

Term of Reference

Independent Smallholder No Deforestation Task Force (IS-NDTF)

1. Introduction:

The RSPO Independent Smallholder (ISH) Standard 2019 is pursuing the objective of the RSPO's Smallholder Strategy to increase smallholder inclusion, prioritise improved practices which also benefit smallholder livelihoods, whilst also upholding core sustainability requirements.

The RSPO ISH Standard 2019, adopted at General Assembly 16 (GA16) on the 6th of November 2019, Bangkok, includes a requirement for independent smallholders to maintain and/or enhance High Conservation Value (HCV) areas and High Carbon Stock (HCS forests). RSPO has previously developed a simplified HCV methodology for identifying, protecting and managing HCVs that provides guidance for both existing and new plantings (Guidance available [here](#)). As of now, a simplified combined HCV-HCS tool for independent smallholders to identify HCS forests within smallholder plots does not exist. Until such a tool is developed, under RSPO ISH Standard 2019, independent smallholders are not allowed to clear any HCVs and HCS forests, as committed to by signing the Smallholder Declaration. However, new plantings will be permitted in low risk areas while the simplified combined HCV-HCS tool is developed.

As such, it is recognised that there is an urgent need for RSPO to establish a new Task Force to oversee the development of a simplified combined HCV-HCS approach and tool to be published no later than June 2021, review and monitor the implementation of the interim measures for development in low risk areas, and produce implementation guidance and relevant communications on criterion 4.1, 4.2, 4.3 and any other related criteria of RSPO ISH Standard 2019 to support independent smallholders with adoption of the new standard. A benchmarking of the RSPO simplified HCV app and the simplified HCSA toolkit has been completed to aid the development process.

2. Objectives

To oversee the development of a simplified combined HCV-HCS approach for independent smallholders to identify HCV areas and HCS forests – that is both robust and credible – in consultation with the HCSA Steering Group; while also producing guidance to support smallholders in adopting the standard and monitor the implementation of the interim measures for development in low risk areas while the simplified tool is being developed.

2.1 Expected outputs:

1. In consultation with the HCSA Steering Group and HCVRN, develop a simplified combined HCV-HCS approach and tool to identify and protect HCS forests. The developed tool should address gaps in the existing HCV Smallholder app, as identified through an independent review of the existing app by an external third-party.
2. Provide support to the public consultation process and testing of the draft simplified combined HCV-HCS approach and tool.

3. Monitor the implementation of the interim measures for development in low risk areas and review the interim measures, as needed
4. Provide guidance on appropriate communication, outreach and capacity building programmes related to criterion 4.1, 4.2, 4.3 and any other related criteria.
5. Propose appropriate refinement related to halting deforestation (HCS) into relevant RSPO tools, procedures, and guidance (e.g. auditing) relevant to independent smallholders.
6. Collaborate with BHCVWG/CTF-2 to provide technical inputs into revision of RaCP for independent smallholders (if necessary) for compliance to criterion 4.1, 4.2, 4.3 and any other related criteria.
7. Provide recommendations to the RSPO Secretariat on the monitoring procedure and mechanisms.

3. Membership

3.1 Composition

The IS-NDTF will consist of RSPO members representing the sectorial and geographical composition of the RSPO, and technical specialists reflecting the nature of this group. Membership to the IS-NDTF will be as follows:

Category	Total
Growers (Smallholders representatives from the different regions)	Minimum of 2
Environmental NGOs	Minimum of 2
Social NGOs	1
Processors and Traders	1
Consumer Goods Manufacturers	2
Retailers	
Financial institutions	

The composition of the task force will be considered final if even after active consultation and engagement there are no available candidates from the list above. The IS-NDTF will be co-chaired by two members.

Relevant institutions or experts, including HCVRN and HCSA may be invited to participate as technical experts¹. Invited technical experts will have no rights to vote shall there be any needs to practice it.

3.2 Criteria for Membership

Members (substantive and/or alternates) can participate actively in the proceedings on behalf of their sector and to ensure they are represented by a designated alternate if they are unable to do so. Members have a fair understanding of the concepts of HCV and HCS

¹ The role of technical experts may be reviewed if the need arises with prior approval from the SHSC.

3.3 Termination/Retirement and Reselection of Member

The IS-NDTF can exercise the right to terminate or retire the membership of a TF member. However, the decision must be made by consensus of the TF (excluding the affected party).

