attention to economic and financial viability through long-term management planning.</p> <p>The business or management plan may contain:</p> <ul style="list-style-type: none"> • Attention to quality of planting materials. • Crop projection = FFB yield trends. • Mill extraction rates = OER trends. • Cost of Production = cost per tonne of CPO trends. • Marketing plan (e.g. forecast prices, forecast sales). • Financial indicators. • 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>Growers should have a system to</p>

			<p>improve practices in line with new information and techniques. For smallholder schemes, the scheme management will be expected to provide their members with information on significant improvements.</p> <p><u>Scheme SH guidance:</u> For smallholder management schemes the content would vary from that suggested.</p> <p><u>Independent SH guidance:</u> This criterion is not applicable to individual smallholders.</p>
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Principle 4: Use of appropriate best practices by growers and millers.

Criterion	Indicator		Guidance
<p>Criterion 4.1 Operating procedures are appropriately documented and consistently implemented and monitored.</p>	<p>Indicator 4.1.1:</p> <ul style="list-style-type: none"> • Standard Operating Procedures for estates and mills are documented. <p>⇒ MAJOR</p> <p>Indicator 4.1.2:</p> <ul style="list-style-type: none"> • A mechanism to check consistent implementation of procedure is in place. <p>⇒ MAJOR</p> <p>Indicator 4.1.3:</p> <ul style="list-style-type: none"> • Records of monitoring & the actions taken are maintained. <p>⇒ MAJOR</p>	/	<p>No specific guidance.</p> <p><u>Scheme SH guidance:</u></p> <p><u>Independent SH guidance:</u> For individual smallholders working practices will have to be consistent with documented procedures provided by customers or smallholder organizations.</p>
<p>Criterion 4.2 Practices maintain soil fertility at, or where possible improve soil fertility to, a level that ensures optimal and sustained yield.</p>	/	<p>Indicator 4.2.1:</p> <ul style="list-style-type: none"> • Records of fertilizer inputs & application are maintained. <p>⇒ MINOR</p>	<p>Long-term fertility depends on maintaining the structure, organic matter content, nutrient status and microbiological health of the soil.</p> <p>Managers should ensure that best agricultural practice is followed. Thereby, the establishment of cover crops is highly</p>

		<p>Indicator 4.2.2:</p> <ul style="list-style-type: none"> • Evidence of periodic tissue and soil sampling to monitor changes in nutrient status. <p>⇒ MINOR</p> <p>Indicator 4.2.3:</p> <ul style="list-style-type: none"> • A nutrient recycling strategy should be in place. <p>⇒ MINOR</p>	<p>recommended. In addition, leaf fronds should be packed in the field.</p> <p>Nutrient efficiency must take account of the age of plantations and soil conditions.</p> <p>The nutrient recycling strategy should include EFB, POME, palm residues after replanting and any use of biomass for by-products or energy production.</p> <p>It is advised that leaf and soil sampling is done annually.</p> <p><u>Scheme SH guidance:</u> Smallholders should be able to demonstrate that they have an understanding of the techniques required to maintain soil fertility and that they are being implemented.</p> <p>The use of covers crops is recommended however early intercropping of certain crops should be accepted.</p> <p><u>Independent SH guidance:</u> Smallholders should be able to demonstrate that they have an understanding of the techniques required to maintain soil fertility</p>
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			<p>and that they are being implemented.</p> <p>The use of covers crops is recommended however early intercropping of certain crops should be accepted.</p>
<p>Criterion 4.3 Practices minimize and control erosion and degradation of soils.</p>	/	<p>Indicator 4.3.1:</p> <ul style="list-style-type: none"> • Maps of (fragile) soils must be available, indicating topography and soil types. <p>⇒ MINOR</p> <p>Indicator 4.3.2:</p> <ul style="list-style-type: none"> • A management strategy should exist for plantings on slopes between 15 and 25°. There will be no planting on slope above 25°. <p>⇒ MINOR</p> <p>Indicator 4.3.3:</p> <ul style="list-style-type: none"> • Presence of road maintenance programme. <p>=> MINOR</p>	<p>Techniques that minimize soil erosion are well-known and should be adopted, wherever appropriate. This may include practice such as ground cover management, biomass, recycling, terracing, and natural regeneration or restoration instead or replanting.</p> <p>The following should be taken into account upon constructing roads: wetlands, culverts, contours.</p> <p>Management strategy for fragile soils must include EFB application to improve soil structure.</p> <p><u>Scheme SH guidance:</u> Smallholders should be able to demonstrate that they have an understanding of the techniques required to manage their soils and that they are being implemented.</p>

		<p>Indicator 4.3.4:</p> <ul style="list-style-type: none"> • A management strategy should be in place for other fragile and problem soils (e.g. sandy, low organic matter, acid sulfate soils). <p>⇒ MINOR</p>	<p><u>Independent SH guidance:</u> Smallholders should be able to demonstrate that they have an understanding of the techniques required to manage their soils and that they are being implemented.</p>
<p>Criterion 4.4 Practices maintain the quality and availability of surface and ground water.</p>	<p>Indicator 4.4.1:</p> <ul style="list-style-type: none"> • Evidence of water management plan being implemented. <p>⇒ MAJOR</p> <p>Indicator 4.4.2:</p> <ul style="list-style-type: none"> • Protection of local water courses and wetlands, including maintaining and restoring appropriate riparian buffer zones. <p>⇒ MAJOR</p> <p>Indicator 4.4.3:</p> <ul style="list-style-type: none"> • Monitoring of effluent parameters. 	<p>Indicator 4.4.4:</p> <ul style="list-style-type: none"> • Monitoring of mill water use per tonne of FFB. <p>⇒ MINOR</p>	<p>Growers and millers should address the effects of their use of water and the effects of their activities on local water resources. The Water Management Plan may include:</p> <ul style="list-style-type: none"> • Taking account of the efficiency of use and renewability of sources. • Ensuring that the use of water does not result in adverse impacts on other users. • Avoiding contamination of surface and ground water through run-off of soil, nutrients or chemicals, or as a result of inadequate disposal of waste including POME. • Appropriate treatment of mill effluent and regular monitoring of discharge

	⇒ MAJOR		<p>quality, which should be in compliance with national regulations. (identify law/regulation!).</p> <p><u>Scheme SH guidance:</u></p> <p><u>Independent SH guidance:</u></p>
<p>Criterion 4.5 Pests, diseases, weeds and invasive introduced species are effectively managed using appropriate Integrated Pest Management (IPM) techniques.</p>	/	<p>Indicator 4.5.1:</p> <ul style="list-style-type: none"> • An IPM plan is documented and current. <p>⇒ MINOR</p> <p>Indicator 4.5.2:</p> <ul style="list-style-type: none"> • Monitoring extent of IPM implementation including training. <p>⇒ MINOR</p> <p>Indicator 4.5.3:</p> <ul style="list-style-type: none"> • Monitoring of pesticide toxicity units (a.i. / LD 50 per tonne of FFB or per hectare). <p>⇒ MINOR</p>	<p>Growers should apply recognized IPM techniques, incorporating cultural, biological, mechanical or physical methods to minimize use of chemicals.</p> <p>Native species should be used in biological control wherever possible.</p> <p><u>Scheme SH guidance:</u> Due to problems in the accuracy of measurement, monitoring of pesticide toxicity is not applicable to smallholders.</p> <p><u>Independent SH guidance:</u> Due to problems in the accuracy of measurement, monitoring of pesticide toxicity is not applicable to smallholders.</p>

