

RSPO

Roundtable on Sustainable Palm Oil



MEXICAN NATIONAL INTERPRETATION OF RSPO PRINCIPLES AND CRITERIA

For the Production of Sustainable Palm Oil

Based on RSPO Principles and Criteria for the Production of sustainable Palm Oil 2018, endorsed by the RSPO Board of Governors and adopted at the 15th Annual General Assembly by RSPO Members on 15 November, 2018





PREAMBLE

TABLE OF CONTENTS



Preamble	2		Impact Goal –
1. Scope	6		
2. RSPO Vision and Theory of Change.....	10		
3. Outcome Focus.....	13		
4. Structure of the RSPO P&C.....	14		
Impact Goal –			
Prosperity: Competitive, resilient and sustainable sector	18		
Principle 1: Behave ethically and transparently.....	19		
Principle 2: Operate legally and respect rights.....	20		
Principle 3: Optimise productivity, efficiency, positive impacts and resilience.....	22		
Supply chain requirements for mills.....	25		
Impact Goal –			
People: Sustainable livelihoods and poverty reduction	35		
Principle 4: Respect community and human rights and deliver benefits.....	36		
Principle 5: Support smallholder inclusion.....	44		
Principle 6: Respect workers’ rights and conditions.....	47		
		Planet: Conserved, protected and enhanced ecosystems that provide for the next generation	54
		Principle 7: Protect, conserve and enhance ecosystems and the environment.....	55
		Annex 1 – Definitions.....	67
		Annex 2 – Guidance.....	87
		Annex 3 – Key international laws and conventions applicable to the production of palm oil.....	135
		Annex 3B – Key national laws and regulations applicable to the production of palm oil in Mexico.....	156
		Annex 4 – Implementation procedure for Indicator 2.3.2.....	239
		Annex 5 – Transition from HCV to HCV–HCS Assessment.....	240

Acronym	Meaning
AFI	Accountability Framework Initiative
ALS	Assessor Licensing Scheme
ASA	Annual Surveillance Assessments
ASEAN	Association of Southeast Asian Nations
BHCV WG	Biodiversity & High Conservation Value Working Group
BMPs	Best Management Practices
BOD	Biochemical Oxygen Demand
BoG	Board of Governors
CABI	Centre for Agriculture and Biosciences International
CB	Certification Body
CBA	Collective Bargaining Agreement
CBD	Convention on Biological Diversity
CPO	Crude Palm Oil
CSO	Civil Society Organization
DfID	Department for International Development (UK government)
DLW	Decent Living Wage
EFB	Empty Fruit Bunches
FAO	Food and Agriculture Organization

Acronym	Meaning
FFB	Fresh Fruit Bunch
FPIC	Free, Prior and Informed Consent
FSC	Forest Stewardship Council
GA	General Assembly
GHG	Greenhouse Gas
GLWC	Global Living Wage Coalition
H&S	Health and Safety
HCS	High Carbon Stock
HCSA	High Carbon Stock Approach
HCV	High Conservation Value
HCVRN	High Conservation Value Resource Network
HFCC	High Forest Cover Country
HFCL	High Forest Cover Landscape
HRC	Human Rights Commission
HRD	Human Rights Defender
ICS	Internal Control System
IDS	Institute of Development Studies
IFC	International Finance Corporation

Acronym	Meaning
IFL	Intact Forest Landscape
ILO	International Labour Organization
IP	Identity Preserved
IPCC	Intergovernmental Panel on Climate Change
IPM	Integrated Pest Management
ISO	International Organization for Standardization
IUCN	International Union for Conservation of Nature
JCC	Joint Consultative Committee
KBA	Key Biodiversity Area
KPI	Key Performance Indicator
LTA	Lost Time Accident
LUCA	Land Use Change Analysis
MB	Mass Balance
NDJSG	No Deforestation Joint Steering Group
NGO	Non-Governmental Organisation
NI	National Interpretation
OER	Oil Extraction Rate
QMS	Quality Management System
P&C	RSPO Principles and Criteria (i.e. this document)

Acronym	Meaning
PK	Palm Kernel
PLWG	Peatland Working Group
PO	Palm Oil
POME	Palm Oil Mill Effluent
PPE	Personal Protective Equipment
RaCP	Remediation and Compensation Procedure
REDD	Reducing Emissions from Deforestation and Forest Degradation
RSPO	Roundtable on Sustainable Palm Oil
RTE	Rare, Threatened or Endangered
SCCS	RSPO Supply Chain Certification Standard
SDG	Sustainable Development Goal
SEIA	Social and Environmental Impact Assessment
SHIG	Smallholder Interim Group
SLAPP	Strategic Lawsuits against Public Participation
SOP	Standard Operating Procedure
ToC	Theory of Change
UN	United Nations

1. SCOPE

The Sustainable palm oil production comprises legal, economically viable environmentally appropriate and socially beneficial management and operations. This is delivered through the application of the following set of Principles and Criteria (P&C), and the accompanying Indicators and Guidance.

The RSPO P&C are applicable for sustainable palm oil production worldwide. The RSPO P&C cover the most significant environmental and social impacts of palm oil production and the immediate inputs to production, such as seed, chemicals and water, and social impacts related to on-farm labour and community relations.

The RSPO P&C apply to all production level companies, i.e. all mills, who do not fall under the definition of independent mill as outlined in the RSPO SCC standard; and to all growers, who do not meet the definition of Independent Smallholder or the applicability requirements as outlined in the RSPO Independent Smallholder Standard (under development as of September 2018 with finalization expected in 2019) and therefore cannot apply the RSPO Independent Smallholder Standard. These are referred to as the unit of certification throughout this document.

The unit of certification is responsible for the certification of related Scheme Smallholders and outgrowers within three years of obtaining its own certificate (see section 4.1.3 in RSPO Certification Systems 2017). Guidance for implementation of the RSPO P&C 2018 for Scheme Smallholders and outgrowers will be developed.

The RSPO P&C apply to existing plantings, as well as planning, siting, development, expansion and new plantings.

Where RSPO standards differ from local laws, the higher/stricter of the two shall always prevail and NIs are required to develop a list of applicable laws (see section 9 in RSPO SOP for Standard Setting 2017).

Compliance with the RSPO P&C and all requirements as outlined in associated documents is required in order for certification to be awarded. Any non-conformities may result in suspension or loss of certification (see section 4.9 in RSPO Certification Systems 2017). Compliance must be demonstrated with the normative part of the P&C, i.e. the Principles, Criteria and Indicators. Non-conformities are raised at Indicator-level by auditors. The informative part (i.e. Annex 2 Guidance) is there to help with implementation of Indicators, but is not normative, nor can non-conformities be raised against this section.

The RSPO P&C 2018 define Indicators for each Criterion and further Guidance where useful. Indicators are specific pieces of objective evidence that shall (must) be in place to demonstrate or verify that the Criterion is being met, i.e. they constitute the normative part of the standard together with the Principles, Criteria and definitions.

This document identifies critical (C) Indicators proposed by the RSPO Principles and Criteria Review Task Force and endorsed by the RSPO BoG on 12 October 2018.

Guidance consists of useful information to help the unit of certification and auditor understand what the Criterion and/or Indicators mean in practice, to indicate good practice, and practices that should be followed. Guidance constitutes the informative part of the standard.

IMPORTANT NOTE: When you see the  symbol in the Criteria, please refer to additional guidance in Annex 2.

Annex 1 provides definitions of the technical terms used in this standard.

Annex 2 contains the additional generic guidance. Key international conventions and national laws or regulations applicable to the production of palm oil in Mexico are set out in Annex 3.

Annex 4 provides the necessary details for the implementation procedure for Indicator 2.3.2.

The English version of the P&C shall always prevail in case of any discrepancy or inconsistency between the English version and other translated versions.



This document consists of the first draft of the National Interpretation of the Principles and Criteria 2018 of the RSPO in Mexico, prepared by the National Interpretation Working Group in Mexico, formed in August 2017. The draft for public consultation was approved by the Working Group during its eighth meeting, held on February 22, 2019 in Mexico City.

The original text of RSPO P&C of is replicated in this document. The text added by the Working Group for National Interpretation, included in the guidelines and definitions, is marked in **blue**, while the deleted text is crossed in **red**. The Annex 3B in national laws was also added by the Working Group.

Team	Explanation	RSPO Standard Setting document	Category
Principle	Fundamental statements about a desired outcome	A fundamental statement about a desired outcome, often providing greater detail about the objectives.	Normative
Criteria	What implementation of the Principle looks like – the preconditions or means of judging whether or not a Principle has been fulfilled	The conditions that need to be met in order to fulfil a Principle. Criteria add meaning and operability to a Principle without themselves being direct measures of performance.	Normative
Indicator	Variable to measure the implementation (positive or negative)	The measurable states, which allow the assessment of whether or not associated Criteria, are being met. Indicators convey a single, meaningful message or piece of information.	Normative
Guidance	Additional information that assists with the understanding, implementation and auditing of the requirement (i.e. the Indicator)	Guidance consists of useful information to help the unit of certification and auditor understand what the Criterion and/or Indicators mean in practice, to indicate good practice, and practices that should be followed.	Informative
Procedural Note	Exceptional measure to allow mention of pending developments	A note in the standard only to be used where a methodology or element of the standard is still under development to clarify terms, conditions and procedure prior to the said methodology or element being finalized.	Informative

Role of Definitions

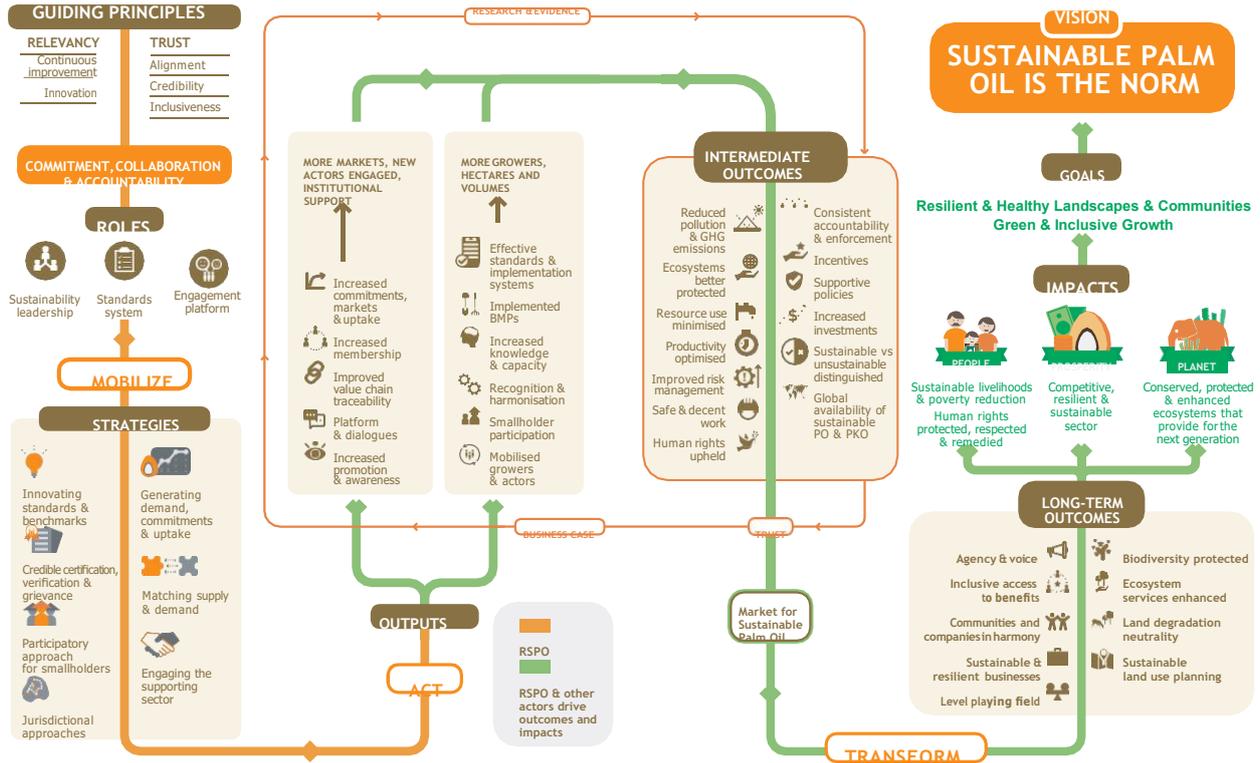
Throughout the standard, some terms carry a specific RSPO definition, which is provided in Annex 1 – Definitions section of this standard. These definitions are binding elements of Criteria and Indicators

2. RSPO VISION AND THEORY OF CHANGE



The RSPO Theory of Change (ToC) is a roadmap that demonstrates how RSPO will achieve its vision of making sustainable palm oil the norm. With the support of its members, partners and other actors, RSPO will implement key strategies and activities to trigger the transformation of the palm oil sector. These strategies are intended to bring about direct outputs in the form of increased adoption of the RSPO standards, greater transparency and inclusivity in the RSPO system, increased market uptake of sustainable palm oil, and an improved enabling environment. Over time, these outputs will lead to outcomes that are expected to improve the quality of life of oil palm farmers, create a more prosperous palm oil industry, and enable us to better conserve our planet and its resources. When the ToC is fully realized, it delivers change where it matters most – on the ground; a space where oil palm, the environment, and local communities can co-exist in harmony. It also provides a framework to monitor, evaluate and report on the effects of applying the RSPO P&C. More details on the RSPO ToC are available here: <https://rspo.org/about/impacts/theory-of-change>.

THEORY OF CHANGE RSPO'S ROADMAP FOR SUSTAINABLE PALM OIL





Effective implementation and more growers' uptake of the P&C lead to the intermediate outcomes:

- Resource use minimization (soil, water, energy), input use reduction – reduced costs
- Reduced pollution (water, air, greenhouse gas (GHG))
- Improved risk management – management plans and assessments
- Ecosystems better protected
- Productivity optimized
- Land and use rights respected
- Safe and decent work for all community members

The process for change at RSPO is characterized by a progression of “**Mobilize, Act and Transform**”. This is the backbone of the RSPO ToC and underpinned by the concept of shared responsibility and accountability for results.

Commitment: All the actors commit to their contribution to transforming markets.

Collaboration: Recognizing the need to work together and making that happen: transformation of markets cannot happen without collaboration.

Accountability: Commitment and collaboration are to be fulfilled with a shared responsibility for impact. The expectation of partners and members is that they commit to participate and there is mutual and agreed accountability for results.

3. OUTCOME FOCUS

The core objectives of the 2018 RSPO P&C review include:

- Incorporating elements of impacts
- Making it more relevant and practical, particularly by making it metricated (measurable)
- Incorporating elements of impacts as prescribed by the ToC

It is important to keep in mind that it is simply not feasible or meaningful to propose indicator level, specific measurable outcomes because of many technical and political challenges. From research and experience with other standards these include:

- Attribution – achieving outcomes is based on a wide range of actions and context, often out of the control of the grower (weather, market forces, pests)
- Defining globally relevant outcomes
- Favour larger, more resourced growers potentially demotivating small and medium size growers
- Costs and burden for data reporting systems and management

However, outcome focused P&C can still be achieved, by showing very explicitly the links between the set of Criteria and intended outcomes. Furthermore, a requirement for reporting to RSPO has been included into the Management Principle under Criterion 3.2 for continuous improvement.

This will provide RSPO with information on the results of implementation of the P&C. This requirement refers to a small set of strategic metrics, directly related to the P&C and aligned with the ToC and RSPO organizational Key Performance Indicators (KPIs). The resulting reporting will be anonymized for analysis, marketing and impact assessment.

The selection criteria for these metrics included:

- Value added to growers
- Link to P&C requirements
- Key ToC outcomes
- Those already required for measuring, monitoring and/or reporting

4. STRUCTURE OF THE RSPO P&C

The RSPO P&C are organized into three impact areas according to the RSPO ToC.



Impact Goal PROSPERITY:
Competitive, resilient and sustainable sector

- Principle 1. **Behave ethically and transparently**
- Principle 2. **Operate legally and respect rights**
- Principle 3. **Optimise productivity, efficiency, positive impacts and resilience**



Impact Goal PEOPLE:
Sustainable livelihoods and poverty reduction

- Principle 4. **Respect community and human rights and deliver benefits**
- Principle 5. **Support smallholder inclusion**
- Principle 6. **Respect workers' rights and conditions**



Impact Goal PLANET:
Conserved, protected and enhanced ecosystems that provide for the next generation

- Principle 7. **Protect, conserve and enhance ecosystems and the environment**

Impact Area ToC	Objectives ToC	Principle of Theme
<p>PROSPERITY Impact Goal: Competitive, resilient and sustainable sector</p>	<p>A sustainable, competitive, and resilient palm oil sector ensures long-term viability of the entire supply chain and shared benefits for both private sector as well as the livelihoods of communities where oil palm is grown. Effective planning and management system address economic viability, environmental and social compliance and risk, establishes procedures and systems for ensuring conformance to the RSPO P&C, and supports continuous improvement toward sustainable palm oil.</p>	<p>1. Behave ethically and transparently</p> <p>2. Operate legally and respect rights</p> <p>3. Optimise productivity, efficiency, positive impacts and resilience</p>
<p>PEOPLE Impact Goal: Sustainable livelihoods and poverty reduction</p>	<p>Human rights protected, respected and remedied. The palm oil sector contributes to reducing poverty and palm oil production is a source of sustainable livelihoods. Human rights are respected. People participate in processes that affect them with shared access and benefits. Everyone engaged in palm oil production has equal opportunities to fulfill their potential in work and community with dignity and equality and in a healthy working and living environment.</p>	<p>4. Respect community and human rights and deliver benefits</p> <p>5. Support smallholder inclusion</p> <p>6. Respect workers' rights and conditions</p>
<p>PLANET Impact Goal: Conserved, protected and enhanced ecosystems that provide for the next generation</p>	<p>Impact Goal: Conserved, protected, and enhanced ecosystems that provide for the next generation. Ecosystems and their services are protected, restored, and resilient, including through sustainable consumption and production and sustainable management of natural resources [sustainably manage forests, combat desertification, halt and reverse and degradation, halt biodiversity loss (SDG 15)]. Climate change is addressed through continuous GHG reductions and air and water pollution are controlled</p>	<p>7. Protect, conserve and enhance ecosystems and the environment</p>

STRUCTURE OF THE RSPOP&C



	Criteria Topic	2018 P&C Criterion No	2013 P&C CriterionNo		
PROSPERITY	1.	Information and public availability	1.1	1.1 / 1.2 / 6.10	
		Communication and consultation	1.1	6.2	
		Commitment to ethical conduct	1.2	1.3 / 6.10	
	2.	Legal compliance	2.1	2.1 / 6.10	
		Third party contractors legal	2.2	n.a.	
		Third party FBB legally sourced	2.3	n.a.	
	3.	Long term plan and economic viability	3.1	3.1	
		Continuous Improvement & Reporting	3.2	8.1	
		Standard Operating Procedures	3.3	4.1	
		SEIA and Plans	3.4	5.1 / 6.1 / 7.1	
		System for managing human resources	3.5	n.a.	
		Occupational Health and Safety Plan	3.6	4.7 (part)	
		Training	3.7	4.8	
PEOPLE	4.	Human Rights	4.1	6.13	
		Complaints and Grievances	4.2	6.3	
		Contribution to local sustainable development	4.3	6.11 (part)	
	Land use & FPIC	4.4 & 4.5	2.3 / 7.5		
	Land Use : Compensation	4.6 & 4.7	6.4 / 7.6		
	Land Use : Conflict	4.8	2.2		
	5.	Improved SH livelihoods	5.1	6.1	
		Pay and working conditions	5.2	6.11 (part)	
	6.	No discrimination	6.1	6.8	
		Pay and working conditions	6.2	6	
Freedom of association		6.3	6.6		
No child labour		6.4	6.7		
No harassment		6.5	6.9		
No forced or trafficked labour		6.6	6.12		
Safe working environment		6.7	4.7 (part)		
PLANET	7.	Effective Integrated Pest Management	7.1	4.5	
		Pesticide Use	7.2	4.6	
		Waste management	7.3	5.3	
		Soil health fertility	7.4	4.2 / 7.2	
		Soil conservation (erosion and degradation)	7.5	4.3 & 7.4 (parts)	
		Soil survey and topographic information	7.6	4.3 & 7.2	
		Peat	7.7	4.3 & 7.4 (parts)	
		Water quality and quantity	7.8	4.4	
		Energy Use	7.9	5.4	
		Pollution and GHGs	7.10	5.6 / 7.8	
		Fire	7.11	5.5 / 7.7	
		HCV and HCS	7.12	5.5 / 7.3	

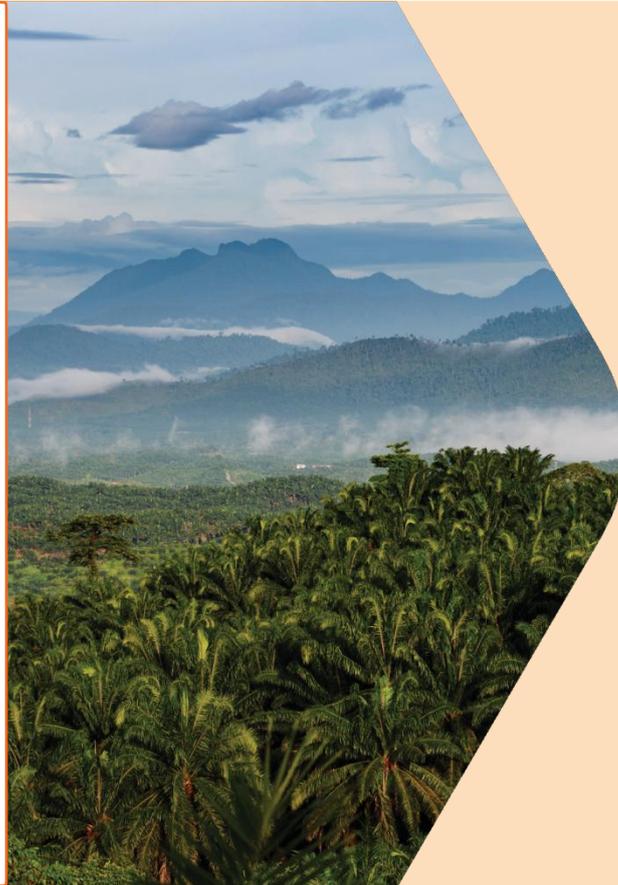


Link to Theory of Change - Intermediate outcomes

Improved Risk Management
 Improved Risk Management, Cross cutting
 Improved Risk Management, Cross cutting
 Improved Risk Management
 Improved Risk Management
 Improved Risk Management, Safe and Decent work
 Improved Risk Management, Safe and Decent work

Human rights upheld
 Inclusive access, communities
 Inclusive access, SH
 Inclusive access, SH
 Human rights upheld, safe and decent work
 Safe and decent work

Resource use, pollution, productivity
 Resource use minimised, pollution
 Resource use minimised, pollution
 Productivity optimised, Ecosystems
 Reduced pollution
 Ecosystem protected, Resource use minimised, Reduced pollution
 Pollution, ecosystems
 Resource use, pollution, ecosystems
 Resource use minimised, pollution
 Reduced pollution
 Reduced pollution
 Ecosystems protected



PROSPERITY: COMPETITIVE, RESILIENT AND SUSTAINABLE SECTOR



Objectives and outcomes

A sustainable, competitive and resilient palm oil sector ensures long-term viability of the entire supply chain and shared benefits for both private sector as well as the livelihoods of communities where oil palm is grown. An effective planning and management system addresses economic viability, environmental and social compliance and risk, establishes procedures and systems for ensuring conformance to the RSPO P&C, and supports continuous improvement toward sustainable palm oil

Principle 1

Behave ethically and transparently

Principle 2

Operate legally and respect rights

Principle 3

Optimise productivity, efficiency, positive impacts and resilience

Principle 1

BEHAVE ETHICALLY AND TRANSPARENTLY

Drive ethical business behaviour, build trust and transparency with stakeholders to ensure strong and healthy relationships.