The reasons (not exhaustive) for the TF to consider retirement of a TF members are:

1. Absence from TF meetings for three consecutive meetings without arranging for an alternate to attend these meetings.
2. Persistent refusal to furnish information in a timely manner as requested by the TF. Information requested, if deemed beneficial to the objectives of the TF, shall not be unreasonably withheld except for those which are commercially sensitive and/or prohibited by law for dissemination.

Retirement of membership will be informed in writing by the Co-Chairs of the IS-NDTF, copied into the RSPO secretariat. The Co-Chairs of the IS-NDTF will invite the constituents of the affected sectorial and/or geographical stakeholder group to nominate a new representative to the TF.

3.4 Management of the TF - Roles and Responsibilities

The IS-NDTF will report its findings to the Smallholder Standing Committee (SHSC). The reported findings will be inclusive of recommendations that will result in an informed decision making process

Each member must declare any conflict of interest on any matters on the agenda and/or matters arising at the beginning or during the meeting. Should a conflict of interest exist, the member concerned must recuse themselves from the decision-making process or sensitive discussions.

All members of the IS-NDTF are required to sign the Code of Conduct for the IS-NDTF.

Decisions and outcomes will be reached through consensus by members and must be made when a quorum, which is defined as 2/3rd of the members, attends a meeting. Members shall ensure the accuracy of the information and that the interpretation of all outcomes and decisions of the IS-NDTF are consistent with the consensus reached within the IS-NDTF.

If consensus is not possible for any specific issue or criteria and this results in a deadlock, i.e. whereby opposing parties come to a point of fundamental disagreement on a significant topic and no progress can be made risking a standstill or stalemate of the entire process, the TF shall refer the matter to the Smallholder Standing Committee, and if still unresolved, to the RSPO Board of Governors, who shall seek to resolve the issue in question by consensus (as per the RSPO Standard Operating Procedure for Standard Setting and Review (June 2017)).

3.4.1. Communication

It is desirable that the Task Force organizes face to face meetings or teleconferences 4 times a year or where necessary.

During these meetings, Chatham House rules apply. The Chatham House Rule aims to provide anonymity to speakers. This rule is applied throughout all meetings as an aid to free discussion, encouraging openness and the sharing of information. The Chatham House Rule reads as follows:

‘When a meeting, or part thereof, is held under the Chatham House Rule, participants are free to use the information received, but neither the identity nor the affiliation of the speaker(s), nor that of any other participant, may be revealed.’

Any public communications related to the IS-NDTF and its work will be agreed by the IS-NDTF members and approved by the RSPO communications team.

Minutes of the meeting and clarifications of decisions made by the IS-NDTF are to be shared no more than one month after the meeting. Relevant guidance documents from the IS-NDTF will be translated to relevant languages.

3.6 Role of the RSPO Secretariat

The RSPO Secretariat will provide the financial, human and logistical support that the IS-NDTF requires to meet, conduct business and achieve its objectives: The secretariat will assist and support the IS-NDTF and will provide the IS-NDTF members with technical reports from in-house and outsourced studies, terms of reference for consultancies, and other information that is requested by the IS-NDTF to fulfil its objectives.

3.7 Active Period

It is proposed that the working group undertakes its work in the period July 2020 to June 2021. At the end of the active period, the RSPO secretariat will resume full responsibility for reviewing, reporting, and verifying the implementation of the TF decisions and recommendations, and adjust as necessary by making recommendations to the Smallholder Standing Committee.

The overall timeline for the development of the simplified combined HCV-HCS approach and tool is as follows:

Item	Time
Endorsement of ToR for IS-NDTF	July 2020
Establishment of IS-NDTF	July 2020
Development of the simplified combined HCV-HCS approach and tool for ISH (possibility of enhancement of the existing Simplified HCV App to include the HCS element): <ul style="list-style-type: none"> · Development of TOR · Engagement of vendor to develop the simplified combined HCV-HCS approach and tool for ISH · Development of the simplified combined HCV-HCS approach and tool for ISH including public consultation and/or field testing 	August 2020 - February 2021
Endorsement by SHSC	March 2021

Launching of the new ISH simplified combined HCV-HCS tool	March 2021
Socialization and capacity building	April 2021 - June 2021