<p>Criterion 4.6 Agrochemicals are used in a way that does not endanger health or the environment. There is no prophylactic use of pesticides, except in specific situations identified in national Best Practice guidelines. Where agrochemicals are used that are categorized as World Health Organisation Type 1A or 1B, or are listed by the Stockholm or Rotterdam Conventions, growers are actively seeking to identify alternatives, and this is documented.</p>	<p>Indicator 4.6.1:</p> <ul style="list-style-type: none"> • Only agrochemicals registered by the Environmental Protection Agency are used. <p>⇒ MAJOR</p> <p>Indicator 4.6.3:</p> <ul style="list-style-type: none"> • Records of pesticide use (including active ingredients used, area treated, amount applied per ha and number of applications). <p>⇒ MAJOR</p> <p>Indicator 4.6.4:</p> <ul style="list-style-type: none"> • Documentary evidence that use of chemicals categorized as World Health Organisation type 1A or 1B, or listed by the Stockholm or Rotterdam Conventions, and paraquat, is reduced and/or eliminated. <p>⇒ MAJOR</p>	<p>Indicator 4.6.2:</p> <ul style="list-style-type: none"> • Documented justification of all agrochemical use should be in line with the IPM plan. <p>⇒ MINOR</p>	<p>The list of agrochemicals registered by the Environmental Protection Agency should be reviewed every six months.</p> <p>Use of selective products that are specific to the target pest, weed or disease and which have minimal effect on non-target species should be used where available. However, measures to avoid the development of resistance (such as pesticide rotations) are applied.</p> <p><u>Scheme SH guidance:</u></p> <p><u>Independent SH guidance:</u></p>
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	<p>Indicator 4.6.5:</p> <ul style="list-style-type: none"> Chemicals should only be applied by qualified persons who have received the necessary training and should always be applied in accordance with the product label. Appropriate safety equipment must be provided and used. All precautions attached to the products should be properly observed, applied, and understood by workers. Also see criterion 4.7 on health and safety. <p>⇒ MAJOR</p> <p>Indicator 4.6.6</p> <ul style="list-style-type: none"> Storage of all chemicals is prescribed in FAO or GIFAP Code or Practice (see Annex 1). All chemical containers must be properly disposed of and not used for other purposes (see criterion 5.3). 	<p>Indicator 4.6.7:</p> <ul style="list-style-type: none"> Application of pesticides by proven methods that minimize risk and impacts. Pesticides are applied aerially only where there is a documented justification. <p>⇒ MINOR</p>	
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	<p>⇒ MAJOR</p> <p>Indicator 4.6.8:</p> <ul style="list-style-type: none"> • 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>⇒ MAJOR</p> <p>Indicator 4.6.9:</p> <ul style="list-style-type: none"> • Specific annual medical surveillance for pesticide operators, and documented action to eliminate adverse effects. <p>⇒ MAJOR</p> <p>Indicator 4.6.10:</p> <ul style="list-style-type: none"> • No work with pesticides for pregnant and breast-feeding women. <p>⇒ MAJOR</p>		
<p>Criterion 4.7 An occupational health and safety</p>	<p>The health and safety plan covers the following:</p>	<p>/</p>	<p>Growers and millers should ensure that the workplaces,</p>

<p>plan is documented, effectively communicated and implemented.</p>	<p>Indicator 4.7.1:</p> <ul style="list-style-type: none"> • A health and safety policy, which is implemented and monitored. <p>⇒ MAJOR</p> <p>Indicator 4.7.2:</p> <ul style="list-style-type: none"> • All operations where health and safety is an issue have been risk assessed and procedures and actions are documented and implemented to address the identified issues. All precautions attached to products should be properly observed and applied to the workers. <p>⇒ MAJOR</p> <p>Indicator 4.7.3:</p> <ul style="list-style-type: none"> • All workers involved in the operations have been adequately trained in safe working practices (see also criterion 4.8). Adequate and 		<p>machinery, equipment, transport and processes under their control are safe and without undue risk to health.</p> <p>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.</p> <p>A safe and healthy working environment should be provided for all workers whether they are employees or contractors.</p> <p>The health and safety plan should also reflect guidance in ILO convention 184 (see Annex 1).</p> <p><u>Scheme SH guidance:</u></p> <p><u>Independent SH guidance:</u> For individual smallholders, a more informal approach to documentation and record keeping is acceptable, provided that working practices for all workers are safe.</p>
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	<p>appropriate protective equipment should be available to labourers at the place of work to cover all potentially hazardous operations, such as pesticide application, land preparation, harvesting and, if it is used, burring.</p> <p>⇒ MAJOR</p> <p>Indicator 4.7.4:</p> <ul style="list-style-type: none">• The responsible person should be identified. There are records of regular meetings between the responsible person and workers where concerns of all parties about health, safety and welfare are discussed. Records detailing the occurrence and issues raised should be kept. <p>⇒ MAJOR</p> <p>Indicator 4.7.5:</p> <ul style="list-style-type: none">• Accident and emergency procedures should exist and instructions should		
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	<p>be clearly understood by all workers. Accident procedures should 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 should be available at worksites. Records should be kept of all accidents and periodically reviewed. Workers should be covered by accident insurance.</p> <p>⇒ MAJOR</p> <p>Indicator 4.7.6:</p> <ul style="list-style-type: none">Recording of occupational injuries. Suggested calculation: Lost Time Accident (LTA) rate. (either specify acceptable maximum, or demonstrate downward trend). <p>⇒ MAJOR</p>		
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<p>Criterion 4.8 All staff, workers, smallholders and contractors are appropriately trained.</p>	<p>Indicator 4.8.1:</p> <ul style="list-style-type: none"> • A formal training programme that includes regular assessment of training needs and documentation of the programme. <p>⇒ MAJOR</p>	<p>Indicator 4.8.2:</p> <ul style="list-style-type: none"> • Records of training for each employee kept. <p>⇒ MINOR</p>	<p>Guidance: The training programme should be appropriate to the scale of the organization.</p> <p>Training should be given to all staff, workers and contractors by growers and millers to enable them to fulfil their jobs and responsibilities in accordance with documented procedures, and in compliance with the requirements of these principles, criteria and guidance.</p> <p><u>Scheme SH guidance:</u> Workers on smallholder plots also need adequate training and skills and this can be achieved through extension activities of growers and mills that purchase fruit from them, by smallholders' organizations, or through collaboration with other institutions and organizations. For smallholder training records should not be required but anyone working on the farm should be adequately trained for the job they are doing.</p> <p><u>Independent SH guidance:</u> Workers on smallholder plots also need adequate training and skills</p>
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			<p>and this can be achieved through extension activities of growers and mills that purchase fruit from them, by smallholders' organizations, or through collaboration with other institutions and organizations. For smallholder training records should not be required but anyone working on the farm should be adequately trained for the job they are doing.</p>
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Principle 5: Environmental responsibility and conservation of natural resources and biodiversity.