Criteria	Indicators	ToC Outcomes
<p>1.1 The unit of certification provides adequate information to relevant stakeholders on environmental, social and legal issues relevant to RSPO Criteria, in appropriate languages and forms to allow for effective participation in decision making.</p> 	<p>1.1.1 (C) Management documents that are specified in the RSPO P&Care made publicly available.</p> <p>1.1.2 Information is provided in appropriate languages and accessible to relevant stakeholders.</p> <p>1.1.3 (C) Records of requests for information and responses are maintained.</p> <p>1.1.4 (C) Consultation and communication procedures are documented, disclosed, implemented, made available, and explained to all relevant stakeholders by a nominated management official.</p> <p>1.1.5 There is a current list of contact and details of stakeholders and their nominated representatives.</p>	<p>Improved risk management</p>
<p>1.2 The unit of certification commits to ethical conduct in all business operations and transactions.</p> 	<p>1.2.1 A policy for ethical conduct is in place and implemented in all business operations and transactions, including recruitment and contracts.</p> <p>1.2.2 A system is in place to monitor compliance and the implementation of the policy and overall ethical business practice.</p>	<p>Improved risk management</p>

Principle 2

OPERATE LEGALLY AND RESPECT RIGHTS

Implement legal requirements as the basic principles of operation in any jurisdiction.

Criteria	Indicators	ToC Outcomes
<p>2.1 There is compliance with all applicable local, national, and ratified international laws and regulations.</p> 	<p>2.1.1 (C) The unit of certification complies with applicable legal requirements.</p> <p>2.1.2 A documented system for ensuring legal compliance is in place. This system has a means to track changes to the law and also includes listing and evidence of legal due diligence of all contracted third parties, recruitment agencies, service providers and labour contractors.</p> <p>2.1.3 Legal or authorized boundaries are clearly demarcated and visibly maintained, and there is no planting beyond these legal or authorized boundaries.</p>	<p>Improved risk management</p>
<p>2.2 All contractors providing operational services and supplying labour, and Fresh Fruit Bunch (FFB) suppliers, comply with legal requirements.</p> 	<p>2.2.1 A list of contracted parties is maintained.</p> <p>2.2.2 All contracts, including those for FFB supply, contain specific clauses on meeting applicable legal requirements, and this can be demonstrated by the third party.</p> <p>2.2.3 All contracts, including those for FFB supply, contain clauses disallowing child, forced and trafficked labour. Where young workers are employed, the contracts include a clause for their protection.</p>	<p>Improved risk management; Human rights upheld; Safe and decent work</p>

Criteria	Indicators	ToC Outcomes
<p>2.3 All FFB supplies from outside the unit of certification are from legal sources.</p> 	<p>2.3.1 (C) For all directly sourced FFB, the mill requires:</p> <ul style="list-style-type: none"> • Information on geo-location of FFB origins • Proof of the ownership status or the right/claim to the land by the grower/smallholder • Where applicable, valid planting/operating/trading license, or is part of a cooperative which allows the buying and selling of FFB. <p>2.3.2 For all indirectly sourced FFB, the unit of certification obtains from the collection centres, agents or other intermediaries, the evidence as listed in Indicator 2.3.1.</p> <p>PROCEDURAL NOTE: For Implementation Procedure for 2.3.2 refer to Annex 4.</p>	<p>Improved risk management</p>

Principle 3

OPTIMISE PRODUCTIVITY, EFFICIENCY, POSITIVE IMPACTS AND RESILIENCE

Implement plans, procedures and systems for continuous improvement.

Criteria	Indicators	ToC Outcomes
3.1 	<p>3.1.1 (C) A business or management plan (minimum three years) is documented that includes, where applicable, a jointly developed business case for Scheme Smallholders.</p> <p>3.1.2 An annual replanting programme projected for a minimum of five years with yearly review, is available.</p> <p>3.1.3 The unit of certification holds management reviews at planned intervals appropriate to the scale and nature of the activities undertaken.</p>	Improved risk management; Productivity optimized
3.2 	<p>3.2.1 (C) The action plan for continuous improvement is implemented, based on consideration of the main social and environmental impacts and opportunities of the unit of certification.</p> <p>3.2.2 As part of the monitoring and continuous improvement process, annual reports are submitted to the RSPO Secretariat using the RSPO metrics template.</p>	Improved risk management

Criteria	Indicators	ToC Outcomes
3.3	<p>Operating procedures are appropriately documented, consistently implemented and monitored.</p> 	Improved risk management
3.4	<p>A comprehensive Social and Environmental Impact Assessment (SEIA) is undertaken prior to new plantings or operations, and a social and environmental management and monitoring plan is implemented and regularly updated in ongoing operations.</p> 	Improved risk management; Human rights upheld

Criteria	Indicators	ToC Outcomes
3.5 A system for managing human resources is in place.	3.5.1 Employment procedures for recruitment, selection, hiring, promotion, retirement and termination are documented and made available to the workers and their representatives. 3.5.2 Employment procedures are implemented and records are maintained.	Improved risk management; Safe and decent work
3.6 An occupational health and safety (H&S) plan is documented, effectively communicated and implemented. 	3.6.1 (C) All operations are risk assessed to identify H&S issues. Mitigation plans and procedures are documented and implemented. 3.6.2 (C) The effectiveness of the H&S plan to address health and safety risks to people is monitored.	Improved risk management; Safe and decent work
3.7 All staff, workers, Scheme Smallholders, outgrowers, and contract workers are appropriately trained. 	3.7.1 (C) A documented programme that provides training is in place, which is accessible to all staff, workers, Scheme Smallholders and outgrowers, taking into account gender-specific needs, and which covers applicable aspects of the RSPO P&C, in a form they understand, and which includes assessments of training. 3.7.2 Records of training are maintained, where appropriate on an individual basis. 3.7.3 Appropriate training is provided for personnel carrying out the tasks critical to the effective implementation of the Supply Chain Certification Standard (SCCS). Training is specific and relevant to the task(s) performed.	Improved risk management; Safe and decent work

SUPPLY CHAIN REQUIREMENTS FOR MILLS



Disclaimer text: The following section is taken verbatim from the RSPO Supply Chain Certification Standard (14 June 2017) (RSPO SCCS), general requirements as well as modules D & E for mills. The RSPO SCCS is the document in vigour for these requirements and should be referred to in any cases of uncertainty. Any references to other modules or sections contained in the table below refer to the RSPO SCCS document.

The RSPO SCCS document will be reviewed and revised in 2019 and the below table will be replaced upon completion of that revision process and endorsement by the RSPO BoG, at which point the reference numbering will be aligned to the P&C document and these supply chain mill requirements only contained in the P&C document forthwith.

Independent mills, who are only required to get supply chain certification, will then have to refer to this section for the mill specific requirements.

As per RSPO SCCS, all requirements are major Indicators (i.e. equivalent of critical Indicators in P&C 2018).

PROCEDURAL NOTE: The below numbering is as per the current RSPO SCCS standard and will be renumbered to become 3.8 and onwards following the revision of the RSPO SCCS in 2019. 'D' therefore refers to RSPO SCCS 'Module D – Crude Palm Oil (CPO) mills: Identity Preserved' and 'E' to RSPO SCCS 'Module E – CPO mills: Mass Balance'.

Depending on the supply chain model chosen, the corresponding requirements apply as well as all general requirements (those with numbers only).

The RSPO SCCS document uses the terms 'site' and 'organization' to refer to the unit of certification.

SUPPLY CHAIN REQUIREMENTS FOR MILLS

Reference in RSPO SCCS	Indicators	ToC Outcomes
Definition Identity Preserved Mill D.1	<p>A mill is deemed to be Identity Preserved (IP) if the FFB used by the mill are sourced from plantation/ estates that are certified against the RSPO Principles and Criteria (RSPO P&C), or against the Group Certification scheme.</p> <p>Certification for CPO mills is necessary to verify the volumes and sources of certified FFB entering the mill, the implementation of any processing controls (for example, if physical separation is used), and volume sales of RSPO certified products. If a mill process certified and uncertified FFB without physically separating them, then only Module E is applicable.</p>	Improved risk management
Definition Mass Balance Mill E.1	<p>Certification for CPO mills is necessary to verify the volumes of certified and uncertified FFB entering the mill and sales volume of RSPO certified products. A mill may be taking delivery of FFB from uncertified growers, in addition to those from its own and 3rd party certified supply base. In that scenario, the mill can claim only the volume of oil palm products produced from processing of the certified FFB as MB.</p>	Improved risk management
Explanation (Volume and product integrity) D.2 E.2	<p>The estimated tonnage of CPO and PK products that could potentially be produced by the certified mill shall be recorded by the certification body (CB) in the public summary of the P&C certification report. For an independent mill, the estimated tonnage of CPO and PK products shall be recorded in the RSPO IT platform, supply chain certificate and public summary audit report. This figure represents the total volume of certified oil palm product (CPO and PK) that the certified mill is allowed to deliver in a year. The actual tonnage produced shall then be recorded in each subsequent annual surveillance report.</p>	Improved risk management

Reference in RSPO SCCS	Indicators	ToC Outcomes
Explanation (Volume and product integrity) D.2 E.2 (Continued)	The mill shall also meet all registration and reporting requirements for the appropriate supply chain through the RSPO supply chain managing organization (RSPO IT platform).	Improved risk management
Documented procedures 5.3.1 D.3 E.3	The site shall have written procedures and/or work instructions to ensure the implementation of all elements of the applicable supply chain model specified. This shall include at minimum the following: <ul style="list-style-type: none"> • Complete and up-to-date procedures covering the implementation of all the elements of the supply chain model requirements. • Complete and up-to-date records and reports that demonstrate compliance with the supply chain model requirements (including training records). • Identification of the role of the person having overall responsibility for and authority over the implementation of these requirements and compliance with all applicable requirements. This person shall be able to demonstrate awareness of the organization's procedures for the implementation of this standard. • The site shall have documented procedures for receiving and processing certified and non-certified FFBS. 	Improved risk management
Internal Audit 5.3.2	The site shall have a written procedure to conduct annual internal audit to determine whether the organization; <ul style="list-style-type: none"> • conforms to the requirements in the RSPO Supply Chain Certification Standard and the RSPO Market Communications and Claims Documents. • effectively implements and maintains the standard requirements within its organization. 	Improved risk management

Reference in RSPO SCCS Indicators

ToC Outcomes

Internal Audit 5.3.2 (Continued)	Any non-conformities found as part of the internal audit shall be issued corrective action. The outcomes of the internal audits and all actions taken to correct non-conformities shall be subject to management review at least annually. The organization shall be able to maintain the internal audit records and reports.	Improved risk management
Purchasing Goods In 5.4 D.4.1/ D.4.2 E.4.1/E.4.2	<p>The site shall verify and document the tonnage and sources of certified and the tonnage of non-certified FFBS received.</p> <p>The site shall inform the CB immediately if there is a projected overproduction of certified tonnage.</p> <p>The site shall have a mechanism in place for handling non-conforming oil palm products and/or documents.</p>	Improved risk management
Outsourcing Activities 5.5	5.5.1 In cases where an operation seeking or holding certification outsources activities to independent third parties (e.g. subcontractors for storage, transport or other outsourced activities), the operation seeking or holding certification shall ensure that the independent third party complies with the requirements of the RSPO Supply Chain Certification Standard. A CPO mill and independent mill cannot outsource processing activities like refining or crushing.	Improved risk management

Reference in RSPO SCCS Indicators

ToC Outcomes

Outsourcing Activities

5.5 (Continued)

This requirement is not applicable to outsourced storage facilities where the management of the oil palm product(s) and instructions for tank movements are controlled by the certified organization (not the tank farm manager).

5.5.2 Sites which include outsourcing within the scope of their RSPO Supply Chain Certificate shall ensure the following:

- a) The site has legal ownership of all input material to be included in outsourced processes
- b) The site has an agreement or contract covering the outsourced process with each contractor through a signed and enforceable agreement with the contractor. The onus is on the site to ensure that certification bodies (CBs) have access to the outsourcing contractor or operation if an audit is deemed necessary
- c) The site has a documented control system with explicit procedures for the outsourced process which is communicated to the relevant contractor
- d) The site seeking or holding certification shall furthermore ensure (e.g. through contractual arrangements) that independent third parties engaged provide relevant access for duly accredited CBs to their respective operations, systems, and any and all information, when this is announced in advance.

Improved risk management

Reference in RSPO SCCS	Indicators	ToC Outcomes
Outsourcing Activities 5.5 (Continued)	<p>5.5.3 The site shall record the names and contact details of all contractors used for the processing or physical handling of RSPO certified oil palm products.</p> <p>5.5.4 The site shall at its next audit inform its CB of the names and contact details of any new contractor used for the processing or physical handling of RSPO certified oil palm products.</p>	Improved risk management
Record Keeping 5.9	<p>5.9.1 The organization shall maintain accurate, complete, up-to-date and accessible records and reports covering all aspects of these RSPO Supply Chain Certification Standard requirements.</p> <p>5.9.2 Retention times for all records and reports shall be a minimum of two (2) years and shall comply with legal and regulatory requirements and be able to confirm the certified status of raw materials or products held in stock.</p> <p>5.9.3 The organization shall be able to provide the estimated volume of palm oil / palm kernel oil content (separate categories) in the RSPO certified oil palm product and keep an up-to-date record of the volume purchased (input) and claimed (output) over a period of twelve (12) months.</p>	Improved risk management
D.5.1	The site shall record and balance all receipts of RSPO certified FFB and deliveries of RSPO certified CPO and PK on a real-time basis.	

Reference in RSPO SCCS	Indicators	ToC Outcomes
E.5.1	<ul style="list-style-type: none"> a) The site shall record and balance all receipts of RSPO certified FFB and deliveries of RSPO certified CPO and PK on a real-time basis and / or three-monthly basis b) All volumes of palm oil and palm kernel oil that are delivered are deducted from the material accounting system according to conversion ratios stated by RSPO c) The site can only deliver Mass Balance sales from a positive stock. Positive stock can include product ordered for delivery within three (3) months. However, a site is allowed to sell short (i.e. product can be sold before it is in stock). 	Improved risk management
Conversion Factors 5.10	<p>5.10.1 Where applicable, a conversion rate shall be applied to provide a reliable estimate for the amount of certified output available from the associated inputs. Organizations may determine and set their own conversion rates which shall be based upon past experience, documented and applied consistently. Guidance on conversion rates is published on the RSPO website (www.rspo.org).</p> <p>5.10.2 Conversion rates shall be periodically updated to ensure accuracy against actual performance or industry average if appropriate.</p>	Improved risk management
Processing D.6	The site shall assure and verify through documented procedures and record keeping that the RSPO certified oil palm product is kept separated from non-certified oil palm product, including during transport and storage to strive for 100% separation.	Improved risk management

Reference in RSPO SCCS Indicators

ToC Outcomes

Sales and Goods Out
5.6

5.6.1. The supplying site shall ensure that the following minimum information for RSPO certified products is made available in document form:

- The name and address of the buyer;
- The name and address of the seller;
- The loading or shipment / delivery date;
- The date on which the documents were issued;
- A description of the product, including the applicable supply chain model (Identity Preserved, Segregated or Mass Balance or the approved abbreviations);
- The quantity of the products delivered;
- Any related transport documentation;
- Supply Chain Certificate number of the seller;
- A unique identification number.
- Information shall be complete and can be presented either on a single document or across a range of documents issued for RSPO certified oil palm products (for example, delivery notes, shipping documents and specification documentation).
- For sites that are required to announce and confirm trades in the RSPO IT platform, this shall include making Shipping Announcements / Announcements and Confirmations on the RSPO IT platform per shipment or group of shipments.

Improved risk management

Registration of Transactions 5.7

5.7.1 Supply chain actors who:

- are mills, traders, crushers and refineries; and
- take legal ownership and/or physically handle RSPO Certified Sustainable oil palm products that are available in the yield scheme of the RSPO IT Platform (Figure 2 and 3, refer Annex1) shall register their transaction in the RSPO IT platform and confirm upon receipt where applicable.

5.7.2 The involved supply chain actors mentioned in 5.7.1 shall do the following actions in the RSPO IT Platform: Shipping Announcement / Announcement: When RSPO certified volume is sold as certified, the volumes of products that are in the yield scheme (Figure 2 and 3, refer Annex 1) shall be registered as a Shipping Announcement / Announcement in the RSPO IT Platform. The declaration time to do Shipping Announcement / Announcement is based on members' own standard operating procedures.

Trace: When RSPO certified volumes are sold as RSPO certified to actors in the supply chain beyond the refinery, the volume shall be traced at least annually. Tracing triggers the generation of a trace document with a unique traceability number. Tracing can be done in a consolidated way at least annually.

Reference in RSPO SCCS	Indicators	ToC Outcomes
Registration of Transactions 5.7 (Continued)	<p>Remove: RSPO certified volumes sold under other schemes or as conventional, or in case of underproduction, loss or damage shall be removed.</p> <p>Confirm: Acknowledge the purchase of RSPO certified volume by confirming Shipping Announcements / Announcements.</p>	
Claims 5.11	5.11.1 The site shall only make claims regarding the use of or support of RSPO certified oil palm products that are in compliance with the RSPO Rules on Market Communications and Claims.	Improved risk management

PEOPLE: SUSTAINABLE LIVELIHOODS AND POVERTY REDUCTION



Objectives and outcomes

Human rights protected, respected and remedied. The palm oil sector contributes to reducing poverty and palm oil production is a source of a sustainable livelihoods. Human rights are respected. People participate in processes that affect them with shared access and benefits. Everyone engaged in palm oil production has equal opportunities to fulfil their potential in work and community with dignity and equality, and in a healthy working and living environment

Principle 4

Respect community and human rights and deliver benefits

Principle 5

Support smallholder inclusion

Principle 6

Respect workers' rights and conditions

Principle 4

RESPECT COMMUNITY AND HUMAN RIGHTS AND DELIVER BENEFITS

Respect community rights, provide equal opportunities, maximize benefits from engagement and ensure remediation where needed.

Criteria	Indicators	ToC Outcomes
<p>4.1 The unit of certification respects human rights, which includes respecting the rights of Human Rights Defenders.</p> 	<p>4.1.1 (C) A policy to respect human rights, including prohibiting retaliation against Human Rights Defenders (HRDs), is documented and communicated to all levels of the workforce, operations, supply chain and local communities and prohibits intimidation and harassment by the unit of certification and contracted services, including contracted security forces.</p> <p>4.1.2 The unit of certification does not instigate violence or use any form of harassment, including the use of mercenaries and paramilitaries in their operations.</p>	<p>Human rights upheld</p>
<p>4.2 There is a mutually agreed and documented system for dealing with complaints and grievances, which is implemented and accepted by all affected parties.</p> 	<p>4.2.1 (C) The mutually agreed system, open to all affected parties, resolves disputes in an effective, timely and appropriate manner, ensuring anonymity of complainants, HRDs, community spokespersons and whistleblowers, where requested, without risk of reprisal or intimidation and follows the RSPO policy on respect for HRDs.</p> <p>4.2.2 Procedures are in place to ensure that the system is understood by the affected parties, including by illiterate parties.</p> <p>4.2.3 The unit of certification keeps parties to a grievance informed of its progress, including against agreed timeframe and the outcome is available and communicated to relevant stakeholders.</p>	<p>Human rights upheld</p>

Criteria	Indicators	ToC Outcomes
<p>4.2 There is a mutually agreed and documented system for dealing with complaints and grievances, which is implemented and accepted by all affected parties. (Continued)</p> 	<p>4.2.4 The conflict resolution mechanism includes the option of access to independent legal and technical advice, the ability for complainants to choose individuals or groups to support them and/or act as observers, as well as the option of a third-party mediator.</p>	<p>Human rights upheld</p>
<p>4.3 The unit of certification contributes to local sustainable development as agreed by local communities.</p> 	<p>4.3.1 Contributions to community development that are based on the results of consultation with local communities are demonstrated.</p>	<p>Human rights upheld</p>
<p>4.4 Use of the land for oil palm does not diminish the legal, customary or user rights of other users without their Free, Prior and Informed Consent.</p> 	<p>4.4.1 (C) Documents showing legal ownership or lease, or authorized use of customary land authorized by customary landowners through a Free, Prior and Informed (FPIC) process. Documents related to the history of land tenure and the actual legal or customary use of the land are available.</p>	<p>Human rights upheld</p>

Criteria	Indicators	ToC Outcomes
<p>4.4 Use of the land for oil palm does not diminish the legal, customary or user rights of other users without their FPIC. (Continued)</p> 	<p>4.4.2 Copies of documents evidencing agreement-making processes and negotiated agreements detailing the FPIC process are available and include:</p> <ul style="list-style-type: none"> a) Evidence that a plan has been developed through consultation and discussion in good faith with all affected groups in the communities, with particular assurance that vulnerable, minorities’ and gender groups are consulted, and that information has been provided to all affected groups, including information on the steps that are taken to involve them in decision making b) Evidence that the unit of certification has respected communities’ decisions to give or withhold their consent to the operation at the time that these decisions weretaken c) Evidence that the legal, economic, environmental and social implications of permitting operations on their land have been understood and accepted by affected communities, including the implications for the legal status of their land at the expiry of the unit of certification’s title, concession or lease on the land. <p>4.4.3 (C) Maps of an appropriate scale showing the extent of recognized legal, customary or user rights are developed through participatory mapping involving affected parties (including neighbouring communities where applicable, and relevant authorities).</p>	<p>Human rights upheld</p>

Criteria	Indicators	ToC Outcomes
<p>4.4 Use of the land for oil palm does not diminish the legal, customary or user rights of other users without their FPIC. (Continued)</p> 	<p>4.44 All relevant information is available in appropriate forms and languages, including assessments of impacts, proposed benefit sharing, and legal arrangements.</p> <p>4.45 (C) Evidence is available to show that communities are represented through institutions or representatives of their own choosing, including by legal counsel if they so choose.</p> <p>4.46 There is evidence that implementation of agreements negotiated through FPIC is annually reviewed in consultation with affected parties.</p>	<p>Human rights upheld</p>
<p>4.5 No new plantings are established on local peoples' land where it can be demonstrated that there are legal, customary or user rights, without their FPIC. This is dealt with through a documented system that enables these and other stakeholders to express their views through their own representative institutions.</p> 	<p>4.5.1 (C) Documents showing identification and assessment of demonstrable legal, customary and user rights are available.</p> <p>4.5.2 (C) FPIC is obtained for all oil palm development through a comprehensive process, including in particular, full respect for their legal and customary rights to the territories, lands and resources via local communities' own representative institutions, with all the relevant information and documents made available, with option of resourced access to independent advice through a documented, long-term and two-way process of consultation and negotiation.</p>	<p>Human rights upheld</p>

Criteria	Indicators	ToC Outcomes
4.5 No new plantings are established on local peoples' land where it can be demonstrated that there are legal, customary or user rights, without their FPIC. This is dealt with through a documented system that enables these and other stakeholders to express their views through their own representative institutions. (Continued) 	<p>4.53 Evidence is available that affected local peoples understand they have the right to say 'no' to operations planned on their lands before and during initial discussions, during the stage of information gathering and associated consultations, during negotiations, and up until an agreement with the unit of certification is signed and ratified by these local peoples. Negotiated agreements are non-coercive and entered into voluntarily and carried out prior to new operations.</p> <p>4.54 To ensure local food and water security, as part of the FPIC process, participatory SEIA and participatory land-use planning with local peoples, the full range of food and water provisioning options are considered. There is transparency of the land allocation process.</p> <p>4.55 Evidence is available that the affected communities and rights holders have had the option to access information and advice, that is independent of the project proponent, concerning the legal, economic, environmental and social implications of the proposed operations on their lands.</p> <p>4.56 Evidence is available that the communities (or their representatives) gave consent to the initial planning phases of the operations prior to the issuance of a new concession or land title to the operator.</p>	Human rights upheld

Criteria	Indicators	ToC Outcomes
<p>4.5 No new plantings are established on local peoples' land where it can be demonstrated that there are legal, customary or user rights, without their FPIC. This is dealt with through a documented system that enables these and other stakeholders to express their views through their own representative institutions. (Continued)</p> <p></p>	<p>4.5.7 New lands will not be acquired for plantations and mills after 15 November 2018 as a result of recent (2005 or later) expropriations in the national interest without consent (eminent domain), except in cases of smallholders benefiting from agrarian reform or anti-drug programmes.</p> <p>4.5.8 (C) New lands are not acquired in areas inhabited by communities in voluntary isolation.</p>	<p>Human rights upheld</p>
<p>4.6 Any negotiations concerning compensation for loss of legal, customary or user rights are dealt with through a documented system that enables indigenous peoples, local communities and other stakeholders to express their views through their own representative institutions.</p> <p></p>	<p>4.6.1 (C) A mutually agreed procedure for identifying legal, customary or user rights, and a procedure for identifying people entitled to compensation, is in place.</p> <p>4.6.2 (C) A mutually agreed procedure for calculating and distributing fair and gender-equal compensation (monetary or otherwise) is established and implemented, monitored and evaluated in a participatory way, and corrective actions taken as a result of this evaluation.</p> <p>4.6.3 Evidence is available that equal opportunities are provided to both men and women to hold land titles for small holdings.</p>	<p>Human rights upheld</p>

Criteria	Indicators	ToC Outcomes
<p>4.6 Any negotiations concerning compensation for loss of legal, customary or user rights are dealt with through a documented system that enables indigenous peoples, local communities and other stakeholders to express their views through their own representative institutions. (Continued)</p> 	<p>4.6.4. The process and outcomes of any negotiated agreements, compensation and payments are documented, with evidence of the participation of affected parties, and made publicly available to them.</p>	<p>Human rights upheld</p>
<p>4.7 Where it can be demonstrated that local peoples have legal, customary or user rights, they are compensated for any agreed land acquisitions and relinquishment of rights, subject to their FPIC and negotiated agreements.</p>	<p>4.7.1 (C) A mutually agreed procedure for identifying people entitled to compensation is in place.</p> <p>4.7.2 (C) A mutually agreed procedure for calculating and distributing fair compensation (monetary or otherwise) is in place and documented and made available to affected parties.</p> <p>4.7.3 Communities that have lost access and rights to land for plantation expansion are given opportunities to benefit from plantation development.</p>	<p>Human rights upheld</p>

Criteria	Indicators	ToC Outcomes
<p>4.8 The right to use the land is demonstrated and is not legitimately contested by local people who can demonstrate that they have legal, customary, or user rights.</p> 	<p>4.81 Where there are or have been disputes, proof of legal acquisition of title and evidence that mutually agreed compensation has been made to all people who held legal, customary, or user rights at the time of acquisition is available and provided to parties to a dispute, and that any compensation was accepted following a documented process of FPIC.</p> <p>4.82 (C) Land conflict is not present in the area of the unit of certification. Where land conflict exists, acceptable conflict resolution processes (see Criteria 4.2 and 4.6) are implemented and accepted by the parties involved. In the case of newly acquired plantations, the unit of certification addresses any unresolved conflict through appropriate conflict resolution mechanisms.</p> <p>4.83 Where there is evidence of acquisition through dispossession or forced abandonment of customary and user rights prior to the current operations and there remain parties with demonstrable customary and land use rights, these claims will be settled using the relevant requirements (Indicators 4.4.2, 4.4.3 and 4.4.4)</p> <p>4.84 For any conflict or dispute over the land, the extent of the disputed area is mapped out in a participatory way with involvement of affected parties (including neighbouring communities where applicable).</p>	<p>Human rights upheld</p>

Principle 5

SUPPORT SMALLHOLDER INCLUSION

Include smallholders in RSPO supply chains and improve their livelihoods through fair and transparent partnerships.

