

RSPO
Roundtable on Sustainable Palm Oil

ROUNDTABLE MEETING ON SUSTAINABLE PALM OIL

A Journey through DSFs Mediation Procedures:
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RT16
2018
Kota Kinabalu
Sabah, Malaysia
AN EVENT BY **RSPO**

**A Renewed Commitment to
Achieving Market Transformation**

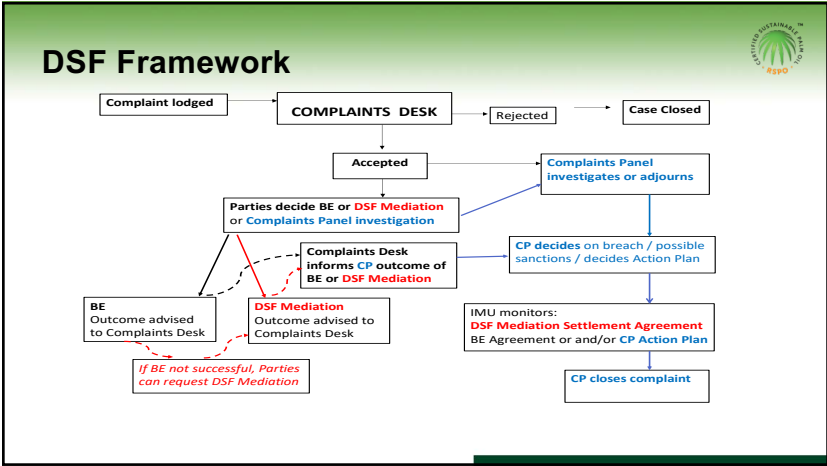


DSF procedures review: the 'journey'

- Complaints Mechanism review > CAP 2017
 - DSF re-aligns dispute resolution services with CAP / international good practice (IAMS))
- user / stakeholder perspectives
- RSPO internal consultations
- RSPO (HR) Operational Standards > Policy on the Protection of Human Rights, Whistleblowers, Complainants and Community Spokespersons 2018
- public consultation
- further internal reflection
- Board of Governors 2019

DSF documents for public consultation

- DSF Framework, Principles and Terms of Reference
- DSF Operational Guidelines



DSF Mediation



Parties work to a negotiated settlement through a collaborative process seeking long-term and mutually agreeable solutions among the complainants, the RSPO member and any other stakeholders identified by the parties. The outcome may relieve the member of the burden of Complaints Panel sanctions by remedying the alleged breach. Parties are assisted by a third party DSF Mediator according to a DSF Mediation Process Agreement and Code of Professional Conduct

Bilateral Engagement (BE): Parties try to negotiate agreement without DSF third party facilitation or Observer, using the resources of the company's own grievance mechanism. The outcome will be reported to the Complaints Desk within one calendar month of parties decision to try BE.

DSF Principles



- A** Transparency and Disclosure
- B** Respect for human rights and diversity
- C** Self-determination of the parties
- D** Independence and impartiality
- E** Upholding protection of those at risk of retaliation and reprisal

DSF Terms of Reference (A)



DSF Vision

- enhance effectiveness of Complaints Mechanism
- be responsive to concerns expressed by affected people
- accessible and effective DR mechanism for complaints against members
- ensure impartiality, independence, transparency and respect confidentiality
- guide parties towards transformative opportunities
- respect UN Guiding Principles on business and HR

DSF Terms of Reference (B)



DSF Mandate:

- address and manage complaints on any social or environmental issue including resettlement and labour
- appoint independent facilitator / mediator to manage the Process
- document agreements which will be monitored by the IMU
- maintain case management system and register phases on website
- develop lessons learned and identifiable trends to strengthen RSPO

DSF Terms of Reference (C)



DSF Structure:

- Staff and consultants
- Independent advisory body
- *ad hoc* 'Focus Groups'

DSF Terms of Reference (D)



DSF Funding:

- RSPO budget support
- Parties apportion costs of DSF Mediation
- DSF Trust Fund

DSF Terms of Reference (E)



DSF body of independent voluntary advisers:

- DSF policy of independence and transparency
- no decision-making authority / access to DSF cases
- strategic advice, policy formation and practice
- enhance global network of Mediators and practitioners, training programmes and participation

DSF Procedures



- Lodging complaint > > > >
- DSF Mediation Process
 - ✓ Mediation team
 - ✓ Intake with parties / stakeholders
 - ✓ Process Agreement
 - ✓ Settlement Agreement
 - ✓ Termination
- Timelines
- Monitoring with the IMU

DSF Reporting and Accountability



A Public reporting

- Disclosure as agreed with parties
- Progress Reports (*caveat*)
- Case Tracker
- Settlement Report
- Termination Report

B Internal reporting

- periodic reports to Complaints Desk
- CD advises Complaints Panel of any delay
- summaries / briefings to Board on themes / trends / lessons learned
 - recommendations on DSF policy, procedures, guidelines

DSF Communication and Collaboration



- Outreach
- Collaboration with other IAMs

DSF Public Consultation



- ... until 12 December 2018
- www.rspo.org rotating banner on home page
- survey format