Criterion	Indicator		Guidance
<p>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 continuous improvement.</p>	<p>Indicator 5.1.1:</p> <ul style="list-style-type: none"> • Documented impact assessment. <p>⇒ MAJOR</p>	<p>Indicator 5.1.2:</p> <ul style="list-style-type: none"> • Obtain EPA permit. <p>⇒ MINOR</p> <p>Indicator 5.1.3:</p> <ul style="list-style-type: none"> • Where the identification of impacts requires changes in current practices, in order to mitigate negative effects a timetable for changes should be developed. <p>⇒ MINOR</p>	<p>Environmental impact assessment should cover the following activities, where they are undertaken:</p> <ul style="list-style-type: none"> • Building new roads, processing mills or other infrastructure. • Putting in drainage or irrigation system. • Replanting or expansion of planting area. • Disposal of mill effluents (see criterion 4.4); • Clearing of remaining natural vegetation. <p>Impact assessment may be a non-restrictive format e.g. ISO 14001 EMS and/or EIA report incorporating elements spelt out in this criterion 5.6), biodiversity and ecosystems, and people's amenity (see criterion 6.1 for social impacts), both on and off-site.</p> <p>Stakeholder consultation has a key role in identifying environmental impacts. The inclusion of consultation should</p>

			<p>result in improved processes to identify impacts and to develop any required mitigation measures.</p> <p>It is important that where activities, techniques or operations change over time, identifications of impacts, and any required mitigation, are updated as necessary.</p> <p><u>Scheme SH guidance:</u> For smallholder schemes, the scheme management has the responsibility to undertake impact assessment and to plan and operate in accordance with the results.</p> <p><u>Independent SH guidance:</u> Individual smallholders would not be expected to undertake formal impact assessments (unless there is a legal requirement) but should have a good understanding of the potential negative impacts of their activities and appropriate mitigation techniques.</p>
<p>Criterion 5.2 The status of rare, threatened or endangered species and high conservation value habits, if any, that exist in the plantation or that</p>	<p>Information should be collated that includes both the planted area itself and relevant wider landscape-level considerations (such as wildlife corridors). This</p>	<p>If rare, threatened or endangered species, or high conservation value habits, are present, appropriate measures for management planning and</p>	<p>This information gathering should include checking available biological records, and consultation with relevant government departments,</p>

<p>could be affected by plantation or mill management, shall be identified and their conservation taken into account in management plans and operations.</p>	<p>information should cover:</p> <p>Indicator 5.2.1:</p> <ul style="list-style-type: none"> • Presence of protected areas that could be significantly affected by the grower or miller. <p>⇒ MAJOR</p> <p>Indicator 5.2.2:</p> <ul style="list-style-type: none"> • 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 grower or miller. <p>⇒ MAJOR</p> <p>Indicator 5.2.3:</p> <ul style="list-style-type: none"> • Identification of high conservation value habitats, such as rare and threatened ecosystems that could be significantly affected by the grower or 	<p>operations will include:</p> <p>Indicator 5.2.4:</p> <ul style="list-style-type: none"> • Ensuring that any legal requirements relating to the protection of the species or habitat are met. <p>⇒ MINOR</p> <p>Indicator 5.2.5:</p> <ul style="list-style-type: none"> • Avoiding damage to and deterioration of applicable habitats. <p>⇒ MINOR</p> <p>Indicator 5.2.6:</p> <ul style="list-style-type: none"> • Evidence of a commitment to discourage any illegal or inappropriate hunting, fishing or collecting activities; and developing responsible measures to resolve human-wildlife conflicts (e.g., incursions by elephants). <p>⇒ MINOR</p>	<p>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.</p> <p>Scheme SH guidance: Not yet.</p> <p>Independent SH guidance: For individual smallholders, a basic understanding of any applicable species or habitats, together with their conservation needs, will be sufficient.</p>
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	<p>millier.</p> <p>⇒ MAJOR</p>		
<p>Criterion 5.3</p> <p>Waste is reduced, recycled, re-used and disposed of in an environmentally and socially responsible manner.</p>	<p>Indicator 5.3.1:</p> <ul style="list-style-type: none"> • Documented identification and quantification of all waste products and sources of pollution. <p>⇒ MAJOR</p> <p>Indicator 5.3.3:</p> <ul style="list-style-type: none"> • Having identified wastes, a waste management and disposal plan must be developed and implemented, to avoid or reduce pollution. <p>⇒ MAJOR</p>	/	<p>The waste management and disposal plan should include measures for:</p> <ul style="list-style-type: none"> • Identified and monitoring sources of waste and pollution. • Improving the efficiency of resource utilization and recycling potential wastes as nutrients or converting them into value-added products (e.g. through animal feeding programmes). • Appropriate disposal of hazardous chemical and their containers. Surplus chemical containers should be disposed of or cleaned in an environmentally and socially responsible way (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 to human health. The disposal instructions on manufacturer's labels should be adhered to.

			<p><u>Scheme SH guidance:</u> Smallholders should adopt appropriate measures to dispose of hazardous chemicals and their containers.</p> <p><u>Independent SH guidance:</u> Smallholders should adopt appropriate measures to dispose of hazardous chemicals and their containers.</p>
<p>Criterion 5.4 Efficiency of energy use and use of renewable energy is maximized.</p>	/	<p>Indicator 5.4.1:</p> <ul style="list-style-type: none"> Monitoring of renewable energy use per tonne of CPO or palm product in the mill. <p>⇒ MINOR</p> <p>Indicator 5.4.2:</p> <ul style="list-style-type: none"> Monitoring of direct fossil fuel use per ton of CPO (or FFB where the grower has no mill). <p>⇒ MINOR</p>	<p>Growers and mills 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 contractors, including all transport and machinery operations.</p> <p>The feasibility of collecting and using biogas should be studied if possible.</p> <p><u>Scheme SH guidance:</u></p> <p><u>Independent SH guidance:</u></p>
<p>Criterion 5.5 Use of fire for waste disposal and for preparing land for replanting is</p>	<p>Indicator 5.5.1:</p> <ul style="list-style-type: none"> Documented assessment 	/	<p>Fire should be used only where an assessment has demonstrated that it is the most effective and</p>

<p>avoided except in specific situations, as identified in the ASEAN guidelines or other regional best practice.</p>	<p>where fire has been used for preparing land for replanting.</p> <p>⇒ MAJOR</p>		<p>least environmentally damaging option for minimizing the risk of severe pest and disease outbreaks, and with evidence that fire-use is carefully controlled. Use of fire on peat soils should be avoided.</p> <p><u>Scheme SH guidance:</u> Extension/training programmes for smallholders may be necessary.</p> <p><u>Independent SH guidance:</u> Extension/training programmes for smallholders may be necessary.</p>
<p>Criterion 5.6 Plans to reduce pollution and emissions, including greenhouse gases, are developed, implemented and monitored.</p>	<p>Indicator 5.6.1:</p> <ul style="list-style-type: none"> • A register and assessment of all polluting activities must be conducted, including gaseous emissions, particulate/soot emissions and effluent (see also criterion 4.4). Significant pollutants and emissions must be identified and plans to reduce them implemented. <p>⇒ MAJOR</p>	<p>Indicator 5.6.2:</p> <ul style="list-style-type: none"> • A monitoring system must be in place for these significant pollutants to ensure national compliance as a minimum. <p>⇒ MINOR</p> <p>Indicator 5.6.3:</p> <ul style="list-style-type: none"> • The treatment methodology for POME is recorded. 	<p>The Environmental Management Plan (Environmental Assessment Regulations 1999) contains plans to reduce pollution, including greenhouse gases.</p> <p>Note: RSPO needs to address all issues relating to Greenhouse Gas emissions, as set out in the Preamble to this document.</p> <p><u>Scheme SH guidance:</u></p> <p><u>Independent SH guidance:</u></p>

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Principle 6: Responsible consideration of employees and of individuals and communities affected by growers and millers.