Criteria	Indicators	ToC Outcomes
5.1 The unit of certification deals fairly and transparently with all smallholders (Independent and Scheme) and other local businesses. 	<p>5.1.1 Current and previous period prices paid for FFB are publicly available and accessible by smallholders.</p> <p>5.1.2 (C) Evidence is available that the unit of certification regularly explains the FFB pricing to smallholders.</p> <p>5.1.3 (C) Fair pricing, including premium pricing, when applicable, is agreed with smallholders in the supply base and documented.</p> <p>5.1.4 (C) Evidence is available that all parties, including women and independent representative organizations assisting smallholders where requested, are involved in decision-making processes and understand the contracts. These include those involving finance, loans/credits, and repayments through FFB price reductions for replanting and/or other support mechanisms where applicable.</p> <p>5.1.5 Contracts are fair, legal and transparent and have an agreed timeframe.</p> <p>5.1.6 (C) Agreed payments are made in a timely manner and receipts specifying price, weight, deductions and amount paid are given.</p>	Inclusive access to benefits

Criteria	Indicators	ToC Outcomes
5.1	<p>The unit of certification deals fairly and transparently with all smallholders (Independent and Scheme) and other local businesses. (Continued)</p> 	<p>Inclusive access to benefits</p>
5.2	<p>The unit of certification supports improved livelihoods of smallholders and their inclusion in sustainable palm oil value chains.</p> 	<p>Inclusive access to benefits</p>

- 5.1.7 Weighing equipment is verified by an independent third party on a regular basis (this can be government).
- 5.1.8 The unit of certification supports Independent Smallholders with certification, where applicable, ensuring mutual agreements between the unit of certification and the smallholders on who runs the internal control system (ICS), who holds the certificates, and who holds and sells the certified material.
- 5.1.9 **(C)** The unit of certification has a grievance mechanism for smallholders and all grievances raised are dealt with in a timely manner.

- 5.2.1 The unit of certification consults with interested smallholders (irrespective of type) including women or other partners in their supply base to assess their needs for support to improve their livelihoods and their interest in RSPO certification.
 - 5.2.2 The unit of certification develops and implements livelihood improvement programmes, including at least capacity building to enhance productivity, quality, organizational and managerial competencies, and specific elements of RSPO certification (including the RSPO Standard for Independent Smallholder).
- PROCEDURAL NOTE:** The RSPO is currently developing a separate standard for Independent Smallholders.

Criteria	Indicators	ToC Outcomes
5.2 The unit of certification supports improved livelihoods of smallholders and their inclusion in sustainable palm oil value chains. (Continued) 	5.2.3 Where applicable, the unit of certification provides support to smallholders to promote legality of FFB production. 5.2.4 (C) Evidence exists that the unit of certification trains Scheme Smallholders on pesticide handling. 5.2.5 The unit of certification regularly reviews and publicly reports on the progress of the smallholder support programme.	Inclusive access to benefits

Principle 6

RESPECT WORKERS' RIGHTS AND CONDITIONS

Protect workers' rights and ensure safe and decent working conditions.

Criteria	Indicators	ToC Outcomes
6.1 Any form of discrimination is prohibited. 	<p>6.1.1 (C) A publicly available non-discrimination and equal opportunity policy is implemented in such a way to prevent discrimination based on ethnic origin, caste, national origin, religion, disability, gender, sexual orientation, gender identity, union membership, political affiliation or age.</p> <p>6.1.2. (C) Evidence is provided that workers and groups including local communities, women, and migrant workers have not been discriminated against. Evidence includes migrant workers' non-payment of recruitment fees.</p> <p>6.1.3 The unit of certification demonstrates that recruitment selection, hiring, access to training and promotion are based on skills, capabilities, qualities and medical fitness necessary for the jobs available.</p> <p>6.1.4 Pregnancy testing is not conducted as a discriminatory measure and is only permissible when it is legally mandated. Alternative equivalent employment is offered for pregnant women.</p>	Human rights upheld; Safe and decent work

Criteria	Indicators	ToC Outcomes
6.1 Any form of discrimination is prohibited. (Continued) 	6.1.5 (C) A gender committee is in place specifically to raise awareness, identify and address issues of concern, as well as opportunities and improvements for women. 6.1.6 There is evidence of equal pay for the same work scope.	Human rights upheld; Safe and decent work
6.2 Pay and conditions for staff and workers and for contract workers always meet at least legal or industry minimum standards and are sufficient to provide decent living wages (DLW). 	6.2.1 (C) Applicable labour laws, union and/or other collective agreements and documentation of pay and conditions are available to the workers in national languages and explained to them in a language they understand. 6.2.2 (C) Employment contracts and related documents detailing payments and conditions of employment (e.g. regular working hours, deductions, overtime, sick leave, holiday entitlement, maternity leave, reasons for dismissal, period of notice, etc. in compliance with national legal requirements) and payroll documents give accurate information on compensation for all work performed, including work done by family members. 6.2.3 (C) There is evidence of legal compliance for regular working hours, deductions, overtime, sickness, holiday entitlement, maternity leave, reasons for dismissal, period of notice and other legal labour requirements.	Human rights upheld; Safe and decent work

Criteria	Indicators	ToC Outcomes
<p>6.2 Pay and conditions for staff and workers and for contract workers always meet at least legal or industry minimum standards and are sufficient to provide decent living wages (DLW). (Continued)</p> 	<p>6.2.4 (C) The unit of certification provides adequate housing, sanitation facilities, water supplies, medical, educational and welfare amenities to national standards or above, where no such public facilities are available or accessible. National laws, or in their absence the ILO Guidance on Workers’ Housing Recommendation No. 115, are used. In the case of acquisitions of non-certified units, a plan is developed detailing the upgrade of infrastructure. A reasonable time (5 years) is allowed to upgrade the infrastructure.</p> <p>6.2.5 The unit of certification makes efforts to improve workers’ access to adequate, sufficient and affordable food.</p> <p>6.2.6 A DLW is paid to all workers, including those on piece rate/quotas, for whom the calculation is based on achievable quotas during regular work hours.</p> <p>PROCEDURAL NOTE: The RSPO Labour Task Force will prepare guidance on the DLW implementation, including details on how to calculate a DLW, expected for 2019. The RSPO Secretariat will endeavour to carry out DLW country benchmarks for palm oil producing countries in which RSPO members operate and for which no Global Living Wage Coalition (GLWC) benchmarks exist.</p> <p>6.2.7 Permanent, full-time employment is used for all core work performed by the unit of certification. Casual, temporary and day labour is limited to jobs that are temporary or seasonal.</p>	

Criteria	Indicators	ToC Outcomes
<p>6.3 The unit of certification respects the rights of all personnel to form and join trade unions of their choice and to bargain collectively. Where the right to freedom of association and collective bargaining are restricted under law, the employer facilitates parallel means of independent and free association and bargaining for all such personnel.</p>	<p>6.3.1 (C) A published statement recognizing freedom of association and right to collective bargaining in national languages is available and is explained to all workers in languages that they understand, and is demonstrably implemented.</p> <p>6.3.2 Minutes of meetings between the unit of certification with trade unions or workers representatives, who are freely elected, are documented in national languages and made available upon request.</p> <p>6.3.3 Management does not interfere with the formation or operation of registered unions/ labour organizations or associations, or other freely elected representatives for all workers including migrant and contract workers.</p>	<p>Human rights upheld; Safe and decent work</p>
<p>6.4 Children are not employed or exploited.</p>	<p>6.4.1 A formal policy for the protection of children, including prohibition of child labour and remediation is in place, and included into service contracts and supplier agreements.</p> <p>6.4.2 (C) There is evidence that minimum age requirements are met. Personnel files show that all workers are above the national minimum age or above company policy minimum age, whichever is higher. There is a documented age screening verification procedure.</p>	<p>Human rights upheld; Safe and decent work</p>



Criteria	Indicators	ToC Outcomes
6.4 Children are not employed or exploited. (Continued) 	6.4.3 (C) Young persons may be employed only for non-hazardous work, with protective restrictions in place for that work. 6.4.4 The unit of certification demonstrates communication about its ‘no child labour’ policy and the negative effects of child labour, and promotes child protection to supervisors and other key staff, smallholders, FFB suppliers and communities where workers live.	Human rights upheld; Safe and decent work
6.5 There is no harassment or abuse in the workplace, and reproductive rights are protected. 	6.5.1 (C) A policy to prevent sexual and all other forms of harassment and violence is implemented and communicated to all levels of the workforce. 6.5.2 (C) A policy to protect the reproductive rights of all, especially of women, is implemented and communicated to all levels of the workforce. 6.5.3 Management has assessed the needs of new mothers, in consultation with the new mothers, and actions are taken to address the needs that have been identified. 6.5.4 A grievance mechanism, which respects anonymity and protects complainants where requested, is established, implemented and communicated to all levels of the workforce.	Human rights upheld; Safe and decent work

Criteria	Indicators	ToC Outcomes
<p>6.6 No forms of forced or trafficked labour are used.</p> 	<p>6.6.1 (C) All work is voluntary and the following are prohibited:</p> <ul style="list-style-type: none"> • Retention of identity documents or passports • Payment of recruitment fees • Contract substitution • Involuntary overtime • Lack of freedom of workers to resign • Penalty for termination of employment • Debt bondage • Withholding of wages <p>6.6.2 (C) Where temporary or migrant workers are employed, a specific labour policy and procedures are established and implemented.</p>	<p>Human rights upheld; Safe and decent work</p>
<p>6.7 The unit of certification ensures that the working environment under its control is safe and without undue risk to health.</p> 	<p>6.7.1 (C) The responsible person(s) for H&S is identified. There are records of regular meetings between the responsible person(s) and workers. Concerns of all parties about health, safety and welfare are discussed at these meetings, and any issues raised are recorded.</p> <p>6.7.2 Accident and emergency procedures are in place and instructions are clearly understood by all workers. Accident procedures are available in the appropriate language of the workforce. Assigned operatives trained in first aid are present in both field and other operations, and first aid equipment is available at worksites. Records of all accidents are kept and periodically reviewed.</p>	<p>Safe and decent work</p>

Criteria	Indicators	ToC Outcomes
6.7	<p>The unit of certification ensures that the working environment under its control is safe and without undue risk to health. (Continued)</p> 	<p>Safe and decent work</p>
	<p>6.7.3 (C) Workers use appropriate personal protective equipment (PPE), which is provided free of charge to all workers at the place of work to cover all potentially hazardous operations, such as pesticide application, machine operations, land preparation, and harvesting. Sanitation facilities for those applying pesticides are available, so that workers can change out of PPE, wash and put on their personal clothing.</p>	
	<p>6.7.4 All workers are provided with medical care and covered by accident insurance. Costs incurred from work-related incidents leading to injury or sickness are covered in accordance with national law or by the unit of certification where national law does not offer protection.</p>	
	<p>6.7.5 Occupational injuries are recorded using Lost Time Accident (LTA) metrics.</p>	

Impact Goal

PLANET: CONSERVED, PROTECTED AND ENHANCED ECOSYSTEMS THAT PROVIDE FOR THE NEXT GENERATION



Objectives and outcomes

Ecosystems and their services are protected, restored and resilient, supported by sustainable consumption and production, and sustainable management of natural resources (in line with SDG 15 – sustainably manage forests, combat desertification, halt and reverse land degradation, halt biodiversity loss). Climate change is addressed through continuous GHG reductions; air and water pollution are controlled. There is greater resilience in our food and fibre production. The water and air are cleaner, and carbon is drawn out of the air to regenerate soils for current and future generations. Inputs decrease while yields are maintained, or even improved

Principle 7

Protect, conserve and enhance ecosystems and the environment

Principle 7

PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT

Protect the environment, conserve biodiversity and ensure sustainable management of natural resources.

Criteria	Indicators	ToC Outcomes
<p>7.1 Pests, diseases, weeds and invasive introduced species are effectively managed using appropriate Integrated Pest Management (IPM) techniques.</p> 	<p>7.1.1 (C) IPM plans are implemented and monitored to ensure effective pest control.</p> <p>7.1.2 Species referenced in the Global Invasive Species Database and CABI.org are not to be used in managed areas, unless plans to prevent and monitor their spread are implemented.</p> <p>7.1.3 There is no use of fire for pest control unless in exceptional circumstances, i.e. where no other effective methods exist, and with prior approval of government authorities.</p>	<p>Pollution reduced; Resource use minimized; Productivity optimized</p>
<p>7.2 Pesticides are used in ways that do not endanger health of workers, families, communities or the environment.</p> 	<p>7.2.1 (C) Justification of all pesticides used is demonstrated. Selective products and application methods that are specific to the target pest, weed or disease are prioritized.</p> <p>7.2.2 (C) Records of pesticides use (including active ingredients used and their LD50, area treated, amount of active ingredients applied per ha and number of applications) are provided.</p> <p>7.2.3 (C) Any use of pesticides is minimized as part of a plan, eliminated where possible, in accordance with IPM plans.</p>	<p>Reduced pollution; Resource use minimized</p>

Criteria	Indicators	ToC Outcomes
<p>7.2 Pesticides are used in ways that do not endanger health of workers, families, communities or the environment. (Continued)</p> 	<p>7.2.4 There is no prophylactic use of pesticides, unless in exceptional circumstances, as identified in national best practice guidelines.</p> <p>7.2.5 Pesticides that are categorized as World Health Organization Class 1A or 1B, or that are listed by the Stockholm or Rotterdam Conventions, and paraquat, are not used, unless in exceptional circumstances, as validated by a due diligence process, or when authorized by government authorities for pest outbreaks.</p> <p>The due diligence refers to:</p> <ol style="list-style-type: none"> a) Judgment of the threat and verify why this is a major threat b) Why there is no other alternative which can be used c) Which process was applied to verify why there is no other less hazardous alternative d) What is the process to limit the negative impacts of the application e) Estimation of the timescale of the application and steps taken to limit application to the specific outbreak. 	<p>Reduced pollution; Resource use minimized</p>

Criteria	Indicators	ToC Outcomes
7.2 Pesticides are used in ways that do not endanger health of workers, families, communities or the environment. (Continued) 	<p>7.2.6 (C) Pesticides are only handled, used or applied by persons who have completed the necessary training and are always applied in accordance with the product label. All precautions attached to the products are properly observed, applied, and understood by workers (see Criterion 3.6). Personnel applying pesticides must show evidence of regular updates on the knowledge about the activity they carry out.</p> <p>7.2.7 (C) Storage of all pesticides is in accordance with recognized best practices.</p> <p>7.2.8 All pesticide containers are properly disposed of and/or handled responsibly if used for other purposes.</p> <p>7.2.9 (C) Aerial spraying of pesticides is prohibited, unless in exceptional circumstances where no other viable alternatives are available. This requires prior government authority approval. All relevant information is provided to affected local communities at least 48 hours prior to application of aerial spraying.</p> <p>7.2.10 (C) Specific annual medical surveillance for pesticide operators, and documented action to treat related health conditions, is demonstrated.</p> <p>7.2.11 (C) No work with pesticides is undertaken by persons under the age of 18, pregnant or breastfeeding women or other people that have medical restrictions and they are offered alternative equivalent work.</p>	Reduced pollution; Resource use minimized

Criteria	Indicators	ToC Outcomes
7.3 Waste is reduced, recycled, reused and disposed of in an environmentally and socially responsible manner. 	7.3.1 A waste management plan which includes reduction, recycling, reusing, and disposal based on toxicity and hazardous characteristics, is documented and implemented. 7.3.2 Proper disposal of waste material, according to procedures that are fully understood by workers and managers, is demonstrated. 7.3.3 The unit of certification does not use open fire for waste disposal.	Reduced pollution; Resource use minimized
7.4 Practices maintain soil fertility at, or where possible improve soil fertility to, a level that ensures optimal and sustained yield. 	7.4.1 Good agricultural practices, as contained in SOPs, are followed to manage soil fertility to optimize yield and minimize environmental impacts. 7.4.2 Periodic tissue and soil sampling is carried out to monitor and manage changes in soil fertility and plant health. 7.4.3 A nutrient recycling strategy is in place, which includes the recycling of Empty Fruit Bunches (EFB), Palm Oil Mill Effluent (POME), palm residues and optimal use of inorganic fertilizers. 7.4.4 Records of fertilizer inputs are maintained.	Reduced pollution; Resource use minimized; Productivity optimized

Criteria	Indicators	ToC Outcomes
7.5 Practices minimize and control erosion and degradation of soils. 	7.5.1 (C) Maps identifying marginal and fragile soils, including steep terrain, are available. 7.5.2 There is no extensive replanting of oil palm on steep terrain. 7.5.3 There is no new planting of oil palm on steep terrain.	Ecosystems protected; Reduced pollution; Productivity optimized
7.6 Soil surveys and topographic information are used for site planning in the establishment of new plantings, and the results are incorporated into plans and operations. 	7.6.1 (C) To demonstrate the long-term suitability of land for oil palm cultivation, soil maps or soil surveys identifying marginal and fragile soils, including steep terrain, are taken into account in plans and operations. 7.6.2 Extensive planting on marginal and fragile soils, is avoided, or, if necessary, done in accordance with the soil management plan for best practices. 7.6.3 Soil surveys and topographic information guide the planning of drainage and irrigation systems, roads and other infrastructure.	Ecosystems protected; Resource use minimized; Reduced pollution
7.7 No new planting on peat, regardless of depth after 15 November 2018 and all peatlands are managed responsibly. 	7.7.1 (C) There is no new planting on peat regardless of depth after 15 November 2018 in existing and new development areas. 7.7.2 Areas of peat within the managed areas are inventoried, documented and reported (effective from 15 November 2018) to RSPO Secretariat. PROCEDURAL NOTE: Maps and other documentation of peat soils are provided, prepared and shared in line with RSPO Peatland Working Group (PLWG) audit guidance (see Procedural Note for 7.7.5 below).	Ecosystems protected; Reduced pollution; Productivity optimized

Criteria	Indicators	ToC Outcomes
<p>7.7 No new planting on peat, regardless of depth after 15 November 2018 and all peatlands are managed responsibly. (Continued)</p> 	<p>7.7.3 (C) Subsidence of peat is monitored, documented and minimized.</p> <p>7.7.4 (C) A documented water and ground cover management programme is in place.</p> <p>7.7.5 (C) For plantations planted on peat, drainability assessments are conducted following the RSPO Drainability Assessment Procedure, or other RSPO recognized methods, at least five years prior to replanting. The assessment result is used to set the timeframe for future replanting, as well as for phasing out of oil palm cultivation at least 40 years, or two cycles, whichever is greater, before reaching the natural gravity drainability limit for peat. When oil palm is phased out, it is replaced with crops suitable for a higher water table (paludiculture) or rehabilitated with natural vegetation.</p> <p>PROCEDURAL NOTE: Full details of the RSPO Drainability Assessment Guidelines and related concepts and detailed actions are in the manual currently being fine-tuned/tested by PLWG. A final version should be approved by PLWG in January 2019 and will include additional guidance on the steps to be followed after the decision not to replant as well as implications for other stakeholders, smallholders, local communities and the unit of certification. It is recommended that a further twelve-month methodology trial period is proposed for all related management units (i.e. those with plantations on peat) to utilize the methodology and provide feedback to the PLWG to enable further refinement of procedure as appropriate before January 2020. Units of certification have the option to defer replanting till after the availability of the revised guidelines. Additional guidance on alternative crops and rehabilitation of natural vegetation will be provided by PLWG.</p>	<p>Ecosystems protected; Reduced pollution; Productivity optimized</p>

Criteria	Indicators	ToC Outcomes
<p>7.7 No new planting on peat, regardless of depth after 15 November 2018 and all peatlands are managed responsibly. (Continued)</p> 	<p>PROCEDURAL NOTE: PLWG and the Smallholder Interim Group (SHIG) will collaboratively develop guidance for Independent Smallholders [cross links to SHIG and GHG issues].</p> <p>7.7.6 (C) All existing plantings on peat are managed according to the ‘RSPO Manual on Best Management Practices (BMPs) for existing oil palm cultivation on peat’, version 2 (2018) and associated audit guidance.</p> <p>7.7.7 (C) All areas of unplanted and set-aside peatlands in the managed area (regardless of depth) are protected as “peatland conservation areas”; new drainage, road building and power lines by the unit of certification on peat soils is prohibited; peatlands are managed in accordance with the ‘RSPO BMPs for Management and Rehabilitation of Natural Vegetation Associated with Oil Palm Cultivation on Peat’, version 2 (2018) and associated audit guidance.</p>	<p>Ecosystems protected; Reduced pollution; Productivity optimized</p>
<p>7.8 Practices maintain the quality and availability of surface and groundwater.</p> 	<p>7.8.1 A water management plan is in place and implemented to promote more efficient use and continued availability of water sources and to avoid negative impacts on other users in the catchment. The plan addresses the following:</p> <ul style="list-style-type: none"> a) The unit of certification does not restrict access to clean water or contribute to pollution of water used by communities b) Workers have adequate access to clean water. 	<p>Ecosystems protected; Reduced pollution; Resource use minimized</p>

Criteria	Indicators	ToC Outcomes
<p>7.8 Practices maintain the quality and availability of surface and groundwater. (Continued)</p> 	<p>7.8.2 (C) Water courses and wetlands are protected, including maintaining and restoring appropriate riparian and other buffer zones in line with <i>'RSPO Manual on BMPs for the management and rehabilitation of riparian reserves'</i> (April 2017).</p> <p>7.8.3 Mill effluent is treated to be in compliance with national regulations. Discharge quality of mill effluent, especially Biochemical Oxygen Demand (BOD), is regularly monitored.</p> <p>7.8.4 Mill water use per tonne of FFB is monitored and recorded.</p>	<p>Ecosystems protected; Reduced pollution; Resource use minimized</p>
<p>7.9 Efficiency of fossil fuel use and the use of renewable energy is optimized.</p> 	<p>7.9.1 A plan for improving efficiency of the use of fossil fuels and to optimize renewable energy is in place, monitored and reported.</p>	<p>Ecosystems protected; Reduced pollution; Resource use minimized</p>
<p>7.10 Plans to reduce pollution and emissions, including greenhouse gases (GHG), are developed, implemented and monitored and new developments are designed to minimize GHG emissions.</p> 	<p>7.10.1 (C) GHG emissions are identified and assessed for the unit of certification. Plans to reduce or minimize them are implemented, monitored through the Palm GHG calculator and publicly reported.</p> <p>7.10.2 (C) Starting 2014, the carbon stock of the proposed development area and major potential sources of emissions that may result directly from the development are estimated and a plan to minimize them prepared and implemented (following the RSPO GHG Assessment Procedure for New Development).</p> <p>7.10.3 (C) Other significant pollutants are identified and plans to reduce or minimize them implemented and monitored.</p>	<p>Reduced pollution</p>

Criteria	Indicators	ToC Outcomes
7.11 Fire is not used for preparing land and is prevented in the managed area. 	7.11.1 (C) Land for new planting or replanting is not prepared by burning. 7.11.2 The unit of certification establishes fire prevention and control measures for the areas directly managed by the unit of certification. 7.11.3 The unit of certification engages with adjacent stakeholders on fire prevention and control measures.	Ecosystems protected; Reduced pollution

PROCEDURAL NOTE for 7.12

The 2018 RSPO P&C include new requirements to ensure the effective contribution of RSPO to halting deforestation. This will be achieved by incorporating the High Carbon Stock Approach (HCSA) Toolkit in the revised standard.

The RSPO ToC also commits RSPO to balancing sustainable livelihoods and poverty reduction with the need to conserve, protect and enhance ecosystems.

High Forest Cover Countries (HFCCs) urgently require economic opportunities that enable communities to choose their own development path, while providing socio-economic benefits and safeguards.

Adapted procedures will be developed to support the sustainable development of palm oil by indigenous peoples and local communities with legal or customary rights. These will apply in specific HFCCs, and within those, in High Forest Cover Landscapes (HFCLs).

The development of these procedures will be guided by a No Deforestation Joint Steering Group (NDJSG) of RSPO and HCSA members. In HFCCs, RSPO will work through national and local participatory processes with governments, communities and other stakeholders to develop these procedures. A timeframe for these activities is stipulated in the Terms of Reference for the NDJSG and publicly available.

Criteria	Indicators	ToC Outcomes
<p>7.12 Land clearing does not cause deforestation or damage any area required to protect or enhance High Conservation Values (HCVs) or High Carbon Stock (HCS) forest. HCVs and HCS forests in the managed area are identified and protected or enhanced.</p> 	<p>7.12.1 (C) Land clearing since November 2005 has not damaged primary forest or any area required to protect or enhance HCVs. Land clearing since 15 November 2018 has not damaged HCVs or HCS forests.</p> <p>A historic Land Use Change Analysis (LUCA) is conducted prior to any new land clearing, in accordance with the RSPO LUCA guidance document.</p> <p>7.12.2 (C) HCVs, HCS forests and other conservation areas are identified as follows:</p> <ul style="list-style-type: none"> a) For existing plantations with an HCV assessment conducted by an RSPO-approved assessor and no new land clearing after 15 November 2018, the current HCV assessment of those plantations remains valid b) Any new land clearing (in existing plantations or new plantings) after 15 November 2018 is preceded by an HCV-HCS assessment, using the HCSA Toolkit and the HCV-HCSA Assessment Manual. This will include stakeholder consultation and take into account wider landscape-level considerations. <p>PROCEDURAL NOTE for 7.12.2: For details of transitional measures, refer to Annex 5: RSPO transition from HCV assessments to HCV-HCSA assessments.</p>	<p>Ecosystems protected</p>

Criteria	Indicators	ToC Outcomes
<p>7.12 Land clearing does not cause deforestation or damage any area required to protect or enhance High Conservation Values (HCVs) or High Carbon Stock (HCS) forest. HCVs and HCS forests in the managed area are identified and protected or enhanced. (Continued)</p> 	<p>7.12.3 (C) In High Forest Cover Landscapes (HFCLs) within HFCCs, a specific procedure will apply for legacy cases and development by indigenous peoples and local communities with legal or customary rights, taking into consideration regional and national multi-stakeholder processes. Until this procedure is developed and endorsed, 7.12.2 applies.</p> <p>PROCEDURAL NOTE for 7.12.3: There should be demonstrable benefits to the local community; clear recognition of legal and customary lands based on participatory land use planning; development should be proportional to the needs of the local community; with a balance between conservation and development. This procedure will also cover planting on previous or abandoned agricultural land / plantations. All other P&C requirements apply, including FPIC and HCV requirements.</p> <p>7.12.4 (C) Where HCVs, HCS forests after 15 November 2018, peatland and other conservation areas have been identified, they are protected and/or enhanced. An integrated management plan to protect and/or enhance HCVs, HCS forests, peatland and other conservation areas is developed, implemented and adapted where necessary, and contains monitoring requirements. The integrated management plan is reviewed at least once every five years. The integrated management plan is developed in consultation with relevant stakeholders and includes the directly managed area and any relevant wider landscape level considerations (where these are identified).</p>	<p>Ecosystems protected</p>

Criteria	Indicators	ToC Outcomes
<p>7.12 Land clearing does not cause deforestation or damage any area required to protect or enhance High Conservation Values (HCVs) or High Carbon Stock (HCS) forest. HCVs and HCS forests in the managed area are identified and protected or enhanced. (Continued)</p>	<p>7.12.5 Where rights of local communities have been identified in HCV areas, HCS forest after 15 November 2018, peatland and other conservation areas, there is no reduction of these rights without evidence of a negotiated agreement, obtained through FPIC, encouraging their involvement in the maintenance and management of these conservation areas.</p> <p>7.12.6 All rare, threatened or endangered (RTE) species are protected, whether or not they are identified in an HCV assessment. A programme to regularly educate the workforce about the status of RTE species is in place. Appropriate disciplinary measures are taken and documented in accordance with company rules and national law if any individual working for the company is found to capture, harm, collect, trade, possess or kill these species.</p> <p>7.12.7 The status of HCVs, HCS forests after 15 November 2018, other natural ecosystems, peatland conservation areas and RTE species is monitored. Outcomes of this monitoring are fed back into the management plan.</p> <p>7.12.8 (C) Where there has been land clearing without prior HCV assessment since November 2005, or without prior HCV-HCSA assessment since 15 November 2018, the Remediation and Compensation Procedure (RaCP) applies.</p>	<p>Ecosystems protected</p>



ANNEX 1: DEFINITIONS

Term	Definition	Source
By-product	Secondary product of technical and economic interest both for the mill and for the agronomic management of oil palm plantations. Among them we can mention: (a) the empty clumps or bunches, result of the fruiting of the sterilized palm bunches, (b) the fiber resulting from the pressing of the fruit, (c) the coarse obtained from the breaking of the nut, (d) the ashes produced by the burning of fiber and cues in the boilers and (e) the bottom muds removed from the anaerobic lagoon of the water treatment system.	Ramírez Contreras <i>et al.</i> , 2011.
Carbon neutrality	Carbon neutrality refers to achieving net zero GHG emissions by balancing a measured amount of carbon dioxide equivalent (CO ₂ e) emissions released with an equivalent amount sequestered or offset. (The term “climate neutral” reflects the broader inclusiveness of other greenhouse gases in addition to carbon dioxide in climate change. The terms are used interchangeably.)	P&C Review 2018.
Child	The term child applies to all persons under the age of 18.	ILO Minimum Age Convention, 1973 (No. 138). Worst Forms of Child Labour Convention, 1999 (No. 182).
Child labour	Child labour is work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. The term applies to: <ul style="list-style-type: none"> • All children under 18 involved in the “worst forms of child labour” (as per ILO Convention No. 182) • All children aged under 12 taking part in economic activity, and • All 12 to 14-year-olds engaged in more than light work. <p>The ILO defines light work as work that is not likely to be harmful to children’s</p>	ILO Minimum Age Convention, 1973 (No. 138).

health or development and not likely to be detrimental to their attendance at school or vocational training.

Those under 18 years old should not engage in hazardous work that might jeopardize their physical, mental or moral well-being, either because of its nature or the conditions under which it is carried out. For young workers above the legal minimum age but below 18, there should be restrictions on hours of work and overtime; working at dangerous heights; with dangerous machinery, equipment and tools; transport of heavy loads; exposure to hazardous substances or processes; and difficult conditions such as night work at night.

Contract substitution

The practice of substituting or changing the terms of employment to which the worker originally agreed, either in writing or verbally, which results in worse conditions or less benefits. Changes to the employment agreement or contract are prohibited unless these changes are made to meet local law and provide equal or better terms.

ILO Report to the Committee examining alleged non-compliance by Qatar of Forced Labour.

Contract worker

Contract worker refers to persons engaged in temporary work, or work for a specific period of time. It also refers to workers who are not employed directly by the company, but employed by a contractor or consultant with whom the company has a direct contract.

ILO Non- Standard Forms of Employment.

Core work

The primary area or activity that a company was founded to do or focuses on in its business operations. Core work pertains to work that is essential and desirable to the growth of the organization.

All agricultural and milling activities are considered core work, e.g. planting, harvesting, fertilizing, maintenance; FFB sorting and grading; machine-technical maintenance; and machine operation.

P&C Review 2018.

Debt bondage

The status or condition of debt bondage when their labour, or the labour of a third party under their control, is demanded as repayment of a loan or of money given in advance, and the value of their labour is not applied towards the liquidation of the debt or the length of the service is not limited and/or the nature of the service is not defined.

UN GA Human Rights Council: Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, July 2016.

Decent living wage	The remuneration received by a worker, for work performed on regular hours, in a particular place sufficient to afford a decent standard of living for the worker and her or his family.	Adapted from GLWC.
Deforestation	Loss of natural forest as a result of: i) conversion to agriculture or other non-forest land use; ii) conversion to a plantation forest; or iii) severe and sustained degradation.	Draft Accountability Framework Initiative (AFI) (July 2018). Refer to latest AFI definition .
Due diligence	A risk management process implemented by a company to identify, prevent, mitigate, and account for how it addresses environmental and social risks and impacts in its operations, supply chains, and investments.	Draft AFI (July 2018). Always refer to latest AFI definition.
Eminent domain and expropriation	Eminent domain is the statutory power of governments to expropriate private property for public use or in the national interest, usually with the payment of compensation according to rates defined by law. Expropriation implies divesting persons of their property without requiring their agreement or consent.	P&C Review 2018.
Extensive replanting on steep terrain	Any individual, contiguous planted area on steep terrain (>25 degrees) greater than 25 ha within the re-planting area.	P&C 2013, Annex 2, NI Guidance.
Facilitation payment	Bribes paid to facilitate routine government action [1]. A common example is where a government official is given money or goods to perform (or speed up the performance of) an existing duty [2].	[1] UK Bribery Act 2010 Guidance [2] UK Serious Fraud Office Bribery Act Guidance
Family farm	A farm operated and mostly owned by a family, for the growing of oil palm, sometimes along with subsistence production of other crops, and where the family provides the majority of the labour used. Such farms provide the principal source of income, and the planted area of oil palm is below 50 ha in size. Work by children is acceptable on family farms, under adult supervision; when not interfering with education programmes; when children are part of the family and when they are not exposed to hazardous working conditions.	P&C 2013
Food security	Food security is achieved when all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life. Four dimensions of food security are commonly identified: food availability, food access, utilization	FAO World Food Summit, 1996. See FAO Policy Brief Issue 2 ,

	and stability.	June 2006 for further detail.
Forced labour	<p>All work or service which is exacted from any person under the menace of any penalty and for which said person has not offered him or herself voluntarily.</p> <p>This definition consists of three elements:</p> <ol style="list-style-type: none"> 1. Work or service refers to all types of work occurring in any activity, industry or sector including in the informal economy. 2. Menace of any penalty refers to a wide range of penalties used to compel someone to work. 3. Involuntariness: The terms “offered voluntarily” refer to the free and informed consent of a worker to take a job and his or her freedom to leave at any time. This is not the case for example when an employer or recruiter makes false promises so that a worker takes a job he or she would not otherwise have accepted. 	<p><u>ILO Forced Labour Definition.</u></p> <p>ILO, Forced Labour Convention, 1930 (No. 29).</p> <p>ILO, Protocol of 2014 to the Forced Labour Convention, 1930 (P029).</p> <p>ILO, Abolition of Forced Labour Convention, 1957 (No. 105).</p> <p>ILO, Forced Labour Recommendation 2014 (No. 203).</p>
Fragile soil	A soil that is susceptible to degradation (reduction in fertility) when disturbed. A soil is particularly fragile if the degradation rapidly leads to an unacceptably low level of fertility or if it is irreversible using economically feasible management inputs. (See also definition for ‘marginal soil’).	P&C Review 2018.
Gender equal equity	<p>Gender equality refers to the equal rights, responsibilities and opportunities of women and men, and girls and boys. Equality does not mean that women and men will be equal, but that the rights, responsibilities and opportunities of women and men will not depend on whether they were born men or women. Gender equality implies taking into account the interests, needs and priorities of women and men, recognizing the diversity of different groups of women and men. Gender equality is not a problem for women, but must concern and fully involve both men and women. Equality between women and men is considered both a human rights issue as a precondition and an indicator of sustainable development centered on people.</p>	<p><u>UN Women, OSAGI Gender Mainstreaming - Concepts and definitions.</u></p> <p>National Institute of Anthropology and History, Ministry of Culture, <u>Basic Manual of Gender Equity.</u></p>

According to the basic manual of gender equity of the National Institute of Anthropology and History, promoted by the Ministry of Culture of the Mexican State, it is stated that "gender equality is a constitutional principle that stipulates that men and women are equal before the law, which means that all people, without any distinction, have the same rights and duties vis-à-vis the State and society as a whole", while gender equity is defined as "a broader concept, [which] refers to the need to end the inequalities of treatment and opportunities between women and men".

In this sense, taking into account that the National Interpretation seeks to generate conditions to promote fair treatment, seeking practices that eliminate existing forms of discrimination against women, and in the same way seek protection in situations that may violate their rights and welfare capacities, it is considered pertinent to use the word equity, seeking to close the historical gaps of discrimination and vulnerability to which they have been exposed.

Greenhouse gas

Greenhouse gases (GHGs) are those gaseous constituents of the atmosphere, both natural and anthropogenic, that absorb and emit radiation at specific wavelengths within the spectrum of thermal infrared radiation emitted by the Earth's surface, the atmosphere itself, and by clouds.

Intergovernmental Panel on Climate Change (IPCC) Data Distribution Centre.

GHGs are measured in terms of their global warming potential – the impact a GHG has on the atmosphere expressed in the equivalent amount of carbon dioxide CO₂ (CO₂e). Greenhouse gases regulated by the Kyoto Protocol include: carbon dioxide (CO₂), methane (CH₄), nitrous oxides (N₂O), Hydrofluorocarbons (HFCs), perfluorocarbons (PFC), and sulphur hexafluoride (SF₆).

Hazardous waste

Waste that have any of the characteristics of corrosivity, reactivity, explosiveness, toxicity, flammability, or that contain infectious agents that confer them danger, as well as containers, packaging and soils that have been contaminated when transferred to another site, according to the General Law for the Prevention and Integral Management of Waste.

Article 5, fr. XXXII of the General Law for the Prevention and Integral Management of Waste.

Hazardous work

Hazardous work is work performed in hazardous conditions; or "in the most hazardous sectors and occupations, such as agriculture, construction, mining, or ship-breaking, or where working relationships or conditions create particular risks, such as exposure to hazardous agents, such as chemical substances or

Article 3 (d) of ILO Convention concerning the Prohibition and Immediate

radiation, or in the informal economy.” (<https://www.ilo.org/safework/areasofwork/hazardous-work/lang--en/index.htm>).

Action for the Elimination of the Worst Forms of Child Labour, 1999 (No. 182).

Hazardous work is also defined as “any work which is likely to jeopardize children’s physical, mental or moral health, safety or morals” and which “should not be done by anyone under the age of 18.” (<https://www.ilo.org/ipec/facts/ILOconventionsonchildlabour/lang--en/index.htm>).

According to the Federal Labour Law, dangerous or unhealthy work are those that involve:

Article 176 of the Federal Labour Law.

I. Exposure to:

- a) Noise, vibrations, ionizing and non-ionizing infrared or ultraviolet radiation, elevated or depleted thermal conditions or abnormal environmental pressures.
- b) Chemical agents polluting the work environment.
- c) Hazardous waste, biological agents or infectious contagious diseases.
- d) Dangerous fauna or noxious flora.

II. Work:

- a) Industrial night hours or work after 10 pm.
 - b) Rescue, salvage and brigades against casualties.
 - c) In height or confined spaces.
 - d) In which critical equipment and processes are operated where hazardous chemical substances are handled that can cause major accidents.
 - e) Welding and cutting.
 - f) In extreme weather conditions in open fields, which expose them to dehydration, heat stroke, hypothermia or freezing.
 - g) On roads with a large volume of vehicular traffic (primary roads).
 - h) Agricultural, forestry, sawing,, hunting and fishing.
-

High Carbon Stock forest	Forests that have been identified using the High Carbon Stock Approach (HCSA) Toolkit.	HCSA website www.highcarbonstock.org
High Forest Cover Country (HFCC)	Countries defined as having >60% forest cover (based on recent, trusted REDD+ and national data); <1% oil palm cover; a deforestation trajectory that is historically low but increasing or constant; and a known frontier area for oil palm or where major areas have been allocated for development.	RSPO No Deforestation consultancy: HFCC Proforest, 2018.
High Forest Cover Landscape	Landscapes having >80% forest cover. Landscape as defined under HCSA Toolkit (Module 5): “The size of a landscape may be determined by (a) identifying the watershed or the geographical land unit containing a cluster of interacting ecosystems; (b) selecting a unit size that encompasses the plantation concession and a buffer of the surrounding area (e.g. 50,000 ha or 100,000 ha); or (c) using a radius of 5 km from the area of interest (for instance, the planned concession).”	HCSA Toolkit (v2).
High Conservation Value (HCV) areas	<p>The areas necessary to maintain or enhance one or more HCVs:</p> <p>HCV 1 – Species diversity; Concentrations of biological diversity including endemic species, and rare, threatened or endangered (RTE) species, that are significant at global, regional or national levels.</p> <p>HCV 2 – Landscape-level ecosystems, ecosystem mosaics and Intact Forest Landscapes (IFL); Large landscape-level ecosystems, ecosystem mosaics and IFL that are significant at global, regional or national levels, and that contain viable populations of the great majority of the naturally occurring species in natural patterns of distribution and abundance.</p> <p>HCV 3 – Ecosystems and habitats; RTE ecosystems, habitats or refugia.</p> <p>HCV 4 – Ecosystem services; Basic ecosystem services in critical situations, including protection of water catchments and control of erosion of vulnerable soils and slopes.</p> <p>HCV 5 – Community needs; Sites and resources fundamental for satisfying the</p>	High Conservation Value Resource Network (HCVRN) Common Guidance for Identification of HCVs 2017.

basic necessities of local communities or indigenous peoples (for livelihoods, health, nutrition, water, etc.), identified through engagement with these communities or indigenous peoples.

HCV 6 – Cultural values; Sites, resources, habitats and landscapes of global or national cultural, archaeological or historical significance, and/or of critical cultural, ecological, economic or religious/sacred importance for the traditional cultures of local communities or indigenous peoples, identified through engagement with these local communities or indigenous peoples.

Human Rights Defenders (HRD)

Individuals, groups and associations who promote and protect universally recognized human rights and contribute to the effective elimination of all forms of violations of human rights and fundamental freedoms of individuals and peoples. This definition includes Environmental HRD, whistleblowers, complainants and community spokespersons. This definition does not include those individuals who commit or propagate violence.

RSPO policy on the protection of HRD, whistleblowers, complainants and community spokespersons (endorsed by BoG on 24 Sept. 2018).

Any person, group or institution that, individually or collectively, promotes and seeks the protection and realization of human rights and fundamental guarantees.

Adapted from the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally recognized Human Rights and Fundamental Freedoms (1999, Preamble and Article 1).

The human rights defenders are the persons who act individually or as members of a group, organization or social movement, as well as moral persons, groups, organizations or social movements whose purpose is the promotion or defense of human rights.

Article 2 of the Law for the protection of human rights defenders and journalists, 2012.

Incompatible waste

Waste that, when in contact or when mixed with water or other materials or

Article 5, fr. XXXI of the

		waste, react producing heat, pressure, fire, or harmful particles, gases or vapors.	General Law for the Prevention and Integral Management of Waste.
Independent smallholder		All smallholder farmers that are not considered to be Scheme Smallholders [see definition for Scheme Smallholders] are considered Independent Smallholder farmers.	Smallholder Interim Group (SHIG).
Indigenous people		<p>Indigenous peoples are inheritors and practitioners of unique cultures and ways of relating to people and the environment. They have retained social, cultural, economic and political characteristics that are distinct from those of the dominant societies in which they live. Despite their cultural differences, indigenous peoples from around the world share common problems related to the protection of their rights as distinct peoples.</p> <p>Indigenous peoples have sought recognition of their identities, way of life and their right to traditional lands, territories and natural resources for years, yet throughout history, their rights have always been violated. Indigenous peoples today, are arguably among the most disadvantaged and vulnerable groups of people in the world. The international community now recognizes that special measures are required to protect their rights and maintain their distinct cultures and way of life.</p>	UNDESA, Division for Inclusive Social Development, Indigenous Peoples.
In good faith		The principle of good faith implies that the parties make every effort to reach an agreement, conduct genuine and constructive negotiations, avoid unjustified delays in negotiations, respect agreements concluded and applied in good faith, and give sufficient time to discuss and settle collective disputes. In the case of multinational enterprises, such companies should not threaten to transfer the whole or part of an operating unit from the country concerned in order to unfairly influence negotiations.	ILO Q&As on business and collective bargaining.
Integrated Management (IPM)	Pest	IPM is the careful consideration of all available pest control techniques and subsequent integration of appropriate measures that discourage the development of pest populations and keep pesticides and other interventions to levels that are economically justified and reduce or minimize risks to human health and the environment. IPM emphasizes the growth of a healthy crop with the least possible disruption to agro-ecosystems and encourages natural pest control	<p>P&C 2013.</p> <p>FAO 2013 http://www.fao.org/agriculture/crops/thematic-sitemap/theme/pests/ipm/en/.</p>

mechanisms.

It is the selection and use of efficient physical, mechanical, biological, cultural and chemical techniques for the control of pests, and that at the same time ensure safety by minimizing the harmful effects to the environment.

Official Journal of the Federation (DOF) October 3, 2012. Agreement SO / IV-12 /10.01, S, by means of which the Technical Committee of the National Council for Standardization and Certification of Labor Competences approves the Competency Standards EC0307, EC0302, EC0303, EC0304, EC0305, EC0309, EC0313 and EC0265.