Criterion	Indicator		Guidance
<p>Criterion 6.1 Aspects of planting and mill management, including replanting, 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>Indicator 6.1.1:</p> <ul style="list-style-type: none"> • A documented social impact assessment including records of meetings. Evidence that the assessment has been done with the participation of affected parties. Particular attention paid to the impacts of outgrower schemes (where the plantation includes such a scheme). <p>⇒ MAJOR</p>	<p>Indicator 6.1.2:</p> <ul style="list-style-type: none"> • 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>⇒ MINOR</p>	<p>Identification of social impacts should be carried out by the grower with the participation of affected parties, including women and migrant workers as appropriate to the situation. The involvement of independent experts should be sought where this is considered necessary to ensure that all impacts (both positive and negative) are identified.</p> <p>Participation in this context means that affected parties are able to express their views through their own representative institutions, or freely chosen spokespersons, during the identification of impacts, reviewing findings and plans for mitigation, and monitoring the success of implemented plans.</p> <p>Potential social impacts may result from activities such as: building new roads, processing mills or other infrastructure; replanting with different crops or</p>

			<p>expansion of planting area; disposal of mill effluents; clearing of remaining natural vegetation; changes in employee numbers or employment terms.</p> <p>Plantation and mill management may have social impacts (positive or negative) on factors such as:</p> <ul style="list-style-type: none">• Access and use rights.• Economic livelihoods (e.g. paid employment) and working conditions.• Subsistence activities.• Cultural and religious values.• Health and education facilities.• Other community values, resulting from changes such as improved transport/communication or arrival of substantial migrant labour force. <p><u>Scheme SH guidance:</u></p> <p><u>Independent SH guidance:</u> Individual smallholders will not be required to conduct formal social impact assessments.</p>
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<p>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.</p>	<p>Indicator 6.2.1:</p> <ul style="list-style-type: none"> • Documented consultation and communication procedures. <p>⇒ MAJOR</p> <p>Indicator 6.2.2:</p> <ul style="list-style-type: none"> • A nominated management official responsible for these issues. <p>⇒ MAJOR</p>	<p>Indicator 6.2.3:</p> <ul style="list-style-type: none"> • Maintenance of a list of stakeholders, records of all communication and records of actions taken in response to input from stakeholders. <p>⇒ MINOR</p>	<p>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.</p> <p>Communication and consultation mechanisms should be designed in collaboration with local communities and other affected or interested parties. These should consider the use of 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 to information of women as compared to men, 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</p>
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			<p>and communities, and others as appropriate, in these communications.</p> <p><u>Scheme SH guidance:</u></p> <p><u>Independent SH guidance:</u> For individual smallholders, this criterion does not apply.</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>Indicator 6.3.1:</p> <ul style="list-style-type: none"> • A documented system open to all affected parties which resolves disputes in an effective, timely and appropriate manner and records the outcome. <p>⇒ MAJOR</p>	/	<p>Dispute resolution mechanisms should be established through open and consensual agreements with relevant affected parties.</p> <p>Complaints may be dealt with by mechanisms such as Joint Consultative Committees (JCC), with gender representation. Grievances may be internal (employees) or external.</p> <p><u>Scheme SH guidance:</u> For smallholder schemes, the company or associations will be responsible for this.</p> <p><u>Independent SH guidance:</u> Individual smallholders should not be expected to have a documented system but must be able to show that they respond constructively to any issue or complaint.</p>

<p>Criterion 6.4 Any negotiations concerning compensation for loss of legal or customary rights are dealt with through a documented system that enables indigenous people, local communities and other stakeholders to express their views through their own representative institutions.</p>	<p>Indicator 6.4.1:</p> <ul style="list-style-type: none"> Establishment of a procedure for identifying legal and customary rights and a procedure for identifying people entitled to compensation. <p>⇒ MAJOR</p> <p>Indicator 6.4.2:</p> <ul style="list-style-type: none"> A procedure for calculating and distributing fair compensation (monetary or otherwise) is established and implemented. <p>⇒ MAJOR</p>	<p>Indicator 6.4.3:</p> <ul style="list-style-type: none"> The process and outcome of any negotiated agreements and compensation claims is documented and made publicly available. <p>⇒ MINOR</p>	<p>This criterion should be considered in conjunction with criterion 2.3 and the associated guidance.</p> <p>The procedure for calculating and distributing fair compensation takes into account gender differences in the power to claim rights, ownership and access to land; difference of transmigrates and long-established communities; differences in ethnic groups' proof of legal versus communal ownership of land.</p> <p>Compensation payments should be timely.</p> <p><u>Scheme SH guidance:</u></p> <p><u>Independent SH guidance:</u></p>
<p>Criterion 6.5 Pay and conditions of employees and for employees of contractors always meet at least legal or industry minimum standards and are sufficient to provide decent living wages.</p>	<p>Indicator 6.5.1:</p> <ul style="list-style-type: none"> Documentation of pay and conditions. <p>⇒ MAJOR</p> <p>Indicator 6.5.2:</p>	<p>Indicator 6.5.3:</p> <ul style="list-style-type: none"> Growers and millers provide adequate housing, water supplies, medical, educational and welfare amenities to national standard or above, where no such public facilities are 	<p>Where temporary or migrant workers are employed, a special labour policy should be established. This labour policy would state the non discriminatory practices; no contract substitution; post arrival orientation program to focus especially on language, safety, labour laws, cultural practices etc;</p>

	<ul style="list-style-type: none"> Labour laws, union agreements or direct contracts of employment detailing payments and conditions of employment (e.g., working hours, deductions, overtime, sickness, holiday entitlement, maternity leave, reasons for dismissal, period of notice, etc) are available in the languages understood by the workers or explained carefully to them by a management official. <p>⇒ MAJOR</p>	<p>available or accessible (not applicable to smallholders).</p> <p>⇒ MINOR</p>	<p>decent living conditions to be provided. Migrant workers are legalized, and a separate employment agreement should be drawn up to meet immigration requirements for foreign workers, and international standards. Deductions do not jeopardize a decent living wage.</p> <p>Forced labour is not used (see ILO conventions 29 and 105, Annex 1).</p> <p><u>Scheme SH guidance:</u></p> <p><u>Independent SH guidance:</u></p>
<p>Criterion 6.6</p> <p>The employer respects the right 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>Indicator 6.6.1:</p> <ul style="list-style-type: none"> A published statement in English (explained in local languages) recognizing freedom of association. <p>⇒ MAJOR</p> <p>Indicator 6.6.2:</p> <ul style="list-style-type: none"> Documented minutes of meeting with main trade unions or workers 	<p>/</p>	<p>The right of employees and contractors to form associations and bargain collectively with their employer should be respected, in accordance with Conventions 87 and 98 of the International Labour Organisation.</p> <p>Labour laws and union agreements or in their absence, direct contracts of employment detailing payments and other conditions are available in the languages understood by the</p>