**Intimidation
harassment**

and

Intimidation and harassment include loss of income due to/resulting in organisational restrictions, threats of dismissal from employment, restrictions on travel, restrictions to the environment in which the HRDs operate, deliberate obstruction to holding of meetings between HRDs, hostility within the community the HRDs lives as claims may be seen to jeopardize the community's honour and culture (this may especially be the case with women HRDs). More serious measures include character assassination of HRDs, discrediting, defamation campaigns, arbitrary use of security forces, surveillance, SLAPP suits (Strategic Lawsuits against Public Participation) due to his or her work and/or in the course of his/her activities, threats of physical violence and death threats. Special attention is needed to avoid gender-specific violence such as rape or threats of sexual violence used to silence women.

P&C Review 2018.

Invasive alien species

A species or population that is not native, that is outside its scope of natural distribution, that is capable of surviving, reproducing and establishing itself in natural habitats and ecosystems and that threatens native biological diversity, economy or public health.

Article 3, fr. XVIII of the General Law on Wildlife.

ISO standards

Standards developed by the International Organization for Standardization.

P&C 2013 ISO: www.iso.org

Land clearing	Conversion of land from one land use to another. Clearing actively managed oil palm plantation to replant oil palm is not considered land clearing. Within existing certified units, clearing of less than 10 ha is <u>not</u> considered new land clearing.	P&C Review 2018.
Landscape	A geographical mosaic composed of interacting ecosystems resulting from the influence of geological, topographical, soil, climatic, biotic and human interactions in a given area.	IUCN https://www.iucn.org/downloads/en_iucn_glossary_definitions.pdf
Landscape level	The size of a landscape may be determined by (a) identifying the watershed or the geographical land unit containing a cluster of interacting ecosystems; (b) selecting a unit size that encompasses the plantation concession and a buffer of the surrounding area (e.g. 50,000 ha or 100,000 ha); or (c) using a radius of 5 km from the area of interest (i.e. planned concession boundaries).	HCV-HCSA Assessment Manual 2017.
Livelihood	<p>A person's or a group's way of making a living, from their environment or in the economy, including how they provision their basic needs and assure themselves and following generations secure access to food, clean water, health, education, housing and the materials needed for their life and comfort either through their own direct use of natural resources or through exchange, barter, trade or engagement in the market.</p> <p>A livelihood includes not just access to resources but the knowledge and institutions that make this possible such as time for community participation and integration, personal, local or traditional ecological knowledge, skills, endowments and practices, the assets that are intrinsic to that way of making a living (e.g. farms, fields, pastures, crops, stock, natural resources, tools, machinery and intangible cultural properties) and their position in the legal, political and social fabric of society.</p> <p>The risk of livelihood failure determines the level of vulnerability of a person or a group to income, food, health and nutritional insecurity. Therefore, livelihoods are secure when they have secure ownership of, or access to, resources and income earning activities, including reserves and assets, to offset risks, ease shocks and meet contingencies.</p>	P&C 2013.

	(Compiled from various definitions of livelihoods from Department for International Development (Dfid), Institute of Development Studies (IDS) and FAO and academic texts from: http://www.fao.org/docrep/X0051T/X0051t05.htm).	
Managed area	The land containing oil palm and associated land uses such as infrastructure (e.g. roads), riparian zones and conservation set-asides.	P&C Review 2018.
Management documents	Management documents are documented information and evidence to interact with the RSPO P&C. It shall be in the form of manual, working procedures, report and records that subject to be audited and reviewed periodically.	ISO 9001 QMS – https://advisera.com
Marginal soil	A soil that is unlikely to produce acceptable economic returns for the proposed crop at reasonable projections of crop value and costs of amelioration. Degraded soils are not marginal soils if their amelioration and resulting productivity is cost effective. (See also definition for ‘fragile soil’.)	P&C Review 2018.
Migrant worker	A person who migrates from one country to another with a view to being employed otherwise than on his own account and includes any person regularly admitted as a migrant for employment. Migrants are defined as those who cross international boundaries for the purposes of employment, and do not include those workers who move within a country for the purposes of employment.	P&C 2013.
Monitoring	Process through which information is gathered, observed, studied and used to subsequently track a particular program.	CONABIO’s proposal in the Mexican National Interpretation Working Group.
Natural ecosystems	All land with natural, native vegetation, including but not limited to native forests, riparian vegetation, natural wetlands, peatlands, grasslands, savannahs, and prairies.	P&C Review 2018.
New planting	Planned or proposed planting on land not previously cultivated with oil palm.	NPP 2015.
Non-hazardous work	See definition for hazardous work.	
Operations	All activities planned and/or undertaken by the management unit within the boundaries of the palm oil mill and its certified supply base.	P&C 2013.

Other conservation areas	Areas (in addition to HCV, HCS forests and peatland conservation areas) that are required to be conserved by the RSPO P&C (such as riparian areas and steep slopes) and other areas allocated by the unit of certification.	P&C Review 2018.
Outgrowers	Farmers, where the sale of FFB is exclusively contracted to the unit of certification. Outgrowers may be smallholders.	P&C 2013.
Peat	A soil with cumulative organic layer(s) comprising more than half of the upper 80 cm or 100 cm of the soil surface containing 35% or more of organic matter (35% or more loss on Ignition) or 18% or more organic carbon. Note for management of existing plantations in Malaysia and Indonesia, a narrower definition has been used, based on national regulations: namely soil with an organic layer of more than 50% in the top 100 cm containing more than 65% organic matter.	PLWG2 July 2018 Derived from FAO and USDA definition for histosols (organic soils) (FAO 1998, 2006/7; USDA 2014).
Pesticide	Substances or a mixture of substances intended for preventing, destroying, repelling or mitigating any pest. Pesticides are categorised into four main substituent chemicals: herbicides; fungicides; insecticides and bactericides. Any substance or mixture of substances intended to control any pest, including vectors of human and animal diseases, as well as unwanted species that cause harm or that interfere with agricultural and forestry production, for example, those that cause harm during the storage or transportation of food or other material goods, as well as those that interfere with the welfare of humans and animals.	P&C 2013. NOM-045-SSA1-1993.
Plan	A time-bound and detailed scheme, programme, or method for achieving objective(s) and desired outcome(s). Plans shall have clear targets with timelines for delivery, actions to be taken and a process for monitoring progress, adapting plans to changing circumstances and reporting. Plans shall also include the identification of named individuals or positions responsible for the delivery of the plan. There shall be evidence that sufficient resources are available to carry out the plan and the plan is implemented in full.	P&C 2013.
Plantation	The land on which oil palm is grown. (See also definition for 'managed area'.)	P&C Review 2018.
Prophylactic	A treatment or course of action applied as a preventive measure.	P&C 2013.

Rare, threatened or endangered (RTE) species	Species as defined by the High Conservation Value Resource Network (HCVRN).	HCVRN Common Guidance for the Identification of HCVs.
Recruitment fees	Recruitment fees pertain to costs and expenses associated with the recruitment and hiring of the worker, i.e. recruiter and agent service fees, documents processing, employer-required skills and medical testing, training, documentation, visa, work permits, transportation (from sending country to point of entry, and return), administrative and overhead costs.	<u>Dhaka Principles</u> and ILO 181.
Restore	Returning degraded or converted areas within a plantation to a semi-natural state.	P&C 2013.
Rights	Rights are legal, social, or ethical principles of freedom or entitlement, in accordance with the International Bill of Rights, and other relevant international human rights instruments including the UN Declaration on the Rights of Indigenous Peoples, UN Guiding Principles on Business and Human Rights, The Global Compact for Safe, Orderly and Regular Migration.	P&C 2013. UN Refugees & Migrants, <u>Global Compact for Safe, Orderly and Regular Migration</u> , 2018.
	<ol style="list-style-type: none"> 1. Customary rights: Patterns of long-standing community land and resource 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 issued by the State. <u>That is, the rights acquired by indigenous peoples over time, recognized by the members of the communities.</u> 2. Legal rights: Rights given to individual(s), entities and others through applicable local, national or ratified international laws and regulations. 3. User rights: Rights for the use, <u>exploitation and benefits</u> of land and resources that can be defined by local custom, mutual <u>agreements between parties</u>, or prescribed by other entities holding access rights. 4. Demonstrable rights: Indigenous peoples, local communities and users may have informal or customary rights in land that are not registered or recognized by the government or national laws. Demonstrable rights are distinguished from spurious claims by direct engagement with local communities, so they have adequate opportunities to justify their claims, and are best ascertained through 	<u>World Bank Operational Policy 4.10.</u> <u>From FSC Principles & Criteria.</u>

participatory mapping with the involvement of neighbouring communities.

Risk assessment

A systematic process of identifying and evaluating the potential risks that may be involved in a projected activity or undertaking.

It enables a weighing up of whether enough precautions are in place or whether more should be done to prevent harm to those at risk, including workers and members of the public.

Adapted from ILO, A 5 step guide for employers, workers and their representatives on conducting workplace risk assessments, 2014.

Scheme Smallholder

Farmers, landowners or their delegates that do not have the:

- Enforceable decision-making power on the operation of the land and production practices; and/or
- Freedom to choose how they utilize their lands, type of crops to plant, and how they manage them (whether and how they organize, manage and finance the land).

(See also smallholder and Independent Smallholder).

SHIG.

Significant pollutant

Chemical or biological substances which have a substantial adverse impact on water, air or land quality including POME, sewage, and other wastewater, sediment, fertilizer, pesticides, fuels and oil, air pollutants, as guided by national regulations and international standards.

P&C Review 2018.

Site

A single functional unit of an organization or a combination of units situated at one locality, which is geographically distinct from other units.

RSPO 2017 SCCS Standard.

Smallholder

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 principal source of income and where the planted area of oil palm is usually below 50 ha in size.

P&C 2013.

Scheme Smallholder:

Farmers, landowners or their delegates that do not have the:

SHIG.

- Enforceable decision-making power on the operation of the land and production practices; and/or
- Freedom to choose how they utilize their lands, type of crops to plant, and how they manage them (whether and how they organize, manage and finance the land).

Independent Smallholder:

SHIG.

All smallholder farmers that are not considered to be Scheme Smallholders [see definition for Scheme Smallholders] are considered Independent Smallholder farmers.

Social and Environmental Impact Assessment (SEIA)

An analysis and planning process to be carried out prior to new plantings or operations. This process incorporates relevant environmental and social data, as well as stakeholder consultations, in order to identify potential impacts (both direct and indirect) and to determine whether these impacts can be satisfactorily addressed, in which case the proponent also defines specific actions to minimize and mitigate potential negative impacts.

P&C Review 2018.

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.

P&C 2013.

To define the map of stakeholders or interested parties, one must have in the account those that may affect, be affected by, or be perceived as affected by a decision or activity (ISO 9001: 15):

Mexican Interpretation National Working Group.

- Those with which the growers or processors have a legal, operational or fiscal responsibility (for example, contractors, suppliers of products and / or services, clients, etc.).

- People who have influence to impede or boost the activity of growers or processors, such as shareholders, social and environmental non-governmental organizations, as well as government entities at the municipal, state or federal level.

- People who are in the areas where the growers or processors interact, since

they can be affected by their activity and, in turn, influence the running of the activity (for example, community leaders, *ejido* commissioners, representatives of ethnic groups, vulnerable groups such as women, children or elderly people, etc.).

- Workers of plantations and / or mills and trade union leaders.
- Academic entities, religious groups, representatives of emergency systems (for example, health centers, police, fire department, civil protection), cultural representatives, among others, can also be considered.

Stakeholders must be identified (where are they?), characterized (who they are and what they represent?) And qualified (degree of importance to growers or processors). Afterwards, a relationship strategy must be created and maintained through dialogue, participation or communication in the short, medium and long term, which allows the construction of improvement actions.

Steep terrain	Areas above 25 degrees or based on a National Interpretation (NI) process.	P&C 2013 Annex 2 NI Guidance.
Sustainable development	Sustainable development, or sustainability, is the satisfaction of the needs of the present generation without compromising the ability of future generations to meet their own needs. It implies economically viable, environmentally appropriate and socially beneficial operations. Currently, the Sustainable Development Goals seek the adoption of measures to end poverty, protect the planet and ensure that all people enjoy peace and prosperity.	Our Common Future, World Commission on Environment and Development (Brundtland Commission), 1987. 2030 Agenda for Sustainable Development.
Sustainable Development	Rural It is the integral improvement of the social welfare of the population and of the economic activities in the territory outside the urban areas, assuring the permanent conservation of the natural resources, the biodiversity and the <u>environmental services of said territory</u> .	Article 3, fr. XIV, Law on Sustainable Rural Development.
Trafficked labour	Trafficked labour is a form of exploitation that results from the recruitment, transport, transfer, harbouring, and receipt of individuals to perform labour or services through the use of threat or use of force or other	The UN Palermo Protocols to Prevent, Suppress and Punish Trafficking in Persons.

	forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits.		
Transmigrant	A person who migrates from one part of the country to another with a view to being employed otherwise than on his own account.	P&C 2013.	
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 nit have signed.	P&C 2013.	
	For the National Interpretation, undue influence will be understood as coercion, defined as the pressure exerted on someone to force their will or behavior. In this sense, coercion is to use physical, moral, economic or psychological force on someone in order to change their will or behavior regarding a previously defined position.	Mexican Interpretation Group.	National Working Group.
Unit of certification	There are two types of certification units, one as a group of independent producers and the other through the mill and its supply base. The unit of certification shall be the mill and its supply base and shall include both directly managed land (and estates) and Scheme Smallholders and outgrowers, where estates have been legally established with proportions of lands allocated to each.	RSPO Certification Systems 2017.	
Urban solid waste	Waste generated in households, resulting from the elimination of the materials used in their domestic activities, the products they consume and their packaging or containers; the waste that comes from any other activity within establishments or on public spaces that generate waste with household characteristics, and those resulting from the cleaning of roads and public places, provided they are not considered by the General Law for Prevention and Integral Management of Waste as other types of waste.	Article 5, fr. XXXIII of the General Law for the Prevention and Integral Management of Waste.	
Voluntary isolation	Indigenous peoples in voluntary isolation are indigenous peoples or segments of indigenous peoples who do not maintain sustained contacts with the majority non-indigenous population, and who generally reject any type of contact with	Inter-American Commission on Human Rights, <u>Indigenous Peoples in</u>	

	persons not part of their own people. They may also be peoples or segments of peoples previously contacted and who, after intermittent contact with the nonindigenous societies, have returned to a situation of isolation and break the relations of contact that they may have had with those societies. In line with the principle of FPIC, RSPO prohibits oil palm expansion in these peoples' territories.	Voluntary Isolation and Initial Contact in the Americas , 2013.
Vulnerable groups	Any group or sector of society that is at higher risk or being subjected to social exclusion, discriminatory practices, violence, natural or environmental disaster, or economic hardship than other groups, such as indigenous peoples, ethnic minorities, migrants, disabled people, the homeless, isolated elderly people, women and children.	P&C Review 2018.
Waste	Material or product whose owner or holder disposes of and which is in a solid or semi-solid state, or is a liquid or gas contained in containers or deposits, and which may be susceptible to be valued or requires to be subjected to treatment or final disposal in accordance with the provisions in the General Law for the Prevention and Integral Management of Waste and other legal systems deriving from it.	Article 5, fr. XXIX of the General Law for the Prevention and Integral Management of Waste.
Waste of special management	Waste generated in production processes, which do not meet the characteristics to be considered as hazardous or as urban solid waste, or that are produced by large generators of urban solid waste.	Article 5, fr. XXX of the General Law for the Prevention and Integral Management of Waste.
Water security	The capacity of a population to safeguard sustainable access to adequate quantities of acceptable quality water for sustaining livelihoods, human well-being, and socio-economic development; for ensuring protection against water-borne pollution and water-related disasters; and for preserving ecosystems in a climate of peace and political stability.	UN Water, Water Security Infographic .
Whistleblower	Individuals who are employees or former employees who report on illegal, irregular, dangerous or unethical practices or actions by employers which contravene RSPO Code of Conduct and related key documents and who may potentially be at risk of reprisal. This includes individuals who are outside the traditional employee- employer relationship, such as contract workers, temporary workers, consultants, contractors, trainees/interns, volunteers, student workers and former employees.	RSPO policy on the protection of HRD, Whistleblowers, Complainants and Community Spokesmen (endorsed by BoG on 24 September, 2018).

Work-related accident	Any organic injury or functional disturbance, immediate or subsequent, death or disappearance derived from a criminal act, suddenly occurred in exercise of work or for work reasons, whatever the place and time in which it is presented.	Article 474 of the Federal Labour Law
	Accidents that occur when the worker moves directly from his/her home to the place of work or from the place of work from his/her home, are included.	
Work-related illness	Any pathological state derived from the continued action of a cause that has its origin or motive in the work or in the environment in which the worker is forced to render his services.	Article 475 of the Federal Labour Law
Work relation	Whatever the act that gives origin to it, it is the provision of a personal work subordinated to a person, through the payment of a salary.	Article 20 of the Federal Labour Law
Worker	Men and women, migrants, transmigrants, contract workers, casual workers and employees from all levels of the organization.	P&C Review 2018.
Workforce	The total number of workers employed by the management unit either directly or indirectly. This includes contract workers and consultants.	P&C 2013.
Young person	Young workers are aged 15, or above the minimum age of employment, but under the age of 18. According to the ILO, “these workers are considered ‘children’ even where they may legally perform certain jobs.”	ILO Minimum Age Convention, 1973 (No. 138), Article 3. ILO Safety and Health in Agriculture Convention, 2001 (No. 184), Article 16.

ANNEX 2: GUIDANCE

Principle 1: Behave ethically and transparently

Criterion	Guidance
1.1	<p>This concerns management documents relating to environmental, social and legal issues that are relevant to compliance with RSPO Criteria.</p> <p>It is important that the information provided is not only translated, but that it is written in a language that people understand to be disseminated. Said information, defined as adequate, must be correct and verifiable, to avoid misinterpretation.</p> <p>Management documents comprise the results of FPIC processes, SEIAs, Human Rights Policies including a policy on protection of HRDs/whistleblowers, social programmes avoiding or mitigating negative social impact, social programmes advancing livelihoods, figures of gender distribution within all workers categorized by management, administrative staff and workers (both permanent casual workers, piece rate workers), partnership programmes for Independent Smallholders, education and health in the communities.</p> <p>The auditors will comment on the adequacy of each of the documents listed in the public summary of the assessment report.</p> <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>Ongoing disputes (within or outside of a legal mechanism) can be considered as confidential information where disclosure could result in potential negative outcomes for all parties involved. However, affected stakeholders and those seeking resolution to conflict should have access to relevant information.</p>

Criterion

Guidance

1.1 (Continued)

Examples of information where disclosure could result in potential negative environmental or social outcomes include information on sites of rare species where disclosure could increase the risk of hunting or capture for trade, or sacred sites which a community wishes to maintain as private. The unit of certification should ensure that sufficient objective evidence exists to demonstrate that the level of measuring and monitoring of the management plan, and information, is appropriate and made available.

For 1.1.5: Applicable data privacy laws should be considered in the gathering, storage, use and distribution and publication of personal information.

The following documents should be available at the unit of certification (but not necessarily limited to) upon request:

- Land titles/user rights (Criterion 4.4)
- Occupational health and safety plans (Criterion 3.6)
- Plans and impact assessments relating to environmental and social impacts (Criterion 3.4)
- HCV & HCS documentation (Criterion 7.12)
- Pollution prevention and reduction plans (Criterion 7.10)
- Details of complaints and grievances (Criterion 4.2)
- Negotiation procedures (Criterion 4.6)
- Continuous improvement plans (Criterion 3.2)
- Public summary of certification assessment report
- Human Rights Policy (Criterion 4.1)

As a negotiation procedure it is understood "the process by which interested parties resolve conflicts, agree on lines of conduct, seek individual or collective benefits, and seek to obtain results that serve their mutual interests. It is generally considered as an alternative mean for the resolution of conflicts or situations involving action". This definition is found in the "Process of Negotiation with communities of the mill 'Hacienda la Gloria'" (See information on the following link: <https://www.rspo.org/acop/2015/extractora-la-gloria-sas/procedimiento-de-negociacion-con-comunidades.pdf>). Also see DAABON Group' conflict management protocol on the following link: <https://www.rspo.org/acop/2014b/daabon-group/pnc.pdf>. (See Criterion 4.6).

The procedures listed above are descriptive and not limiting. The unit of certification may search other conflict resolution mechanisms of develop their own.

Criterion

Guidance

1.2	<p>All levels of the operations will include contractors (e.g. those involved in security).</p> <p>The policy should include as a minimum:</p> <ul style="list-style-type: none">• A respect for fair conduct of business• A prohibition of all forms of corruption, bribery and fraudulent use of funds and resources• A proper disclosure of information in accordance with applicable regulations and accepted industry practices <p>The policy should be set within the framework of the UN Convention Against Corruption, in particular Article 12.</p> <p>The policy should cover elements such as: bribery; facilitation payments; guidance and procedure for gifts and hospitality; disclosure of political contributions; guidelines for charitable donations and sponsorships; respect for fair conduct of business; proper disclosure of information in accordance with applicable regulations and accepted industry practices; compliance with existing anti-corruption legislation.</p> <p>Commitment to company ethical policies is incorporated in all service contracts.</p> <p>There are due diligence procedures in place for the selection and contracting of recruitment agencies and labour intermediaries or suppliers.</p> <p>Unethical conduct includes: charging fees to workers, recovering cost of recruitment and transportation against workers' wages, receiving gifts and commissions from labour intermediaries or suppliers.</p>
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Criterion

Guidance

1.2 (Continued)

The associated / system / under contract producers will be defined as part of the supply base, that is, when the mill controls the management of the producer's operations in the planted area of the individual producer and can make him/her apply decisions on the production practices and the crops to be planted, the mill must include its suppliers within its own certification. In these cases, there are operating and purchase and sale contracts, and there may or may not be a legal company constituted between the producers and the mill. Examples of associated, system, or under contract producers are those that have contracts for the operation and purchase and sale of FFB, where the producer must follow the procedures dictated by the mill and has no power to decide on the management, procedures and supplies of the plantation.

On the contrary, independent producers may or may not be considered as part of the certified supply base, that is, in any case where the FFB supplier remains the decision-making authority over the plantation and performs the greatest part of the work, it should be considered as an independent producer and the mill is not obliged to include the producer within its own certification. For these cases, there may or may not be an FFB purchase-sale contract (for commercial purposes). Examples of independent producers are:

1. Producers that have FFB purchase-sale contracts with the mill but that maintain the freedom of operation in their farms.
 2. Producers that have FFB purchase-sale contracts and also receive the technical assistance service to the producer by the mill, but the producer maintains the freedom of operation in their farms.
 3. Producers that do not have FFB purchase-sale contracts.
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Principle 2: Operate legally and respect rights

Criterion	Guidance
2.1	<p>Implementing all legal requirements is an essential baseline requirement for all growers whatever their location or size. Relevant legislation includes but is not limited to: regulations governing land tenure and land-use rights, labour, agricultural practices (e.g. chemical use), environment (e.g. wildlife laws, pollution, environmental management and forestry laws), storage, transportation and processing practices. It also includes laws made pursuant to a country's obligations under international laws or conventions (e.g. the Convention on Biological Diversity (CBD), ILO Core Conventions, UN Guiding Principles on Business and Human Rights). Furthermore, where countries have provisions to respect customary law, these will be taken into account.</p> <p>Monitoring systems are important to know and track the modifications to the Law. The unit of certification could subscribe to those in order to obtain periodic updates. Similarly, the management programs of each of the Natural Protected Areas (ANP, for its acronym in Spanish) approved by decree, as well as municipal and state laws should be considered.</p> <p>Key international laws and conventions are set out in Annex 1.</p> <p>Contradictions and inconsistencies should be identified, and solutions suggested. Evidence should be incorporated as part of implementation of Criterion 2.3.</p> <p>See Indicator 4.4.1 for requirements on legal ownership or lease and authorized use of customary lands.</p> <p>For Indicator 2.1.2: A 'documented system for ensuring legal compliance' can take the form of physical or virtual filing cabinet of applicable laws, regulations and rules with elements of how these laws are interpreted and followed in the running of the operations.</p>

Criterion	Guidance
2.2	<p>Contracted parties include:</p> <ul style="list-style-type: none"> • Temporary employment, whereby workers are engaged only for a specific period of time, includes fixed-term, project- or task-based contracts, as well as seasonal or casual work, including daylabour • Short-term contracts; renewable contract • Fixed-term, project, or task-based contracts are contractual employment arrangements between one employer and one employee characterized by a limited duration or a pre-specified event to end the contract • Casual work is the engagement of workers on a very short term or on an occasional and intermittent basis, often for a specific number of hours, days or weeks, in return for a wage set by the terms of the daily or periodic work agreement. Casual work is a prominent feature of informal wage employment in low-income developing countries, but it has also emerged more recently in industrialized economies, particularly in jobs associated with the “on-demand” or ‘gig economy”. (https://www.ilo.org/global/topics/non-standard-employment/WCMS_534826/lang--en/index.htm).
2.3	<p>For consideration of FFB legality, NIs should also consider commonly accepted local practices and customs that are generally accepted to be on a par with legal standing or accepted by authorities (e.g. native courts).</p> <p>Due to the specific Mexican context, its security conditions and its commercial, social and market dynamics, the process to guarantee the traceability of the total supply base should be understood as a gradual process.</p> <p>For 2.3.1. See guidance in Criterion 4.6 on documents to demonstrate land tenure or use rights.</p>

Principle 3: Optimise productivity, efficiency, positive impacts and resilience

Criterion	Guidance
3.1	<p>Whilst it is recognized that long-term profitability is also affected by factors outside their direct control, top management should be able to demonstrate attention to economic and financial viability through long-term management planning.</p> <p>For plantations on peat, a longer time frame for the projection of the annual replanting programme is needed per Criterion 7.7.</p> <p>The unit of certification should have a system to improve practices in line with new information and techniques. For smallholder schemes, the scheme management should be expected to provide their members with information on significant improvements. This Criterion is not applicable to Independent Smallholders.</p> <p>The business or management plan should contain:</p> <ol style="list-style-type: none">1. Attention to quality of planting materials2. Crop projection = Fresh Fruit Bunches (FFB) yield trends3. Mill extraction rates = Oil Extraction Rate (OER) trends4. Cost of production = cost per tonne of Crude Palm Oil (CPO) trends5. Forecast prices6. Financial indicators <p>Suggested calculation: Trends in 3-year running mean over the last decade (FFB trends may need to allow for low yield during major replanting programmes).</p> <p>Consideration of smallholders should be inherent in all management planning where applicable (see also Principle 5). For Scheme Smallholders, the content of the business plan may vary from that suggested.</p>

Criterion	Guidance
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3.1 (Continued)	Where the specific financial details are not known, an estimate of these amounts, or structures for defining those estimates will be made clear within the contract.
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Management reviews (Indicator 3.1.3) should include:

1. Results of internal audits
2. Customer feedback
3. Process performance and product conformity
4. Status of preventive and corrective actions
5. Follow-up actions from management reviews
6. Changes that could affect the management system
7. Recommendations for improvement

3.2	For the action plan for continuous improvement, indicators may include but not be limited to:
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1. Optimizing the yield of the supply base.
2. Reduction in use of pesticides (Criterion 7.2)
3. Environmental impacts (Criteria 3.4, 7.6 and 7.7)
4. Waste reduction (Criterion 7.3)
5. Pollution and greenhouse gas (GHG) emissions (Criterion 7.10)
6. Impacts on communities, workers and smallholders (Principle 6)
7. Integrated management of HCV-HCS, peatland and other conservation areas (Criteria 7.7 and 7.12)

Where applicable, review should include Scheme Smallholders.

The unit of certification should have a system to improve practices in line with new information and techniques, and a mechanism for disseminating this information throughout the workforce. For smallholders, there should be systematic guidance and training for continuous improvement.

Criterion

Guidance

3.3

Mechanisms to check implementation could include documentation of management systems and internal control procedures (see Criterion 2.1).

SOP and documentation for mills should include relevant supply chain requirements. The RSPO Supply Chain Certification Standard (June 2017), indicates documented procedures (5.3) on section 5 regarding the general chain of custody requirements for the supply chain, as indicated in the following section. See document on the following link: https://www.rspo.org/library/lib_files/preview/184 (see SCCS section under Principle 3).

The unit of certification, while working with third party suppliers of FFB on traceability and legality, should use the opportunity to distribute suitable information on BMPs.

3.4

See definition of Social and Environmental Impact Assessment in Annex 1. Definitions.

For RSPO, according to Criterion 7.12, new plantations will not cause deforestation or replace any area required to maintain or improve High Conservation Values.

In Mexico, the article 28 of the General Law of Ecological Equilibrium and Environmental Protection (LGEEPA, for its acronym in Spanish), creates the environmental impact assessment as the procedure through which conditions are subject to the execution of works and activities that may cause ecological imbalance or exceed the limits and conditions established in the applicable provisions to protect the environment and preserve and restore ecosystems, in order to avoid or minimize their negative effects on the environment. The same article indicates several activities or works that require prior authorization in terms of environmental impact, among which it mentions:

VIII. Changes in land use in forest areas, as well as in jungles and arid zones.

XI. Works and activities in protected natural areas of the Federation's competence.

XIII. Works or activities that correspond to matters of federal competence, which may cause severe and irreparable ecological imbalances, damage to public health or ecosystems, or exceed the limits and conditions established in the legal provisions related to the preservation of ecological balance and protection of the environment.

Criterion

Guidance

3.4 (Continued)

Likewise, LGEEPA's rules or secondary regulation in terms of environmental impact, specifies in article 5, fr. V that agricultural activities of any kind require a environmental impact study (MIA, for its acronym in Spanish) when these imply the change of land use, with the exception of those that have as a purpose family self-consumption and those that involve the use of techniques and methodologies of organic agriculture. This same Regulation, in Article 12, regulates the content that the MIA must have.

According to RSPO, the terms of reference of the SEIA should be defined. Ideally, the SEIA should be carried out by accredited independent experts, in order to ensure an objective process. The assessment (SEIA) should include, but is not limited to:

1. Assessment of the impacts of all major planned activities, including land clearing, planting, replanting, pesticide and fertilizer use, mill operations, roads, drainage and irrigation systems and other infrastructure.
2. Assessment of the impacts on HCVs, biodiversity and RTE species, including beyond concession boundaries and any measures for the conservation and/or enhancement of these.
3. Assessment of the potential effects on adjacent natural ecosystems of planned developments, including whether development or expansion will increase pressure on nearby natural ecosystems.
4. Identification of watercourses and wetlands and assessment of potential effects on hydrology and land subsidence of planned developments. Measures should be planned and implemented to maintain the quantity, quality and access to water and land resources.
5. Baseline soil surveys and topographic information, including the identification of steep terrain, marginal and fragile soils, areas prone to erosion, degradation, subsidence, and flooding.
6. Analysis of the type of land to be used (forest, degraded forest, peatlands, cleared land, etc.)
7. Assessment of land ownership and user rights.
8. Assessment of current land use patterns.
9. Assessment of impacts on people's amenity.
10. Assess impacts on employment, employment opportunities or from changes of employment terms.
11. A cost-benefit analysis on social aspects.
12. Assessment of potential social impacts on surrounding communities of a plantation, including an analysis of potential effects on livelihoods, and differential effects on women versus men, ethnic communities, and migrant versus long-term residents.
13. Assessment of salient risk of human rights violations.

Criterion

Guidance

3.4 (Continued)

14. Assessment of the impacts on all dimensions of food and water security including the right to adequate food, and monitoring food and water security for affected communities.

15. Assessment of activities which may impact air quality or generate significant GHG emissions.

For smallholder schemes, the scheme management has the responsibility to undertake an impact assessment and to plan and operate in accordance with the results.

Additional information on SEIA can be found in various external sources such as HCSA Toolkit Module 3 and the International Finance Corporation (IFC)'s *Guide to Biodiversity for Private Sector: The Social and Environmental Impact Process*.

The review of the monitoring and management plan should be done (once every two years) internally or externally.

Management documents may comprise social programmes avoiding or mitigating adverse social impact including human rights, social programmes advancing community livelihoods and gender equality, partnership programmes for Independent Smallholders, education and health in the communities.

The federal or state guidelines issued by the competent environmental authority may be used as a reference for the preparation of the environmental impact assessment. For example, the Federal Guide for activities that require change of land use in forest lands (removal of forest vegetation) and the State Guide is applicable, for activities such as the construction of roads.

Affected stakeholders 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.

Criterion	Guidance
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3.6	Refer to National Law/Regulation or ILO Convention 155 for those countries without national Occupational Safety and Health Law/Regulation at a minimum.
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3.7	Training content: Workers should be adequately trained on: the health and environmental risks of pesticide exposure; recognition of acute and long-term exposure symptoms including the most vulnerable groups (e.g. young workers, pregnant women); ways to minimize exposure to workers and their families; and international and national instruments or regulations that protect workers' health.
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The training programme should include productivity and best management practice, and be appropriate to the scale of the organization. The programme should enable everyone to fulfil their jobs and responsibilities in accordance with documented procedure.

Training participants: Training should be given to all staff and workers including women smallholders and women plantation workers, within the unit of certification, as well as contract workers.

The unit of certification should demonstrate training activities for Scheme Smallholders who provide FFB on a contracted basis.

Workers on smallholder plots also need adequate training and skills, and this can be achieved through extension activities of the unit of certification that purchase fruit from them, by smallholders' organizations, or through collaboration with other institutions and organizations.

For individual scheme smallholder operations, training records should not be required for their workers, but anyone working on the farm should be adequately trained for the job they are doing.

Criterion

Guidance

3.7 (Continued)

It is recommended that the training program include: objectives, goals, training schedule, evaluation and registration of the implementation of the program. The training program should be reviewed and updated periodically to ensure that improvements have been included. It is advisable to conduct a training need study periodically.

The training topics that should be included in the program are not limited to the following:

- Health and environmental risks due to exposure of pesticides.
- Recognition of acute symptoms and prolonged effect of pesticides.
- Recognition of acute and long-term symptoms associated with the exposure of these products.
- Methods to minimize the risk to workers and family members.
- Productivity and best management practices.

There are several tools that help verify that the training was done, examples of good practices for this are the following:

- DC3 Registries of knowledge of skills.
 - Assistance lists and photographs.
 - Evaluations.
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Principle 4: Respect community and human rights and deliver benefits

Criterion	Guidance
4.1	<p>All levels of operations will include contractors (e.g. those involved in security).</p> <p>The human rights policy should recognize all the legal precepts included in the international and regional human rights treaties ratified by Mexico, as well as those contained in the Mexican Political Constitution and the laws that emanate from it. In its interpretation, the <i>pro homine</i> principle should always be applied, in order to guarantee the individual the broadest protection of their rights.</p> <p>The UN Guiding Principles on Business and Human Rights notes that: <i>“The responsibility of business enterprises to respect human rights refers to internationally recognized human rights – understood, at a minimum, as those expressed in the International Bill of Human Rights and the principles concerning fundamental rights set out in the International Labour Organization’s Declaration on Fundamental Principles and Rights at Work.”</i></p> <p>The UN Guiding Principles on Business and Human Rights also note that the responsibility of business enterprises to respect human rights exists independently of nation states’ abilities and/or willingness to fulfil their own human rights obligations and exists over and above compliance with national laws and regulations protecting human rights. (See “The corporate responsibility to respect human rights” in <i>the UN Guiding Principles on Business and Human Rights</i>).</p> <p>The RSPO Human Rights Working Group will provide additional guidance to identify, prevent, mitigate and address human rights issues and impacts.</p> <p>The resulting guide will identify the relevant issues on human rights to all RSPO members.</p> <p>Details on requirements to protect the rights of HRDs, including complainants, whistleblowers and community spokespersons, are set out in the <i>RSPO Policy on the Protection of Human Rights Defenders, Whistleblowers, Complainants and Community Spokespersons</i>.</p>

Criterion	Guidance
4.2	<p>Dispute resolution mechanisms should be established through open and consensual agreements with relevant affected parties. Those mechanisms should be viable, accessible and culturally appropriate, and resolve disputes in a timely manner.</p> <p>Complaints should be dealt with by mechanisms such as Joint Consultative Committees (JCC), with gender representation and, where relevant, migrant worker representation. Grievances may be internal (employees) or external.</p> <p>For Scheme and Independent Smallholders, refer to the current RSPO Guidance Documents for Scheme and Independent Smallholders.</p> <p>Where a resolution is not found mutually, complaints can be brought to the attention of the RSPO Complaints System.</p> <p>Refer to helpful texts for guidance, such as the UN Human Rights Commission (HRC) endorsed <i>'Guiding Principles on Business and Human Rights: Implementing the UN "Protect, Respect and Remedy" Framework', 2011.</i></p> <p>The resolution to a grievance or claim should not publish or disseminate confidential information, in accordance with the applicable Mexican legal framework regarding the protection of personal data (see Criterion 1.1).</p> <p>The implementation of complaints and grievance mechanisms within the certification units will in no way restrict the right of access to justice through administrative and judicial mechanisms existing in the Mexican legal framework for the resolution of disputes.</p> <hr style="border-top: 1px dashed red;"/>

Criterion

Guidance

4.3 Contributions to local sustainable development should be based on the results of consultation with local communities and should have long term economic, social and/or environmental benefits. Such consultation should be based on the principles of transparency, openness and participation, and should encourage communities to identify their own priorities and needs, including the different needs of men, women and minority/vulnerable groups.

The unit of certification may also seek partnerships from non-governmental organisations (NGOs) and civil society organisations (CSOs) to identify key environmental and/or social issues that are prevalent in the community and develop and implement solutions to address these issues as part of their contributions to sustainable development.

Some examples of contributions to local sustainable development ([see definitions of sustainable development and sustainable rural development](#)) could be, but are not limited to:

- a) Poverty reduction
- b) Access to health and wellbeing
- c) Access to quality education
- d) Access to clean water and sanitation
- e) Conservation or restoration of natural resources
- f) Gender equality programmes
- g) Support/enhance/secure food and water security

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 6.1.

Criterion

Guidance

4.4

For the National Interpretation, land tenure will be understood as the legal accreditation of the property or possession of the land, from which there is the right to use, exploitation and benefits. On the other hand, land use is defined as the productive destination that the managed area will have.

All indicators will apply to current operations, but there are exceptions for long-established plantations which may not have records dating back to the time of the decision making, in particular for compliance with Indicators 4.4.2 and 4.4.3.

For 4.4.3, the term appropriate scale refers to the community in the landscape where it is located.

Where there are legal or customary rights over land, the unit of certification should demonstrate that these rights are understood and are not being threatened or reduced. This Criterion should be considered in conjunction with Criterion 4.5.4.6 and 4.7. Where customary rights areas are unclear these should be established through participatory mapping exercises involving affected parties (including neighbouring communities and local authorities).

This Criterion allows for negotiated agreements to compensate other users for lost benefits and/ or relinquished rights. Negotiated agreements should be non-coercive and entered into voluntarily, carried out prior to new investments or operations, and based on an open sharing of all relevant information. The representation of communities should be transparent and in open communication with other community members.

Relevant legal arrangements may include negotiated benefit-sharing agreements, joint venture agreements, legal representation on management boards, restrictions on prior land use, co-management arrangements, smallholder contracts, rental and leasehold arrangements, royalty payments, and the implications of land acquisition and permits for community land tenure, use and access rights.

Criterion

Guidance

4.5

The unit of certification can, through compliance with RSPO criteria demonstrate its commitment to support the UN Sustainable Development Goals (especially SDGs 2, 6 and 15).

In addition to contributing to the achievement of the SDGs, the certification unit can align the objectives of its operations with national development goals, as indicated in the National Development Plan and the planning and programmatic instruments derived from it.

The unit of certification should support the implementation of existing national strategies with regard to food and water security, and not contradict them by any of its business activities. In a non-restrictive manner, strategies, plans and maps on food and water security and natural disasters, may be consulted in the planning and programmatic instruments of the federal and subnational (state and municipal) governments, as well as in other relevant national and international information instruments.

The unit of certification should recognise national and/or international natural disaster risk assessments, strategies and maps in the management plan/strategy for the managed areas. The unit of certification should inform suppliers and communities in the concerned region about natural risks and provide support in case of strong adverse natural and human made disasters.

This activity should be integrated with the SEIA required by Criterion 3.4.

Within the FPIC process, measures to balance potential negative impacts on food and water security for local communities should be discussed and agreed between the unit of certification and the local communities. These measures and their proposed implementation features (what, how, how long, recipients, threats and opportunities to implementation) are documented as part of the resource management planning.

Criterion

Guidance

4.5 (Continued)

In cases where the availability, access, quality and stability of food and water is negatively affected by the planned operations, mitigation and relief measures should be agreed.

Where applicable, in communities resettled in accordance with FPIC, the unit of certification should monitor the food and water security situation through a screening process and, for example, through continuous dialogue, to ensure local food and water security.

Efforts should be made to consider population dynamics. The set of measures is to be reviewed regularly (proposed biannually) to reflect on changes in needs and capacities and the resources available.

The unit of certification should not restrict access to markets for local communities through its operations.

The unit of certification should assess water catchments in order to identify key water risks or shared challenges (see HCV 4). The unit of certification should regularly monitor their operations' impacts on water availability and quality.

Where new plantings are considered to be acceptable, management plans and operations should maintain sacred sites.

Agreements with indigenous peoples, local communities and other stakeholders should be made without coercion or other undue influence (see Guidance for Criterion 4.4). Relevant stakeholders include those affected by or concerned with the new plantings.

Customary and user rights will be demonstrated through participatory user mapping as part of the FPIC process.

FPIC is a guiding principle and should be applied to all RSPO members throughout the supply chain. Refer to RSPO approved FPIC guidance (*'FPIC and the RSPO; A Guide for Members', October 2015*).

Criterion	Guidance
4.6	<p>Where there is a conflict on the condition of land use as per land title, the unit of certification should show evidence that necessary action has been taken to resolve the conflict with relevant parties.</p> <p>A mechanism should be in place to resolve any conflict (Criteria 4.2 and 4.6).</p> <p>Where operations overlap with other rights holders, the unit of certification should resolve the issue with the appropriate authorities, consistent with Criteria 4.2 and 4.6.</p> <p>In addition to the documents indicated in the legal framework in force in Mexico regarding land tenure, for purposes of the National Interpretation, a document issued by the authorities of the agrarian land (<i>ejido</i>) and sanctioned by the general assembly of land holders (<i>ejidatarios</i>) and the competent authorities will also be valid to prove the legal possession of the land, seeking that this document allows the traceability of FFB suppliers and the recognition of land boundaries.</p> <p>On the other hand, the certificate of possession for national lands will also be considered as a document to prove the legal possession of the land.</p>
4.8	<p>The unit of certification should have a mechanism or guide that serves for the resolution of conflicts in a self-assertive manner, appealing first of all to direct dialogue or any other variant considered in the alternative means of dispute resolution. Once the procedure previously indicated has been exhausted, the unit of certification will have complete freedom to exercise the legal actions granted by the law. The resolution issued by the competent authority will be considered, for the purposes of this National Interpretation, as full proof of the legal recognition of their rights.</p>

Principle 5: Support smallholder inclusion

Criterion	Guidance
5.1	<p>A timely payment shall be understood as one that does not jeopardize the livelihood of the grower and his/her family, in compliance with the commercial conditions agreed between the mill and the grower.</p> <p>Fair prices for FFB will be equal to or above the prices as established by government or government endorsed initiatives, where applicable. Where not applicable, the following elements should be considered subject to prevailing commodity prices:</p> <ol style="list-style-type: none">1. Cost incurred by smallholders where applicable (e.g. Fertilizer, seeds, pesticides, transport of FFB, land use permit, land ownership fees, land preparation, labour costs and other costs related to FFB production);2. Unexpected and unpredictable environmental and climate related risk costs including the occurrence of new pests for which treatment is not yet available, climate change effects or extreme weather conditions. <p>Source: 2012 <i>FAO Guiding Principles Responsible Contract Farming</i></p> <p>This should also be applied to situations where the unit of certification functions as the group manager for groups certified under group certification.</p> <p>Transactions with smallholders should consider issues such as the role of middlemen, transport and storage of FFB, quality and grading. The need to recycle the nutrients in FFB (see Criterion 7.5) should also be considered; where it is not practicable to recycle wastes to smallholders, compensation for the value of the nutrients exported can be made through the FFB price.</p> <p>Smallholders should have access to the grievance procedure under Criterion 4.2 if they consider that they are not receiving a fair price for FFB, whether or not middlemen are involved.</p> <p>If the unit of certification requires smallholders to change practices to meet the RSPO P&C, consideration should be given to the costs of such changes, and the possibility of advance payments for FFB can be considered.</p>

Criterion

Guidance

5.2

RSPO will develop guidance on smallholder support (a separate RSPO Smallholder Standard is currently under development as of the printing of this standard).

The consultation may include collection centres or other parties like representative organizations, where applicable. In particular for Scheme Smallholders, support programmes are based on long term relations.

When the unit of certification assesses the eligibility of the requested support by Independent Smallholders, the following factors can be taken into account and are explained to and understood by the smallholders:

- Expected continued supply of FFB to the mill
- Readiness of smallholders to implement the improvement programmes

Specific elements on RSPO certification may include:

- Socialization on RSPO
- H&S training
- FPIC
- HCV

The delivery of the support services can include but is not limited to cooperatives, agents, collection centres and representative organizations.

For the National Interpretation in Mexico, it is recognized that there are two types of mills in the country: social or cooperative and the ones from the private sector. The support programs will be appropriate to the type of unit of certification and its economic capacity, recognizing the limited capabilities and particular characteristics of each mill.

Principle 6: Respect workers' rights and conditions

Criterion	Guidance
6.1	<p>The non-discriminatory requirements are applied to all workers, regardless of contractual status.</p> <p>Examples of compliance can be appropriate documentation (e.g. job advertisements, job descriptions, appraisals, etc.), and/or information obtained via interviews with relevant stakeholders such as affected groups which may include women, local communities, foreign workers and migrant workers, etc.</p> <p>Notwithstanding national legislation and regulation, medical conditions should not be used in a discriminatory way.</p> <p>The grievance procedures detailed in Criterion 4.2 apply. Positive discrimination to provide employment and benefits to specific communities is acceptable as part of negotiated agreements.</p> <p>Examples of evidence for Indicator 6.1.2 could include contract between employer and agency; contract between worker and agency; clear company policy and recruitment procedures; confirmation by workers and agency that no recruitment fees are charged.</p> <p>Foreign and migrant workers should not pay anything that a local worker is not required to pay, unless mandated by law. A worker should not be selected for the job on the basis of their capacity to pay.</p> <p>When there is a working relation under the terms of the Federal Labour Law (see definition of work relation), the requirements of social security and labor rights indicated in such Law must be complied.</p> <hr/>

Criterion

Guidance

6.2

The remuneration and working conditions should be presented to the worker in languages and understandable forms for him/her.

For the National Interpretation, it will be understood that criteria 6.2.4 and 6.2.5 will apply in cases where workers live within the plantations, in accordance with the articles 143 and 283 of the Federal Labour Law.

Elements in the calculation of a decent standard of living should include food, water, housing, education, healthcare, transport, clothing and other essential needs, including provision for unexpected effects, in accordance with the GLWC methodology.

The list of essential needs (that will be considered for the non-food, non-housing element), and the costs/values associated with these elements, will be provided by the RSPO.

Where a GLWC living wage standard, or one that fulfills the basic requirements of the RSPO-endorsed living wage methodology, has been established in the country or region of operation, this should be used as benchmark.

Where there are industry-established benchmarks of living wage, these can be used as a basis, as long as the elements of the DLW definition or their equivalencies have been considered.

For countries where no living wage standard is established, the RSPO-endorsed benchmark should be followed, until such time that a GLWC-developed benchmark for the country is in place (see procedural note in Indicator 6.2.6).

A written policy, committing to payment of a living wage should be in place.

Criterion

Guidance

6.2 (Continued)

The implementation plan should have specific targets, and a phased-implementation process should be in place, including the following:

- An assessment is conducted to determine prevailing wages and in-kind benefits already being provided to workers
- There is annual progress on the implementation of living wages
- Where a minimum wage, based on equivalent basket of goods, is stipulated in Collective Bargaining Agreements (CBAs), this should be used as the foundation for the gradual implementation of the living wage payment
- The unit of certification may choose to implement the living wage payment in a specific section as a pilot project; the pilot will then be evaluated and adapted before an eventual scale-up of the living wage implementation

Without disrupting the wage distribution, employers can provide more or better in-kind benefits to increase the living standards of their workers, as long as it is agreed upon by the trade union/worker representatives.