	<p>representatives.</p> <p>⇒ MAJOR</p>		<p>workers or explained carefully to them by a management official.</p> <p><u>Scheme SH guidance:</u></p> <p><u>Independent SH guidance:</u></p>
<p>Criterion 6.7</p> <p>Children are not employed or exploited. Work by children is acceptable on family farms, under adult supervision, and when not interfering with education programmes. Children are not exposed to hazardous working conditions.</p>	<p>Indicator 6.7.1:</p> <ul style="list-style-type: none"> • Documentary evidence that minimum age requirement is met. <p>⇒ MAJOR</p>	/	<p>Growers and millers should clearly define the minimum working age, together with working hours.</p> <p>Only workers above the minimum school leaving age in the country or who are at least 15 years old may be employed, with the stated exception of family farms.</p> <p>The minimum age of workers will not be less than stated under national regulations.</p> <p>The minimum age of workers should be not less than 15 years, or the minimum school leaving age, or the minimum age permitted under national regulations, where higher.</p> <p><u>Scheme SH guidance:</u></p> <p>Smallholders should allow work by children only if permitted by national regulations.</p>

			<p><u>Independent SH guidance:</u> Smallholders should allow work by children only if permitted by national regulations.</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>	<p>Indicator 6.8.1:</p> <ul style="list-style-type: none"> • A publicly available equal opportunities policy including identification of relevant/affected groups in the local environment. <p>⇒ MAJOR</p>	<p>Indicator 6.8.2:</p> <ul style="list-style-type: none"> • Evidence that employees and groups have not been discriminated against. <p>⇒ MINOR</p>	<p>The grievance procedures detailed in 6.3 apply.</p> <p>Positive discrimination to provide employment and benefits to specific communities is acceptable as part of negotiated agreements.</p> <p><u>Scheme SH guidance:</u></p> <p><u>Independent SH guidance:</u></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>Indicator 6.9.1:</p> <ul style="list-style-type: none"> • A policy on sexual harassment and violence and records or implementation. <p>⇒ MAJOR</p>	<p>Indicator 6.9.2:</p> <ul style="list-style-type: none"> • A specific grievance mechanism is established. <p>⇒ MINOR</p>	<p>There should be a clear policy developed in consultation with employees, contractors and other relevant stakeholders, and the policy should be publicly available.</p> <p>Progress in implementing the policy should be regularly monitored, and the result of monitoring activities should be recorded.</p> <p>A gender committee specifically to address areas of concern to women may be requested to comply with the criteria. This</p>

			<p>committee, to have representatives from all areas of work, will consider matters such as; trainings on women’s rights, counseling 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 (check national law) before resuming chemical spraying or usage tasks, and women to be given specific break times to enable effective breastfeeding.</p> <p><u>Scheme SH guidance:</u></p> <p><u>Independent SH guidance:</u></p>
<p>Criterion 6.10 Growers and mills deal fairly and transparently with smallholders and other local businesses.</p>	<p>Indicator 6.10.2:</p> <ul style="list-style-type: none"> • Pricing mechanisms for FFB and inputs/services shall be documented (where these are under the control of the mill or plantation). <p>⇒ MAJOR</p> <p>Indicator 6.10.3:</p> <ul style="list-style-type: none"> • Evidence shall be 	<p>Indicator: 6.10.1:</p> <ul style="list-style-type: none"> • Current and past prices paid for FFB shall be publicly available. <p>⇒ MINOR</p>	<p>Transactions with smallholders should consider issues such as the role of middle men, transport and storage of FFB, quality and grading. The need to recycle the nutrients in FFB (under 4.2) should also be considered; where it is not practicable to recycle wastes to smallholders, compensation for the value of the nutrients exported might be made via the FFB price.</p> <p>Smallholders must have access to</p>

	<p>available that all parties understand the contractual agreement they enter into, and that contracts are fair, legal and transparent.</p> <p>⇒ MAJOR</p> <p>Indicator 6.10.4:</p> <ul style="list-style-type: none"> • Agreed payments shall be made in a timely manner. <p>⇒ MAJOR</p>		<p>the grievance procedure under criterion 6.3, if they consider that they are not receiving a fair price for FFB, whether or not middle men are involved.</p> <p>The need for a fair and transparent pricing mechanism is particularly important for outgrowers, who are contractually obliged to sell all FFB to a particular mill.</p> <p>If mills require smallholders to change practices to meet the RSPO criteria, consideration must be given to the costs of such changes, and the possibility of advance payments for FFB could be considered.</p> <p><u>Scheme SH guidance:</u></p> <p><u>Independent SH guidance:</u></p>
<p>Criterion 6.11 Growers and millers contribute to local sustainable development wherever appropriate.</p>	<p>/</p>	<p>Indicator 6.11.1:</p> <ul style="list-style-type: none"> • Demonstrable contributions to local development that are based on the results of consultation with local communities. 	<p>Contributions to local development should be based on the results of consultation with local communities. See also criterion 6.2.</p> <p>Such consultation should be based on the principles of</p>

		↕ MINOR	<p>transparency, openness and participation, and should encourage communities to identify their own priorities and needs, including the different needs of men and women.</p> <p>The local authority should always be involved in community development projects.</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 recognized as conflicting with criterion 6.8.</p> <p><u>Scheme SH guidance:</u></p> <p><u>Independent SH guidance:</u></p>
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Principle 7: Responsible development of new plantings.

Criterion	Indicator		Guidance
<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>Indicator 7.1.1:</p> <ul style="list-style-type: none"> • Independent impact assessment, undertaken through a participatory methodology including external stakeholder groups (if > 40 ha). <p>⇒ MAJOR</p> <p>Indicator 7.1.2:</p> <ul style="list-style-type: none"> • Appropriate management planning and operational procedures through the development of the Environmental Management Plan (EMP). <p>⇒ MAJOR</p>	<p>Indicator 7.1.3:</p> <ul style="list-style-type: none"> • Where the development includes an outgrower scheme, the impacts of the scheme and the implications of the way it is managed should be given particular attention. <p>⇒ MINOR</p>	<p>See also criteria 5.1 and 6.1</p> <p>The terms of reference should be defined by the Environmental Protection Agency (EPA) of Ghana and impact assessment should be carried out by qualified independent experts, in order to ensure an objective process. Both should not be done by the same body.</p> <p>A participatory methodology including external stakeholder groups is essential to the identification of impacts, particularly social impacts. Stakeholders such as local communities, government departments and NGOs should be involved, through the use of interviews and meetings, and by reviewing findings and plans for mitigation.</p> <p>The potential impacts of all major proposed activities should be assessed prior to development. The assessment should include, in no order of preference, as a minimum:</p>

			<ul style="list-style-type: none">• Assessment of the impacts of all major planned activities, including planning, 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 water courses and assessment of potential effects on hydrology by planned developments. Measures should be planned and implemented to maintain the quantity 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,
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			<p>cleared land).</p> <ul style="list-style-type: none"> • Analysis of land ownership and user rights. • Analysis of current land use patterns. • Assessment of potential social impact on surrounding communities of a plantation, including an analysis of differential effect on women versus men, ethnic communities, migrant versus long-term residents. <p><i>Assessment of above and below ground carbon storage is important but beyond the scope of an EIA. Note: This aspect will be considered by an RSPO Greenhouse Gas Working Group (see Preamble).</i></p> <p>Plans and field operations should be developed and implemented to incorporate the results of the assessment. One potential outcome of the assessment process is that the development should not proceed, because of the magnitude of potential impacts.</p> <p><u>Scheme SH guidance:</u> For smallholder schemes, the</p>
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			<p>scheme management should do this.</p> <p><u>Independent SH guidance:</u> For individuals, it does not apply.</p>
<p>Criterion 7.2 Soils 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>Indicator 7.2.1:</p> <ul style="list-style-type: none"> • Soil suitability maps or soils surveys adequate to establish the long-term suitability of land for oil palm cultivation should be available. <p>⇒ MAJOR</p> <p>Indicator 7.2.2:</p> <ul style="list-style-type: none"> • Topographic information adequate to guide the planning of drainage and irrigation system, roads and other infrastructure should be available. <p>⇒ MAJOR</p>	/	<p>These activities may be linked to the SEIA (7.1) but need not be done by independent experts.</p> <p>Soil suitability maps or soils surveys should be appropriate to the scale of operation and should include information on soil types, topography, rooting depth, moisture availability, stoniness, fertility and long-term soil sustainability.</p> <p>Soils unsuitable for planting or those requiring special treatment should be identified. This information should be used to plan planting programmes, etc.</p> <p>Measures should be planned to minimize erosion through appropriate use of heavy machinery, terracing on slopes, appropriate road construction, rapid establishment of cover, protection of riverbanks, etc.</p> <p><u>Scheme SH guidance:</u></p>