6.3

[In labour matters, the Federal Labour Law identifies as legal association figures in Mexico, the trade unions, through collective agreements; the federations, through law-contracts, and the confederations.](#)

The right of staff and workers, including migrant and transmigrant workers and contract workers, to form associations and bargain collectively with the unit of certification should be respected, in accordance with Conventions 87 and 98 of the ILO.

Collective bargaining is encouraged to include terms and conditions relevant to workers' rights, but also to the workers and families' rights to access health care, education, nutritious food, safety/protection equipment, energy, and could include a clear mechanism of grievances and remedy.

Foreign workers should be encouraged to join unions. Where the right to freedom of association and collective bargaining are restricted under law, the unit of certification publishes a statement that facilitates parallel means of independent and free association and bargaining for all such personnel. [According to the Federal Labour Law, foreign workers can participate in unions, but they cannot be part of their directives.](#)

Criterion

Guidance

6.4

Service contracts and supplier agreements refer to those that the unit of certification enters into and has influence over; rather than for agreements that cover services of infrastructure set up, such as telephone or electricity.

The unit of certification should clearly define the minimum working age, together with working hours. Only workers above the minimum school leaving age in the country or who are at least 15 years old may be employed. The minimum age of workers will not be less than stated under national regulations. Any hazardous work should not be done by those under 18, as per ILO Convention 138 ([see definition of hazardous work](#)).

Work in family farms, when the farm is contracted to or provides business to another entity, is prohibited. Farm work is only accepted when it is for the family's own consumption.

Child labour is not exacted only by employers, and children do not have to be in an employment relationship with a third-party employer to be in child labour and to suffer its consequences.

[Regarding the participation of children in family farms, child labor should not be confused with the training activities of children and adolescents \(young person\), which are those light activities, appropriate to their age, that are carried out in a benign family environment, which does not interfere with education nor limit the exercise of any of their rights, nor those activities protected and productive that are carried out upon reaching the minimum age and under the conditions established by the Constitution and the Federal Labour Law.](#)

Age verification documents include a government recognized photographic identification document, where available.

Examples of remediation are: procedures to assist underage workers found to be working; to ensure the children are taken out of the work site, parents/guardians are informed, medical testing to assess physical and mental health is conducted; and the unit of certification ensures that the children are enrolled in school.

[Consult information on work of minors and emancipation in Annex 3b. Legal national framework.](#)

Criterion

Guidance

6.5

There should be a clear policy developed in consultation with staff and workers, contract workers and other relevant stakeholders, and the policy should be publicly available. Progress in implementing the policy should be regularly monitored, and the results of monitoring activities should be recorded.

These policies should include education for women, [men](#) and awareness of the workforce. There should be programmes provided for particular issues faced by women, such as violence and sexual harassment in the workplace. This committee, which should include representatives from all areas of work, will consider matters such as: training on women's rights; counselling for women affected by violence; child care facilities to be provided by the unit of certification; women to be allowed to breastfeed up to nine months before resuming chemical spraying or usage tasks; and women to be given specific break times to enable effective breastfeeding.

For 6.5.3: The Gender Committee can support the assessment.

milk with privacy. [According to the Federal Labour Law, appropriate conditions for breastfeeding must be ensured for mothers with babies up to six months of age.](#)

[If the mother is in need to have an adequate space for breastfeeding, the unit of certification can use as a guide the "Practical guide for breastfeeding in the workplace" developed by UNICEF and the Mexican Institute of Social Security \(IMSS\), which indicates that a breastfeeding room should be a dignified and hygienic space, conditioned so that breastfeeding women can extract their milk during the working day and ensure its proper conservation for the rest of that day. This can have the following characteristics:](#)

- [To have good lighting and ventilation;](#)
- [To have and adequate electricity plug and comfortable furniture;](#)
- [To be accessible, with clear and adequate signage and access control;](#)
- [To provide facilities for her to wash her hands and the utensils for extraction;](#)

Criterion	Guidance
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6.5 (Continued)	<p>;</p> <ul style="list-style-type: none"> ● To be a clean space with daily cleaning; ● To have a refrigerator for the storage of extracted milk. <p>The policy to prevent sexual or other forms of harassment and violence must comply with the national legal framework applicable in the matter. Regardless of the implementation of a grievance mechanism for cases of sexual harassment or other forms of harassment or violence, the victim's right to access justice through applicable legal actions will not be restricted, based on the provisions of the Federal Labour Law, the General Law on the Access of Women to a Life Free of Violence and the Federal Criminal Code.</p> <p>Likewise, the unit of certification can use as a guide the "Protocol of labor violence, harassment and sexual harassment, directed at companies in the Mexican Republic", developed by the Ministry of Labour and Social Welfare (STPS, for its acronym in Spanish) for the protection of the integrity and health of the personnel that works in the private initiative, in order to generate a policy of zero tolerance and respond to these situations in cases that arise within companies.</p>
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6.6	<p>Migrant workers should be legalized, and a separate employment agreement should be drawn up to meet immigration requirements for foreign workers and international standards. Any deductions made should not jeopardize a DLW.</p> <p>The discounts in the wages of the workers are prohibited, except in the cases and with the requirements indicated in the article 110 of the Federal Labour Law, the article 96 of the Law of the Income Tax and the article 38 of the Law of the Mexican Institute of Social Security.</p> <p>Workers may voluntarily want to have their passports or identity documents held by the management for safekeeping purposes. In such cases, the documents should be returned to the workers upon request. There should be evidence of due diligence in applying this to all sub-contract workers and suppliers.</p> <p>National guidance should be used on contract substitution.</p>
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6.6 (Continued)

Workers should enter into employment voluntarily and freely, without the threat of a penalty, and should have the freedom to terminate employment without penalty given reasonable notice or as per agreement. This is in accordance with ILO conventions: Forced Labour Convention, 1930 (No. 29) ; Protocol of 2014 to the Forced Labour Convention, 1930 (P029) ; Abolition of Forced Labour Convention, 1957 (No. 105) ; Forced Labour Recommendation, 2014 (No. 203)

The specific labour policy should include:

- Statement of the non-discriminatory practices
- No contract substitution
- Post-arrival orientation programme to focus especially on language, safety, labour laws, cultural practices etc.
- Decent housing to be provided in accordance with national law or in their absence ILO Recommendation 115
- Fees related to recruitment and hiring of migrant workers

Debt bondage is an illegal figure in the Mexican context, as it is contrary to Article 2 of the Mexican Political Constitution, which prohibits slavery in the country, as well as to the human rights recognized in international and regional treaties ratified by Mexico.

In Mexico, there are rural and agricultural practices that are based on the uses and customs of local communities, through which communities exercise several forms of community or family work, carried out in a voluntary cooperation modality, which includes reciprocity or the distribution of benefits.

One of these cases is the *mano vuelta*, also known as *gozona*, which consists of an agreement of mutual aid between several families or neighbors from the establishment of a crop. By means of this practice, an exchange of work based on reciprocity is carried out, for example, when all the smallholders come together to carry out, jointly, agricultural activities in each one of the plots belonging to all those smallholders. These activities, of intermittent occurrence, tend to be on the maintenance of the plantations and do not consist of a central work within it. In this regard, the people who provide this support are not part of the labour force and their work does not consist of a work relationship, in accordance with the Federal Labour Law (see definition of work relationship).

Criterion

Guidance

6.6 (continued)

The identification of this practice is based on the recognition of customary and historical agricultural practices of local communities that seek to promote community solidarity, so they are regulated within each community or group, and although they are not legally regulated due to their voluntary nature, they do not contravene the provisions of the applicable laws in labour matters. For the National Interpretation, there should be a written agreement that demonstrates the voluntary nature of the support and proves the neighborhood characteristic of the person granting it.

On the other hand, there is a legal figure through which wives, daughters and other female relatives of land holders of the *ejido* (*ejidatarios*) or of agricultural workers who live in an agrarian nucleus, can organize themselves as an Agricultural Industrial Unit for Women (UAIM, for its acronym in Spanish). Its objective is the establishment of agricultural farms and rural industries that encourage the incorporation of peasant women into the productive processes and the development of activities related to and complementary to those of the *ejido*. The production unit is managed jointly by all women, and their work consists of activities of mutual assistance, exploitation of resources, marketing or any activity that promotes the generation of own-income and the economic and social development of women within the agrarian nucleus. Its establishment should be carried out in accordance with the provisions of the Agrarian Law.

Finally, there are “school plots” in order that children and young people participate in the research, teaching and dissemination of agricultural practices that allow a more efficient use of the human and material resources available to the *ejido*. Its establishment should also be carried out in accordance with the provisions of the Agrarian Law.

6.7

For 6.7.4 and 6.7.5, “work-related incidents” are defined as accidents and illnesses according to the Federal Labour Law (see definitions of work-related accidents and work-related illnesses).

Principle 7: Protect, conserve and enhance ecosystems and the environment

Criterion	Guidance
7.1	<p>The unit of certification should apply recognized IPM techniques, incorporating cultural, biological, mechanical and physical methods to minimize the use of chemicals. Native species should be used in biological control where possible.</p> <p>In specific cases for the control of pests and diseases by fire, as per regulations, there should be evidence of prior approval of the controlled burning as specified by the relevant authorities in the <i>'Guidelines for the Implementation of the ASEAN Policy on Zero Burning' 2003</i>, or comparable guidelines or regulations in other regions.</p> <p>The National Service for Agri-Food Health, Safety and Quality (SENASICA, in Spanish) has published integrated pest management manuals that can be used as guidelines.</p> <p>See technical manual No. 14 on red palm mite, (SENASICA, 2014). See technical manual No. 51 on but rot (SENASICA 2016).</p> <p>For Indicator 7.1.3, the unit of certification must comply with the National Forestry Commission (CONAFOR, in Spanish) guidelines for fire management, and the technical specifications established in NOM-015-SEMARNAT/SAGARPA-2007 for the use of fire in forest and agricultural lands.</p> <p>For more information regarding the use of fire, in the state of Chiapas, consult the Law for Sustainable Forest Development; for the state of Veracruz, consult the Law for Fire Use in Agricultural Lands; in the state of Campeche, consult the Law for Agricultural Burning, and in the state of Tabasco, consult the Law for the Prevention and Fighting of Agricultural Fires.</p> <p>The National Biodiversity Strategy, its Action Plan, the National Strategy on Invasive Species and the Mexican Strategy for Plant Conservation can be used as reference.</p> <p>Some methods for IPM can be consulted in the Best agro-industrial practices of oil palm cultivation manual (Cenipalma, 2016), which specifies cultural, manual, mechanical and chemical methods for weed control.</p>

Criterion

Guidance

An early detection and rapid response mechanism should be established in the managed and surrounding areas to detect the presence and uncontrolled dispersion of invasive alien species (species used as coverts) or new individuals of African palm and to control them, before these can affect areas with HCV.

7.1 (Continued)

When possible, the following good practices should be used:

- Establish mixed crops with native vegetation to improve landscape heterogeneity and connectivity; This way, the risk of pest appearance may decrease, the permanence of native fauna is guaranteed and it contributes to their mobility, favoring the biodiversity conservation.
- Develop of agroforestry and agrosilvopastoral systems.

7.2

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

Due to problems in the accuracy of measurement, monitoring of pesticide toxicity is not applicable to Independent Smallholders.

The justification should consider less harmful alternatives and IPM. Justification of the use of such pesticides will be included in the public summary report. Measures to avoid the development of resistance (such as pesticide rotations) should be applied.

Due diligence is understood as the process through which enterprises should identify, assess, mitigate, prevent and account for how they verify the emergency use of pesticides that are categorized as World Health Organization Class 1A or 1B, or that are listed by the Stockholm or Rotterdam Conventions, and paraquat, which are banned from use in RSPO, except in very specific situations. The nature and extent of due diligence will be affected by factors such as the size of the area where the pesticides should be applied, the context and location of the application, the nature of products or services, and the severity of actual and potential adverse impacts which will be caused by the use of the high hazardous pesticides.

Criterion

Guidance

7.2 (Continued)

The due diligence should refer to:

- a) Judgment of the threat and verification of why this is a major threat
- b) Why there is no other alternative which can be used
- c) Which process was applied to verify that there is no other less hazardous alternative
- d) What the process is to limit the negative impacts of the applications
- e) Estimation of the timescale of the application and which steps are taken to limit the application to a singularity.

Recognized best practice includes: storage of all pesticides as prescribed in the '*FAO International Code of Conduct on the distribution and use of pesticides*' and its guidelines and supplemented by relevant industry guidelines in support of the International Code (see Annex 3).

Consult the list of prohibited or restricted pesticides according to Mexican legal framework in the Official Journal of the Federation.

The pesticides enlisted in the Stockholm Convention on Persistent Organic Pollutants, the Rotterdam Convention and the Montreal Protocol should be added to the list of banned pesticides.

When restricted pesticides listed in international conventions are not included in Mexican legislation, the strictest criteria should be applied.

For the correct use of pesticides, use the Good Practices Guidelines for Terrestrial Application of Pesticides of the FAO.

It is recommended the use of CICOPLAFEST pesticide catalog for good practices to avoid environmental pollution by pesticides, protection of bees and other pollinators.

For Indicators 7.2.6, 7.2.7, 7.2.10 use the Official Mexican Standard NOM-003-STPS-1999, Agricultural activities-Use of phytosanitary supplies or pesticides and vegetable nutrition inputs or fertilizers - Safety and hygiene conditions.

Those interested in aerial application of pesticides (Indicator 7.2.9), must obtain a certificate of compliance with the Official Mexican Standard NOM-052-FITO-1995 that establishes the phytosanitary requirements and specifications to present the notice of initiation of operation by persons engaged in aerial application of agricultural pesticides.

7.3

The waste management and disposal plan should include measures for:

- Improving the efficiency of resource utilisation and recycling potential wastes as nutrients or converting them into value-added products (e.g. through animal feeding programmes).
- Appropriate management and disposal of hazardous chemicals and their containers. Surplus chemical containers should be reused, recycled or disposed of in an environmentally and socially responsible way using best available practices (e.g. returned to the vendor or cleaned using a triple rinse method), in such a way that there is no risk of contamination of water sources or risk to human health. The disposal instructions on the manufacturers' labels should be adhered to.

The unit of certification is encouraged to improve the waste management in surrounding neighborhoods.

Where there are no options for non-toxic and non-hazardous domestic waste collection by local government services, landfills may be required as a solution for disposal.

Where landfills are used, appropriate guidelines should be followed, which includes being:

- Only for domestic and household waste, where inorganic waste is minimized.
- Located away from water sources, people and communities, and outside conservation areas.
- Properly covered, with clear demarcation and signage to avoid disturbance.

The list of hazardous waste should be consulted in NOM-52-SEMARNAT-2005.

In accordance with the Chapter II of the General Law for the Prevention and Integral Management of Waste, producers and mills must formulate and execute a management plan according with their generator classification type. In the case of waste of special management and urban solid waste, they must comply with state laws for waste management.

Mills should consult the Regulation of the National Water Law, which establishes the obligations for mills that discharges wastewater to the national watercourses / waterbodies.

Criterion	Guidance
7.3 (Continued)	<p>Some of the best practices to minimize the volume of waste and solid by-products for waste can be found in the Guide on Environment, Health and Safety for the Production and Processing of Vegetable Oils, of the World Bank Group, 2015.</p> <p>Some of the best practices for handling byproducts can be found in the Technical Bulletin No. 30 on the characterization and management of byproducts of the benefit of the palm oil fruit, considering that the characterization should preferably be carried out at each site.</p>
7.4	<p>Long-term fertility depends on maintaining the structure, organic matter content, nutrient status and microbiological health of the soil. Nutrient efficiency should take account of the age of plantations and soil conditions. The nutrient recycling strategy should include any use of biomass for by-products or energy production and should drive to minimize in-organic fertilizer use.</p> <p>The documents of soil and foliar analysis must be available and should be used to generate a nutrition plan for the plantation.</p> <p>The nutrient reintegration strategy should consider the results obtained in the soil and foliar analysis to be adapted in the nutrition plan.</p> <p>In a non-restrictive way, some manuals can be consulted for the identification of good practices, such as the following:</p> <ul style="list-style-type: none"> • Current INIFAP technology package. • CENIPALMA, 2016. • Participatory innovation in palm oil in Mexico and proposal for its durability, Bernardino Mata <i>et al.</i>, 2014.

Criterion

Guidance

7.5

Techniques that minimize soil erosion are well known and should be adopted, where appropriate. These should include practices such as ground cover management, biomass recycling, terracing, and natural regeneration or restoration instead of replanting.

Some examples of marginal soils are sandy soils, low in organic matter, acid and alkaline sulfates.

As an example of fragile soils, RSPO proposes peatland, mangrove and other wetland areas (P&C 2013). An example of fragile soils in Mexico are the Leptosols.

Where possible, the following recommendations can be implemented:

For acid soils, there are chemical amendments such as limes, unprocessed or partially transformed phosphoric rocks, and minerals carrying essential elements physically processed, but not chemically. In addition, it is recommended to apply the amendments when adapting the soil for sowing and, according to the soil analysis, apply amendments every three or four years and so on during the useful life of the oil palm crop.

On the other hand, to correct the soil's basis unbalance, apply amendments such as sulfur (S) elementary, gypsum ($\text{CaSO}_4 \cdot 2\text{H}_2\text{O}$) and, sometimes, sulfuric acid (H_2SO_4) in doses that depend on the amount of carbonate of calcium (CaCO_3) in the soil (Cenipalma, 2016). In the case of sandy soils it is recommended to apply vegetal residues as pruned leaves to the ground.

Soil conservation measures (for example construction of terraces, platforms, cover crops, etc.) should be applied for lands between 9 and 25 degrees of inclination.

The soil erosion map and possible implications for the storage of organic carbon in the soil (1: 50,000) developed by COLPOS, SADER, SEMARNAT and CONAFOR, can be used as a source of information for the identification of eroded or erosion prone areas.

7.6

These activities can be linked to the SEIA (see Criterion 3.4) but need not be done by independent experts.

Soil suitability maps or soil surveys should be appropriate to the scale of operation and should include information on soil types, topography, hydrology, rooting depth, moisture availability, stoniness and fertility to ensure long-term sustainability of the development.

Criterion

Guidance

7.6 (Continued)

Information should be collected on soil suitability by the unit of certification if planning to purchase FFB from potential developments of Independent Smallholders in a particular location. The unit of certification should assess this information and provide information to Independent Smallholders on soil suitability, and/or in conjunction with relevant government/ public institutions and other organizations (including NGOs) provide information in order to assist Independent Smallholders to grow oil palm sustainably.

Soils requiring appropriate practices should be identified (see Criteria 7.6 and 7.7). This information should be used to plan planting programmes, etc.

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.

Areas located within the plantation perimeters that are considered unsuitable for long-term oil palm cultivation should be delineated in plans and included in operations for conservation or rehabilitation as appropriate (see Criteria 7.6 and 7.7).

Assessing soil suitability is also important for smallholders, particularly where there are significant numbers operating in a particular location.

The procedures described in NOM 021-SEMARNAT-2000 that establishes the technical specifications of sampling and analysis of fertility, salinity and soil classification, could be considered for the development of specific manuals for palm oil plantations.-

The optimal variables that must be considered in the planning studies include soil type, geographical location, temperature, rainfall, water availability, planting material, light hours, etc. This information is available in INIFAP technology package for palm oil.

See guidelines of Criterion 7.5.

Criterion

Guidance

7.7

The unit of certification is encouraged to map the peatlands within the supply base to enable monitoring and promotion of BMPs.

For Indicator 7.7.3: For existing plantings on peat, the water table should be maintained at an average of 50 cm (between 40 cm and 60 cm) below ground surface unless required to be higher by national regulations, measured with groundwater piezometer readings, or an average of 60 cm (between 50 cm and 70 cm) below ground surface as measured in water collection drains, through a network of appropriate water control structures (e.g. weirs, sandbags, etc.) in fields, and watergates at the discharge points of main drains.

For Indicator 7.7.3: Monitoring of subsidence should be undertaken in all drained peat areas in the plantation including areas adjacent to the plantation where water tables may be impacted by drainage associated with the plantation.

The scale of the National Institute of Statistic and Geography (INEGI, in Spanish) on histosols maps is not adequate to define the appropriate areas with this type of soil. Considering this, the evaluation should be done at the plantation level, preferably using the Global Wetlands cartography or other existing orthographies.

7.8

The water management plan should include:

- Consideration of relevant stakeholders, their water use, and water resource availability.
- Taking account of the efficiency of use and renewability of sources.
- Ensuring that the use and management of water by the unit of certification does not result in adverse impacts on other users within the catchment area, including local communities and customary water users.
- Aiming to ensure local communities, workers and their families have access to adequate, clean water for drinking, cooking, bathing and cleaning purposes.
- Avoiding contamination of surface and ground water through runoff of soil, nutrients or chemicals, or as a result of inadequate disposal of waste including POME.

Refer to the '*RSPO Manual on BMPs for the management and rehabilitation of riparian reserves*' (April 2017).

Where national regulations do not specify mill effluent requirements or discharge quality, these should be defined at NI level.

Criterion

Guidance

7.8 (Continued)

The plantations and mills must have national water concession titles and comply with the obligations established in each title. In the case of mills, these must have a discharge permit.

To prevent contamination of aquifers, consult NOM-003-CONAGUA-1996 Requirements during the construction of water extraction wells.

The limits established in NOM-001-SEMARNAT-1996 must be complied according to the wastewater discharge site.

All permanent watercourses, wetlands and waterbodies should maintain the existing natural vegetation that maintains ecological functionality. In case it does not exist, it should be restored it with native species that ensure the ecological function.

In addition to what is established in the national legal framework, the plantations must have the width mentioned at the following table:

<u>River width (m)</u>	<u>Reserve width (m)</u>
<u>1-5</u>	<u>5</u>
<u>5-10</u>	<u>10</u>
<u>10-20</u>	<u>20</u>
<u>20-40</u>	<u>40</u>
<u>40-50</u>	<u>50</u>
<u>>50-100</u>	<u>100</u>

Source: RSPO P&C 2013.

It is advisable to use the Best Practices Guides for the management and rehabilitation of riparian zones of RSPO (Manual on Best Management Practices for the Management and Rehabilitation of Riparian Reserves).

Criterion	Guidance
7.9	<p>Renewable energy use per tonne of CPO or palm product in the mill should be monitored and reported.</p> <p>Direct fossil fuel use per tonne of CPO or FFB should be monitored.</p> <p>Energy efficiency should be taken into account in the construction or upgrading of all operations. The unit of certification should assess the direct energy use of their operations, including fuel and electricity, and energy efficiency of its operations. This should include estimation of fuel use by on-site contract workers, including all transport and machinery operations.</p>
7.10	<p>The feasibility of collecting and using biogas should be studied where relevant.</p> <p>The unit of certification should only establish new plantings on mineral soils, in low carbon stock areas, and cultivated areas (including rubber and tree crops), which the current users are willing to develop into oil palm.</p> <p>Plans prepared by the unit of certification should specify actions to be taken to reduce GHG emissions including for example, adopting low-emission management practices for both mills (e.g. better management of palm oil mill effluent (POME), efficient boilers etc.) and plantations (e.g. optimal fertilizer use, energy efficient transportation, good water management, restoration of peatlands and conservation areas). Reference can be made to the RSPO Compilation of BMPs to Reduce Total Emissions from Palm Oil Production. This Criterion covers plantations, mill operations, roads and other infrastructure including access and perimeter canals and roads.</p>
7.11	<p>Extension/training programmes for smallholders may be necessary.</p> <p>The guidelines of CONAFOR for fire management and the specifications contained in NOM-015-SEMARNAT/SAGARPA-2007 that establishes the technical specifications of methods of fire use in forest lands and in agricultural land must be strictly complied.</p> <p>For more information regarding the use of fire, in the state of Chiapas, consult the Law for Sustainable Forest Development; for the state of Veracruz, consult the Law for Fire Use in Agricultural Lands; in the state of Campeche, consult the Law for Agricultural Burning, and in the state of Tabasco, consult the Law for the Prevention and Fighting of Agricultural Fires.</p>

7.12

For Indicator 7.12.2

HCV assessments conducted as part of integrated HCV-HCS assessments, should follow the HCVRN procedures, using HCVRN ALS approved assessors for HCV assessments for new plantings, in line with the current version of the Common Guidance on HCV Identification provided by the HCVRN or national HCV toolkits.