			<p><u>Independent SH guidance:</u> Assessing soil suitability is also important for small-scale producers, particularly where there are significant numbers operating in a particular location. Information may be collected and provided by a smallholder organization or mill that purchases FFB from individual smallholders.</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>	<p>Indicator 7.3.1:</p> <ul style="list-style-type: none"> • An HCV assessment, including stakeholder consultation, is conducted prior to any conversion. <p>⇒ MAJOR</p> <p>Indicator 7.3.2:</p> <ul style="list-style-type: none"> • Dates of land prepared and commencement are recorded. <p>⇒ MAJOR</p>	<p>/</p>	<p>This activity could be integrated with the SEIA required by 7.1.</p> <p>This criterion applies to forests and other vegetation types. This applies irrespective of any changes in land ownership of farm management that have taken place after this date.</p> <p>High Conservation Values (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 must include consultation with local communities, particularly for identifying social HCVs.</p>

			<p>HCVs 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 [see Definitions].</p> <p>Development should actively seek to utilize previously cleared and/or degraded land.</p> <p>Plantation development should not put indirect pressure on forests through the use of all available agricultural land in an area.</p> <p>Where landscape level HCV maps have been developed, these should be taken into account in project planning, whether or not such maps form part of government land use plans.</p> <p>For definition of 'High Conservation Values', see definitions.</p> <p><u>Scheme SH guidance:</u></p>
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			<u>Independent SH guidance:</u>
<p>Criterion 7.4 Extensive planting on steep terrain, and/or on marginal and fragile soils, is avoided.</p>	<p>Indicator 7.4.1:</p> <ul style="list-style-type: none"> No planting on slopes above 25 °. <p>⇒ MAJOR</p>	<p>Indicator 7.4.2:</p> <ul style="list-style-type: none"> Maps identifying marginal and fragile soils, including excessive gradients, should be available. <p>⇒ MINOR</p> <p>Indicator 7.4.3:</p> <ul style="list-style-type: none"> Where limited planting on fragile and marginal soils is proposed, plans shall be developed and implemented to protect them without incurring adverse impacts. <p>⇒ MINOR</p>	<p>This activity may be integrated with the SEIA required by 7.1.</p> <p>Planting on fragile soils should be avoided (see also criterion 4.3).</p> <p>Adverse impacts may include hydrological risks or significantly increased risks (e.g. fire risk) in areas outside the plantation. (criterion 5.5).</p> <p><u>Scheme SH guidance:</u></p> <p><u>Independent SH guidance:</u></p>
<p>Criterion 7.5 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>Indicator 7.5.1:</p> <ul style="list-style-type: none"> This activity should be integrated with the SEIA required by 7.1. <p>⇒ MAJOR</p>	/	<p>Refer to criteria 2.2, 2.3, 6.2, 6.4 and 7.6 for indicators and guidance on compliance.</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</p>

			<p>stakeholders should be made without coercion or other undue influence (see guidance for 2.3).</p> <p>Relevant stakeholders include those affected by or concerned with the new plantings.</p> <p><u>Scheme SH guidance:</u></p> <p><u>Independent SH guidance:</u></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>Indicator 7.6.1:</p> <ul style="list-style-type: none"> • This activity should be integrated with the SEIA required by 7.1. <p>⇒ MAJOR</p> <p>Indicator 7.6.2:</p> <ul style="list-style-type: none"> • Documented identification and assessment of legal and customary rights. <p>⇒ MAJOR</p> <p>Indicator 7.6.3:</p> <ul style="list-style-type: none"> • Establishment of a documented system for identifying people 	<p>Indicator 7.6.5:</p> <ul style="list-style-type: none"> • Communities that have lost access and rights and rights to land for plantation expansion are given opportunities to benefit from plantation development. <p>⇒ MINOR</p> <p>Indicator 7.6.6:</p> <ul style="list-style-type: none"> • The process and outcome of any compensation claims should be documented and made publicly available. <p>⇒ MINOR</p>	<p>Refer also to 2.2, 2.3 and 6.4 associated guidance.</p> <p>This requirement includes indigenous peoples (see Annex 1).</p> <p>A resettlement action plan should be in place.</p> <p><u>Scheme SH guidance:</u></p> <p><u>Independent SH guidance:</u></p>

	<p>entitled to compensation.</p> <p>⇒ MAJOR</p> <p>Indicator 7.6.4:</p> <ul style="list-style-type: none"> Establishment of a system for calculating and distributing fair compensation (monetary or otherwise). <p>⇒ MAJOR</p>		
<p>Criterion 7.7</p> <p>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.</p>	<p>Indicator 7.7.1:</p> <ul style="list-style-type: none"> This activity should be integrated with the SEIA required by 7.1. <p>⇒ MAJOR</p> <p>Indicator 7.7.2:</p> <ul style="list-style-type: none"> No evidence of land preparation by burning. <p>⇒ MAJOR</p> <p>Indicator 7.7.3:</p> <ul style="list-style-type: none"> Documented assessment where fire has been used for preparing land for 	<p>Indicator 7.7.4:</p> <ul style="list-style-type: none"> Evidence of approval of controlled burning as specified in ASEAN guidelines or other regional best practice. <p>⇒ MINOR</p>	<p>Fire should be used only where an assessment has demonstrated that it is the most effective and least environmentally damaging option for minimizing the risk of severe pest and disease outbreaks, and with evidence that fire-use is carefully controlled.</p> <p>Extension/training programmes for smallholders may be necessary.</p> <p><u>Scheme SH guidance:</u></p> <p><u>Independent SH guidance:</u></p>

	planting. ⇒ MAJOR		
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Principle 8: Commitment to continuous improvement in key areas of activity.

Criterion	Indicator		Guidance
<p>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.</p>	<p>Indicator 8.1.1: The action plan for continual improvement should be based on a consideration of the main social and environmental impacts and opportunities of the grower/mill, and should include a range of indicators covered by these principles and criteria. It should be part of the Environmental Management Plan (EMP). As a minimum, these must include, but not necessary be limited to:</p> <ul style="list-style-type: none"> • Reduction in use of certain chemicals (criterion 4.6) • Waste reduction (criterion 5.3) • Pollution and emissions (criterion 5.6) • Social impacts (6.1) <p>⇒ MAJOR</p>	<p>/</p>	<p>Growers should have a system to improve practices in line with new information and techniques and a mechanism for disseminating this information throughout the workforce.</p> <p><u>Scheme SH guidance:</u> For smallholders, there should be systematic guidance and training for continuous improvement.</p> <p><u>Independent SH guidance:</u> For smallholders, there should be systematic guidance and training for continuous improvement.</p>

Definitions:

- **Customary rights:** Patterns of long standing community land and resources usage in accordance with indigenous peoples' customary laws, values, customs and traditions, including seasonal or cyclical use rather than formal legal title to land and resources issues by the State. (From World Bank Operational Policy 4.10)
- **Environmental Impact Assessment:** A process of predicting and evaluating the effects of an action or series of actions on the environment, then using the conclusions as a tool in planning and decision-making.
- **HCV:** The forest necessary to maintain or enhance one or more High Conservation Values (HCV's):
 - HCV 1: Forest areas containing globally, regionally or nationally significant concentrations of biodiversity values (e.g. endemism, endangered species).
 - HCV 2: Forest areas containing globally, regionally or nationally significant large landscape level forests, contained within, or containing the management unit, where viable populations of most if not all naturally occurring species exists in natural patterns of distribution and abundance.
 - HCV 3: Forest areas that are in or contain rare, threatened or endangered ecosystems.
 - HCV 4: Forest area that provide basic services of nature in critical solutions (e.g. watershed protection, erosion control).
 - HCV 5: Forest areas fundamental to meeting basic needs of local communities (e.g. subsistence, health).
 - HCV 6: Forest areas critical to local communities' traditional cultural identity (areas of cultural, ecological, economic or religious significance identified in cooperation with such local communities).

(See "The HCV Toolkit" – www.hcvnetwork.org)

- **ISO standards:** Standards developed by the International Organization of Standardization. (ISO, See: www.iso.ch/iso).
- **Natural vegetation:** Areas where many of the principal characteristics and key elements of native ecosystems such as complexity, structure and diversity are present.
- **Plantation:** The land containing oil palm and associated land uses such as infrastructure (e.g. roads), riparian zones and conservation set-abides.
- **Primary forest:** A primary forest is a forest that has never been logged and has developed following natural disturbances and under natural processes, regardless of its age. Also included as primary, are forests that are used inconsequentially by indigenous and local communities living traditional lifestyles relevant for the conservation and sustainable use of biological diversity. The present cover is normally relatively close to the natural composition and has arisen (predominantly) through natural regeneration. National Interpretations should consider whether a more specific definition is required. (From FAO

Second Expert Meeting on Harmonizing Forest-Related Definitions For Use By Various Stakeholders, 2001, www.fao.org/documents/show_cdr.asp?url_file=/DOCREP/005/Y4171E/Y4171E11.htm).

- **Prophylactic:** A treatment or course of action applied as a preventive measure.
- **Restore:** Returning degraded or converted areas within a plantation to a semi-natural state.
- **Smallholders:** Farmers growing oil palm, sometimes along with subsistence production of other crops, where the family provides the majority of labour and the farm provides the principle source of income and where the planted area of oil palm is usually below 50 hectares in size.
- **Stakeholders:** An individual or group with a legitimate and/or demonstrable interest in, or who is directly affected by, the activities of an organization and the consequences of those activities.
- **Outgrowers:** farmers, where the sale of FFB is exclusively contracted to the grower/miller.
- **Undue influence:** The exertion by a third party of any kind of control such that a person signs a contract or other agreement which, absent the influence of the third party, he would not have signed.
- **Use rights:** Rights for the use of forest resources that can be defined by local custom, mutual agreements, or prescribed by other entities holding access rights. These rights may restrict the use of particular resources to specific levels of consumption or particular harvesting techniques.
- **Lost Time Accident (LTA):** Lost Time Accidents are work-related injuries that result in more than a day off the job (i.e. the staff member is unable to resume work the day after a personal injury has occurred).
- **IUCN:** The IUCN is the International Union for Conservation of Nature (www.iucn.org). The IUCN has developed a Red List of Threatened Species (<http://www.iucnredlist.org/>).
- **Free, Prior and Informed Consent (FPIC):** “Free” stands for “voluntary & without coercion or duress”; “Prior” stands for “before the start of activities”; and “Informed” stands for “after the complete & open sharing of all available information”. In other words, FPIC implies informed, non-coercive negotiations between investors and companies of the government and indigenous peoples/customary law communities prior to oil palm estates, timber plantations or other enterprises being established and developed on their customary lands. FPIC also implies careful and participatory impact assessments, project design and benefit-sharing agreements.

Annex 1: International laws

Principles	International Standards	Key provisions	Summary of Protections
Just Land Acquisition	ILO Convention 169 (1989) on Indigenous and Tribal Peoples	Articles 13-19	Respect and safeguard rights to lands and natural resources traditionally occupied and used; respect for customs of inheritance; no forced removals; compensation for loss and injury.
	UN Declaration on the Rights of Indigenous Peoples (2007)	Articles 25, 26	Right to distinctive relationship with land; right to own, use, develop and control their lands, territories and other resources.
	UN Convention on Biological Diversity (1992)	Article 10(c)	Protect and encourage customary use of biological resources in accordance with traditional practices.
Fair Representation And Participation of Indigenous and Tribal Peoples	ILO Convention 169 (1989) on Indigenous and Tribal Peoples	Articles 6-9	Represent themselves through their own representative institutions; consultations with objective of achieving agreement or consent; rights to decide their own priorities, retain their own customs and resolve offences according to customary law (compatible with international human rights).
	UN Declaration on the Rights of Indigenous Peoples (2007)	Articles 10, 11(2), 19, 28(1), 29(2) and 32(2).	Right to free, prior and informed consent to any project affecting their lands as expressed through their own representative institutions.
	Convention on the Elimination of All Forms of Racial Discrimination, International Covenant on Economic, Social and Cultural Rights, InterAmerican Human Rights System.	UN CERD Committee, UN Committee on Social Cultural and Economic Rights, Inter-American Commission on Human Rights ¹	Free, Prior and Informed Consent for decisions that may affect indigenous peoples. (This standard has been widely accepted as a 'best practice' standard by bodies such as World Commission on Dams, Extractive Industries Review, Forest Stewardship Council, UNDP, CBD,

¹ For details see www.forestpeoples.org.

			IUCN and WWF).
No Forced Labour	ILO Convention 29 (1930) Forced Labour	Article 5	No concession to companies shall involve any form of forced or compulsory labour.
	ILO Convention 105 (1957) Abolition of Forced Labour	Article 1	Not make use of any form of forced or compulsory labour.
Protection of Children	ILO Convention 138 (1973) Minimum Age	Articles 1-3	Abolition of child labour and definition of national minimum age for labour not less than 15-18 years (depending on occupation).
	ILO Convention 182 (1999) Worst Forms of Child Labour	Articles 1-7	Abolition of child slavery, debt bondage, trafficking and procurement for prostitution; suitable methods to monitor and enforce compliance.
	UN Declaration on the Rights of Indigenous Peoples (2007)	Articles 17(2), 21, 22(2)	No exploitation or exposure to hazard or discrimination against indigenous women and children.
Freedom of Association and Collective Bargaining	ILO Convention 87 (1948) Freedom of Association and Protection of Right to Organise	Articles 2- 11	Freedom to join organisations, federations and confederations of their own choosing; with freely chosen constitutions and rules; measures to protect the right to organise.
	ILO Convention 98 (1949) Right to Organise and Collective Bargaining	Articles 1-4	Protection against anti-union acts and measures to dominate unions; established means for voluntary negotiation of terms and conditions of employment through collective agreements.
	ILO Convention 141 (1975) Rural Workers' Organisations	Articles 2-3	Right of tenants, sharecroppers and smallholders to organise; freedom of association; free from interference and coercion.
	UN Declaration on the Rights of Indigenous Peoples (2007)	Article 3	Indigenous peoples have the right to self-determination and to freely pursue their economic, social and cultural development.
Non-Discrimination and Equal Remuneration	ILO Convention 100 (1951) Equal Remuneration	Articles 1-3	Equal remuneration for men and women for work of equal value.
	ILO Convention 111 (1958) Discrimination (Employment and Occupation)	Articles 1-2	Equality of opportunity and treatment in respect to employment and occupation; no discrimination on the basis of race, colour, sex, religion, political

			opinion, national extraction or social origin.
	UN Declaration on the Rights of Indigenous Peoples (2007)	Articles 2, 8(2e), 9, 15(2), 16(1), 21(2), 22, 24(1), 29(1), 46(3)	No discrimination based on origin or identity; free to express identity based on custom; special attention to and full protection of rights of indigenous women.
Just Employment of Migrants	ILO Convention 97 (1949) Migration for Employment	Articles 1-9	Provision of information; no obstacles to travel; provision of health care; non-discrimination in employment, accommodation, social security and remuneration; no forced repatriation of legal migrant workers; repatriation of savings.
	ILO Convention 143 (1975) Migrant Workers (Supplementary Provisions)	Articles 1- 12	Respect basic human rights; protection of illegal migrants from abusive employment; no trafficking in illegal migrants; fair treatment of migrant labour.
Protection of Plantation Workers ²	ILO Convention 110 (1958) Plantations	Articles 5- 91	Protection of members of families of recruited workers; protection of workers' rights during recruitment and transport; fair employment contracts; abolition of penal sanctions; fair wages and conditions of work; no coercion or obligation to use company stores; adequate accommodation and conditions; maternity protection; compensation for injuries and accidents; freedom of association; right to organise and collective bargaining; proper labour inspection; decent housing and medical care.
Protection of Tenants and Sharecroppers	ILO Recommendation 132 (1968) Tenants and Sharecroppers	Articles 4-8	Fair rents; adequate payment for crops; provisions for well-being; voluntary organisation; fair contracts; procedures for the settlement of disputes.
Protection of Smallholders	ILO Convention 117 (1962) Social Policy	Article 4	Alienation with due regard to customary rights; assistance to

² Convention 110 Article 1(1) defines a plantation as '*an agricultural undertaking regularly employing hired workers....concerned with the cultivation or production of [inter alia] palm oil'*

	(Basic Aims and Standards)		form cooperatives; tenancy arrangements to secure highest possible living standards.
Health and Safety	ILO Convention 184 (2001) Safety and Health in Agriculture	Articles 7- 21	Carry out risk assessments and adopt preventive and protective measures to ensure health and safety with respect to workplaces, machinery, equipment, chemicals, tools and processes; ensure dissemination of information, appropriate training, supervision and compliance; special protections for youth and women workers; coverage against occupational injuries and disease.
Control or Eliminate Use of Dangerous Chemicals and Pesticides	Stockholm Convention on Persistent Organic Pollutants (2001)	Articles 1-5	Prohibit and/or eliminate production and use of chemicals listed in Annex A (e.g. Aldrin, Chlordane, PCB); restrict production and use of chemicals in Annex B (e.g. DDT); reduce or eliminate releases of chemicals listed in Annex C (e.g. Hexachlorobenzene).
	FAO International Code of Conduct on the Distribution and Use of Pesticides (1985, Revised 2002)	Article 5	Curtail use of dangerous pesticides where control is difficult; ensure use of protective equipment and techniques; provide guidance for workers on safety measures; provide extension service to smallholders and farmers; protect workers and bystanders; make available full information on risks and protections; protect biodiversity and minimize impacts on environment; ensure safe disposal of waste and equipment; make provisions for emergency treatment for poisoning.
	Rotterdam Conventions on Prior and Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in	Articles 1, 5 and 6	Curb trade in banned and hazardous chemicals and pesticides; develop national procedures for control of their use and trade; list banned and hazardous chemicals and

	International Trade (1998)		pesticides.
	UN Declaration on the Rights of Indigenous Peoples (2007)	Articles 21(1), 23, 24, 29(3)	Improvement of livelihood in sanitation, health and housing; participate in health delivery; maintain traditional health systems; effective monitoring of health.

Annex 2: National laws & Regulations

The register of National laws and regulations will be available in the second draft.

Annex 3: Ghana National Interpretation Working Group

Agronomy, Milling and Research	
Ghana Oil Palm Development Company (GOPDC) Ltd.	Gert Vandersmissen
Ghana Oil Palm Development Company (GOPDC) Ltd.	Anke Massart
Agricultural Research Station (ARS) - Kusi	Dr. Ofosu-Budu Godfred
Oil Palm Research Institute (OPRI – CSIR)	Dr. T.E. Ofori - Asamoah
Benso Oil Palm Plantations/Twifo Oil Palm Plantations Ltd.	Samuel Avaala Awonnea / Victor Tetteh Zutah
Norpalm Ghana Ltd.	Charles Okata Mate-Kole
Golden Star Oil Palm Plantations Ltd.	Isaac Darko Quarm
Ghana Oil Palm Development Company (GOPDC) Ltd.	Emmanuel K. Wiafe
Presidential Initiative on Oil Palm (PSI)	Kwame Addae
GOPDC Outgrower Association	B.K. Oppong
BOPP Outgrower/Smallholder Association	Fiiifi Ampong / Ekow Ansah
Technoserve Ghana	Charles Ofori Addo
Ministry of Food and Agriculture	Mr. Baidoo-Williams/Susana Yohuno
Environment & Natural Resources	
SAL Consult Ltd.	Seth A. Larmie
Ghana Wildlife Society	Augustus Asamoah
WWF Ghana	Kwame Asamoah Adam
Conservation International	Yaw Osei
National Conservation Research Center (NCRC)	Victor Mombu
Water Resource Commission (WRC)	Bernadette Adjei
Energy Commission	Kwabena A. Otu-Danquah
Environmental Protection Agency	Jonathan A. Allotey/Florence Agyei
Environmental Protection Agency	Yaw Sarfo-Afriyie
Department of Botany – University of Ghana (Legon)	Vincent Von Vordzogbe
Legal, License and Social	
Community Land and Development Foundation (COLANDEF)	Nana Ama Yirrah
West Africa Fair Fruit Company (Solidaridad)	Rob Moss
Oxfam Ghana	Justin Morgan/ Philip Tetteh

Land Valuation Board – Regional Officer Koforidua	Thomas Osafo
Economics and Labour	
International Finance Corporation (IFC)	Peter White
GTZ	Rudiger Behrens
Ghana Commercial Bank	Davis Kodjo Akorli
Ghana Agricultural Workers Union (GAWU)	Kingsley Ofei-Nkansah
Unilever Ghana Ltd.	Richard Laryea
Nestle Ghana Ltd.	Klutse Kudomor
Fantasy Foods Ltd.	Hayssam Halawi
Ameen Sangari Ltd.	Fouad Sankari
Fio Enterprise Ltd.	Adelaide Ahwireng
Private consultant - Labour and Human Resources	Cornelius Yawson
Private consultant – Labour and Human Resources	Emmanuel Mensah Gyarteng