NIs of the globally-applicable HCV definitions may be used to assist with implementation of the HCVA. The globally-applicable HCV definitions provided in the Common Guidance take precedence in any cases where a conflict is perceived with a NI.

Where landscape level HCV and/or HCS 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.

Further guidance for implementation of 'wider landscape-level considerations' and other natural ecosystems will be developed by the BHCV WG. This will include reference to Key Biodiversity Areas (KBAs), which are identified under a Global Standard (IUCN 2016) and should be identified through an HCV assessment.

For Indicator 7.12.4

Refer to relevant guidance documents on RSPO and HCVRN websites.

The integrated management plan should be developed in collaboration with other stakeholders active in that landscape before and during the project implementation. It should be adaptive to changes in HCVs. Evidence of attempted collaboration efforts should be documented and available. Such collaborative plans and areas should include but are not limited to:

- Identifying, protecting and/or enhancing forest connectivity important for biodiversity, ecosystem services, or watershed protection
- Minimizing hydrological impacts to the landscape related to or arising from drainage systems and access roads or canals linked to the plantation

Criterion

Guidance

7.12 (Continued)

- Ensuring that any legal requirements relating to the protection of species or habitats are met
- Avoiding damage to and deterioration of HCV habitats, for example by ensuring that HCV areas are connected, corridors are conserved, and buffer zones around HCV areas are created
- Protecting and managing other conservation areas including watercourses and wetlands, peatlands, riparian zones, and steep slopes
- Controlling any illegal or inappropriate hunting, fishing or collecting activities, and encroachment
- Developing responsible measures to resolve human-wildlife conflicts (e.g. incursions by elephants).

For Indicator 7.12.5

Decisions will be made in consultation with the affected communities.

Areas required by affected communities to meet their basic needs, taking into account potential positive and negative changes in livelihoods resulting from proposed operations, should be identified in consultation with the communities and incorporated into HCV and HCS assessments and management plans.

The unit of certification should consider a variety of land management and tenure options to secure HCV management areas in ways that also secure local peoples' rights and livelihoods. Some areas are best allocated to community management and secured through customary or legal tenures; in other cases, co-management options may be considered.

Where communities are asked to relinquish rights so that HCVs can be protected or enhanced by the companies or state agencies, then great care needs to be taken to ensure that communities retain access to adequate land and resources to secure their basic needs; all such relinquishment of rights must be subjected to their FPIC.

For Indicator 7.12.7

Refer to HCVRN Common Guidance for HCV Management and Monitoring document.

[For the zonification and regulation of the use of natural reserves, consult the management programs and decrees for creation of each Protected Natural Area. The planning studies should consider the territorial ecological ordering programs and the community territorial ordinances.](#)

Criterion

Guidance

7.12 (Continued)

For Indicator 7.12.1 on land use change, consult the provisions in the General Law of Sustainable Forest Development and its regulation.

For Indicator 7.12.6, some appropriate sources of information on threatened, protected species and other categories may be:

- Mexican Official Standard 059-SEMARNAT-2010.
- List of priority species for the conservation of biodiversity in Mexico regulated by the General Law of Wildlife.
- The Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES).
- Red list of threatened species of the International Union for the Conservation of Nature (IUCN).
- Thematic cartography of INEGI and CONABIO.

In a non-restrictive way, for the identification of legally protected areas, consult the following materials:

Map title	Use	Description
Protected natural areas	To delimit areas that are legally protected for the conservation of ecosystems.	Zones where the nation exercises its sovereignty and jurisdiction. They are created by presidential decree and the activities carried out in them are established in accordance with the General Law of Ecological Equilibrium and Environmental Protection, its Regulation, their management programs and ecological territorial ordering programs. These areas have an special protection, conservation, restoration and development regime, according to the categories established in the Law. For this case, all federal, state, municipal and private reserves were included. Source: CONANP, (2017) Mexican Federal Protected Natural Areas, May 2017, 1st Edition, Mexico City.

7.12 (Continued)

Ramsar sites	To identify international protected wetlands.	They refer to wetlands considered of international importance due to their biological richness and to their ability to provide refuge for seasonal migratory waterbirds, decreed by the RAMSAR convention,. Source: CONANP, (2016). Mexican Ramsar Sites, 2016, 1st edition, Mexico City.
Mangroves	To identify mangroves areas while promoting protection of wetlands.	Mangroves are ecosystems of great diversity and ecological importance that provide a wide variety of environmental services. They are considered areas of feeding, shelter and growth of juvenile crustaceans and fry, act as natural flood control systems and as barriers against hurricanes and saline intrusion, control erosion and protect the coasts, improve water quality by functioning as biological filter, contribute to the maintenance of natural processes such as responses to changes in sea level, maintain sedimentation processes, shelter wild flora and fauna, possess a high aesthetic, recreational and research value. Source: CONABIO, 2013.
Environmental Management Units	To identify promoted areas for the protection and use of genetic resources.	Environmental management units (UMAs, in Spanish) serve to manage products and by-products of wildlife that can be incorporated into a legal market and certified on the basis of an authorized management plan. UMAs are units where wildlife is protected and conserved through wildlife and flora management plans for the purpose of breeding stock production, ecotourism, germplasm source, environmental education, sport hunting, conservation, among others. UMAs are regulated by the General Law of Wildlife and are the only places where hunting and extraction of specimens is allowed. Source: SEMARNAT, (2015), Environmental Management Units, 2014, 1st Edition. Morelia.

Criterion	Guidance	
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7.12 (Continued)	Perennial runoff and water bodies	To identify the needed areas to maintain hydrological processes.	To guarantee the maintenance of ecological processes and the availability and quality of water, a buffer of 100m was applied to all permanent rivers and 200m to water bodies. Source: INEGI. Hydrographic Network, INEGI. 2nd Edition. Sacale: 1:50,000.
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Other sources of information that delimit areas of ecological importance can be consulted in the following table:

Area	Use	Relevance
Priority regions for Biodiversity Conservation	To identify of areas with important ecosystems.	To define these regions, criteria were used on the presence of threatened species and their conservation. Likewise, regionalizations already established were taken into account, such as those of SINAP (Protected natural areas system, In Spanish), SEMARNAT ecological regionalization and the National Water hydrological regionalization. Source: (CONABI,O 2004) CONABIO (2004). Priority terrestrial regions,. Scale 1:1000000. Mexico.
Conservation areas network	To identify sites of importance for biodiversity.	The Conservation areas of the Zoque, Olmecan and Mayan Jungle network, identifies areas with high biodiversity value and less threats inside and outside protected natural areas. Analysis conducted by civil society, academic institutions and the state and federal governments of Mexico, Belize and Guatemala identified areas with high biodiversity value and less threats inside and outside protected natural areas. Source: Plan Ecorregional de las Selvas Maya, Zoque y Olmeca (2004).

Criterion	Guidance
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7.12 (Continued)

Mesoamerican biological corridor	To identify strategic areas to maintain ecosystem connectivity.	Areas where the National Commission for Knowledge and Use of Biodiversity, through the area of the Mesoamerican Biological Corridor, promotes actions to maintain connectivity and sustainable development.
Influences zones in Protected Natural Areas	To identify influence zones and strengthen the function of the ANP.	Permitted and non-permitted activities within a protected area are established and regulated by its management plan; however, these instruments recognize the need to delimit and include in their annual operational plans, actions in the influence area. For this reason the analysis included a buffer of 5 km to the ANP, considering the impacts studies of oil palm in ANP.
Polygons of the Emissions Reduction Initiative	To identify the areas where it is possible to carry out sustainable productive projects and maintain CO ₂ stocks.	Areas included in the Emissions Reduction Initiative for Mexico, where the government will take actions to reduce greenhouse gas emissions from deforestation and forest degradation, in addition to promoting sustainable productive activities. Source: Emissions Reduction Initiative, Forest Carbon Partnership Facility (FCPF) Carbon Fund. Mexico, (CONAFOR, 2016).
Important sites for biodiversity conservation	To recognize the most important areas for wildlife.	This analysis was carried out with the objective of identifying the natural spaces with the greatest biological diversity, in particular, those better conserved habitats that house species at greater risk of extinction and adjacent to the ANPs; seeking to strengthen ANPs and provide resilience to global change. Source: CONANP (2016).

Criterion

Guidance

7.12 (Continued)

<p>Important areas for bird conservation</p>	<p>To identify important areas for bird conservation.</p>	<p>The database was developed to define a network of sites that stand out for their importance in long-term maintenance of bird populations naturally. Source: CONABIO (1999), Mexican Section of the International Council for the Preservation of Birds, CIPAMEX, CONABIO (1999).</p>
<p>Priority sites for the conservation of Mexican primates</p>	<p>To identify important areas for primate conservation.</p>	<p>The analysis includes the 3 species of primates from Mexico (<i>Alouatta pigra</i>, <i>Alouatta palliata mexicana</i>, <i>Ateles geoffroyi vellerosus</i> and <i>A. geoffroyi yucatanensis</i>). The objective of this analysis was to guide more effectively the actions for their protection included in the Program of Action for the Conservation of Species. Potential distribution models were generated to identify the priority sites. Source: CONABIO - AMP, A.C. - CONANP, (2012).</p>
<p>Epicontinental aquatic priority sites for the conservation of nature</p>	<p>To locate areas of high value of continental aquatic biodiversity.</p>	<p>Epicontinental waters in Mexico include a rich variety of ecosystems that support an enormous diversity of native species of flora and fauna, many of them endemic and that represent resources that need to be preserved due to their current and potential economic importance, for their ecological functions and the value that nature represents for itself. Source: CONABIO-CONANP, (2010).</p>
<p>Important hydrological regions</p>	<p>To identify hydrological important sites for biodiversity.</p>	<p>This map had the objective of developing a frame of reference to contribute to the conservation and sustained management of oceanic, coastal and epicontinental waters, considering sites of greatest biodiversity and current and potential use in Mexico. Source: Arriaga, L., V. Aguilar y J. Alcocer. (2002), Continental waters and biological diversity in Mexico, CONABIO.</p>

Criterion

Guidance

7.12 (Continued)

Priority marine regions	To identify important lake sites for biodiversity.	70 coastal and oceanic areas are identified, considered a priority due to their high biodiversity and resources use diversity. It is a framework of reference to contribute to the conservation and sustainable management of oceanic environments that consider the most biodiverse sites and those of current or potential use in the country. Source: CONABIO (1998).
Strategic areas for connectivity of the southeast of the Lacandona jungle, Chiapas, Mexico	To identify strategic areas to maintain the connectivity of southeast Lacandona jungle.	The map shows 21 strategic areas to maintain landscape connectivity in favor of terrestrial mammal populations in the municipalities of Marqués de Comillas and Benemérito de las Américas, in Chiapas, Mexico as part of the project 'Monitoring of mastofauna in biological corridors of Chiapas, supported by the CGCRB General Coordination of Corridors and Biological Resources of CONABIO.

Landscapes are classified based on their properties and fundamental attributes in a hierarchical system and nested among themselves. The upper landscape units are defined by relief types, meaning, large units that can be distinguished locally (eg mountains, hills, piedmont ramps, valleys and plains) and lower units are defined by genesis and morphology of the superior units and are classified based on slope and land use.

Landscapes are the result of years of evolution and interaction of its structural components: rocks-relief-soil (whose rate of change over time is low or very low) and its dynamism with the bioclimatic-land use factors (of greater dynamism) at several time scales.

As previously mentioned, landscapes must be classified in a hierarchical manner, therefore, when carrying out HCV studies, the upper landscape unit must be identified and delimited (to know and characterize the landscape to which the area of interest belongs), identifying also the lower landscape unit (to elaborate a diagnosis of the processes that develop between biodiversity and anthropogenic activities, under the context that are conditions that have been adapted over time).

Therefore, any action that is planned and developed in a landscape unit, must be incorporated and integrated in an intercalated manner with present land uses in the landscape unit.

ANNEX 3: KEY INTERNATIONAL LAWS AND CONVENTIONS APPLICABLE TO THE PRODUCTION OF PALM OIL

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Ethical Business Conduct	1.1 1.2 2	United Nations Convention against Corruption (2000)			Art 12	<p>Promoting the development of standards and procedures to safeguard the integrity of private entities, including codes of conduct, for business activities and preventing conflict of interest.</p> <p>Promoting transparency.</p> <p>Ensuring that companies have sufficient internal auditing controls to prevent corruption.</p>
	1.2 2.1 2.2	Private Employment Agencies Convention 1997 (No 181)				Covers protection for workers who are employed through third party and/or private employment agencies.
Respect for Human Rights	4.1 4.2		Declaration on the Rights of Human Rights Defenders			Contains human rights standards enshrined in other international instruments that are legally binding for the protection of human rights, including HRDs.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Respect for Human Rights	4 5 6			United Nations Guiding Principles on Business and Human Rights (2011)	Principles 11-24	Respect human rights, by avoiding and/or mitigating negative impacts regardless of their organization size, sector of operation or ownership.
	4 5 6	Core International Human Rights Treaties: <ul style="list-style-type: none"> - International Covenant on Civil and Political Rights (ICCPR) (1996) - International Covenant on Economic, Social and Cultural Rights (ICESCR) (1996) - International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) (1963) 			All core human rights treaties	Respect for human rights regardless of age, nationality, gender, race, ethnicity, religion, ability, marital status, sexual orientation and gender identity, political opinion or affiliation, etc.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Respect for Human Rights	4 5 6	<ul style="list-style-type: none"> - Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) (1984) - Convention on the Rights of the Child (CRC) (1989) - International Convention on Protection of the Rights of All Migrant Workers and Members of Their Families (ICMRW) (1990) - Convention for the Protection of All Persons from Enforced Disappearance (CPEd) (2006) - Convention on the Rights of Persons with Disabilities (CRPD) (2006) - Convention on the Elimination of All Forms of Discrimination against Women (1979) - American Convention on Human Rights (1969) - Additional Protocol to the American Convention on Human Rights in the area of Economic, Social, and Cultural Rights (1988) - Interamerican 				

		<p>Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities (2001)</p> <p>- Interamerican Convention on the Prevention, Punishment and Eradication of Violence against Women (1994)</p>				
Just Land Acquisition	4	ILO Convention 169 (1989) on Indigenous and Tribal Peoples			Art 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.
	4		UN Declaration on the Rights of Indigenous Peoples (2007)		Art 25-26	Right to distinctive relationship with land; right to own, use, develop and control their lands, territories and other resources.
	4	UN Convention on Biological Diversity (1992)			Art 10(c)	Protect and encourage customary use of biological resources in accordance with traditional practices.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Public Participation of Affective Communities	4.5 4.5			Rio Declaration on Environment and Development (1992) and Agenda 21	Principle 10	Environmental issues are best handled with the participation of all concerned citizens, at the relevant level. Principle 10 combines public participation with public access to information and access to remedial procedures. According to Agenda 21, one of the fundamental principles for the achievement of sustainable development is broad public participation in decision-making. Both Agenda 21 and the Rio Declaration emphasize the importance of the participation of all major groups, and special emphasis has been given, including in legally binding international instruments, to ensuring participation in decision-making of those groups that are considered to be politically disadvantaged, such as indigenous peoples and women.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Fair Representation and Participation of Indigenous and Tribal People	4.2 4.4 4.5 4.6	ILO Convention 169 (1989) on Indigenous and Tribal Peoples			Art 6-9	Self-representation through institutions; consultations with objective of achieving agreement or consent; rights to decide their own priorities, retain their own customs and resolve their offences according to customary law (compatible with international laws).
	4.4-4.8		UN Declaration on the Rights of Indigenous Peoples (2007)		Art 3	Indigenous peoples have the right to self-determination and to freely pursue their economic, social and cultural development.
	4.4 4.5 4.7		UN Declaration on the Rights of Indigenous Peoples (2007)		Art 10, 11(2), 19, 28(1), 29(2) and 32(2)	Right to FPIC to any project affecting their lands as expressed through their own representative institutions.
	4.4 4.5 4.7	Convention on the Eliminations of All Forms of Racial Discrimination (1963) International Covenant on Economic, Social and Cultural Rights (1996) Inter American Human Rights System			UN CERD Committee, UN Committee on Social Culture and Economic Rights, Inter American Commission on Human Rights	FPIC for decisions that may affect indigenous people. (This standard has been widely accepted as 'best practice' standard by bodies such as World Commission on Dams, Extractive Industries Review, Forest Stewardship Council, UNDP, CBD, IUCN, WWF).

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
No Forced Labour	2.2 6.6 6.6	ILO Convention 29 (1930) Forced Labour	Protocol of 2014 to the Forced Labour Convention 1930		Art 5	No concession to companies shall involve any form of forced or compulsory labour. Provides the measures which should be taken for the avoidance of forced or compulsory labour.
	Art 1, 2,4					
	6.6	ILO Convention 105 (1957) Abolition of Forced Labour			Art 1	Not make use of any form of forced or compulsory labour.
Protection of Children	6.4	ILO Convention 138 (1973) Minimum Age			Arts 1-9	Abolition of child labour and definition of national minimum age for labour not less than 15-18 years (depending on occupation).
	6.4	ILO Convention 182 (1999) Worst Forms of Child Labour			Arts 1-7	Abolition of child slavery, debt bondage, trafficking and procurement for prostitution; suitable methods to monitor and enforce compliance.
	6.4	Minimum Age (Agriculture) Convention 1921 (No.10)			Art 1-2	Applicable to children under the age of 14 outside the hours of attendance in school.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.4	Convention on the Rights of the Child (CRC), 1989			Art 32	Right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.
	6.4 6.5		UN Declaration on the Rights of Indigenous Peoples (2007)		Art 17(2), 21, 22(2)	No exploitation or exposure to hazard or discrimination against indigenous women and children.
Freedom of Association and Collective Bargaining	6.3	ILO Convention 87 (1948) Freedom of Association and Protection of Right to Organize			Art 2-11	Freedom to join organizations, federations and confederations of their own choosing; with freely chosen constitutions and rules; measures to protect the right to organize.
	6.3	ILO Convention 98 (1949) Right to Organize and Collective Bargaining			Art 1-4	Protection against anti-union acts and measures to dominate unions; establish means for voluntary negotiation of terms and conditions of employment through collective agreements.
	6.3	ILO Convention 141 (1975) Rural Workers' Organizations			Art 2-3	Right of tenants, sharecroppers and smallholders to organize; freedom from association; free from interference and coercion.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.3	International Covenant on Economic, Social and Cultural Rights (ICESCR) (1966)			Art 8 (1)	The right of everyone to form trade unions and join the trade union of their choice, subject only to the rules of the organization concerned, for the promotion and protection of their economic and social interests. No restrictions may be placed on the exercise of this right, other than those prescribed by law and which are necessary in a democratic society in the interests of national security, or public order, or for the protection of the rights and freedoms of others.
	6.3	Collective Bargaining Convention, 1981 (No 154)			Art 1-3	Workers' representatives in the undertaking shall enjoy effective protection against any act prejudicial to them, including dismissal, based on their status or activities as a workers' representative or on union membership or participation in union activities, in so far as they act in conformity with existing laws or collective agreements or other jointly agreed arrangements.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Non-discrimination and Equal Remuneration	6.1	ILO Convention 100 (1951) Equal Remuneration			Art 1-3	Equal remuneration for men and women for work of equal value.
	6.1	ILO Convention 111 (1958) Discrimination (Employment and Occupation)			Art 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.
	6.1		UN Declaration on the Rights of Indigenous Peoples (2007)		Art 2, 8(e), 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.
	6.1	ILO Convention 156 (1981) Workers with Family Responsibility			Art 1-5, 7-10	No discrimination of any form against a worker, whether male or female with responsibilities in relation to their dependent children, where such responsibilities restrict their possibilities of preparing for, entering, participating in or advancing in economic activity.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	2.2	ILO Convention on Private Employment Agencies 1997 (No. 181)			Art 1,2,4-12	Concerns the protection of workers which are employed with the intention of making the services of these workers available to third parties.
	6.1	ILO Convention on Vocational Rehabilitation and Employment (Disabled Persons) 1983 (No. 159)			Art 1-4	This convention concerns vocational rehabilitation to enable a disabled person to secure, retain, and advance in suitable employment, and thereby to further such person's integration or reintegration into society.
	6.1	International Covenant on Economic, Social and Cultural Rights (ICESCR) (1966)			Art 7	<p>Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work.</p> <p>Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence;</p>

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Elimination of Harassment and Abuse in the Workplace	6.5	Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)			General Recommendation 35	of the private sector, including businesses and transnational corporations, in efforts to eradicate all forms of gender-based violence against women; developing protocols and procedures addressing all forms of gender-based violence that may occur in the workplace or affect women workers, including effective and accessible internal complaints procedures.
Just Employment for Migrants	2.2 6.6					Provision of information; no obstacles to travel; provision of healthcare; non-discrimination in employment; accommodation, social security and remuneration; no forced repatriation of legal migrant workers; repatriation of savings.
	6.6	ILO Convention 143 (1975) Migrant Workers (Supplementary Provisions)			Art 1-12	Respect basic human rights; protection of illegal migrants from abusive employment; no trafficking in illegal migrants; fair treatment of migrant labour.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	2.2 6.6	Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)			Art 11; 21; 25; 26	Prevention of slavery; forced and compulsory labour; on confiscation of identity documents; conditions of work and contractual terms; and freedom of association and right to join trade unions.
Protection of Plantation Workers	6.1	ILO Convention 97 (1949) Migration for Employment			Art 5-91	Protection of members of families of recruited 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 organize and collective bargaining; proper labour inspection; decent housing and medical care.
	6.2	ILO Convention No 11 Rights of Association (Agriculture) 1921			Art 1	All those who work in the agricultural sector to be accorded the same rights of association and combination as to industrial workers

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6	ILO Convention on Plantation (1958) (No. 110)			Art 1,2,5,7,8, 11,12-15	This convention relates to rights of workers and their families (including migrant workers) who have been recruited to work on plantations.
Working Time for Workers	6.2	ILO Convention No 101 Holidays with Pay (Agriculture) 1952			Art 1,3,5,7-9	Workers employed in agricultural undertakings and related occupations shall be granted an annual holiday with pay after a period of continuous service with the same employer.
	6.2	ILO Convention No 47 Forty Hour Week			Art 1	Requires that a member adopts a 40 hour week in a manner that the standard of living is not reduced as a consequence.
Protection of Women's Rights to Work	6.1	Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (1979)			Art 11	Right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training; Right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.1	Maternity Protection Convention 2000 (No. 183)			Art 9	Prohibition from requiring a test for pregnancy or a certificate of such a test when a woman is applying for employment, except where required by national laws or regulations in respect of work.
	6.5 6.7	Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (1979)			Art 11 (f)	The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.
	6.5	Maternity Protection Convention 2000 (No. 183)			Art 10	A woman shall be provided with the right to one or more daily breaks or a daily reduction of hours of work to breastfeed her child. These breaks or the reduction of daily hours of work shall be counted as working time and remunerated accordingly.
Protection of Tenants and Sharecroppers	4.2			ILO Recommendation 132 (1968) Tenants and Sharecroppers	Art 4-8	Fair rents; adequate payment for crops; provisions for well-being; organization; fair contracts; procedures for the settlement of disputes.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
Protection of Smallholders	5	ILO Convention 117 (1962) Social Policy (Basic Aims and Standards)			Art 4	Alienation with due regard to customary rights; assistance to form cooperatives; tenancy arrangements to secure highest possible living standards
Health and Safety	3.6 6.7	ILO Conventions 184 (2001) Safety and Health in Agriculture			Art 7-21	Carry out risk assessments and adopt preventive and protective measures to ensure health and safety with respect to workplaces, machinery equipment, chemical tools and processors; ensure dissemination of information, appropriate training, supervision and compliance; special protection for youth and women workers; coverage against occupational health and disease.
	3.6 6.7	ILO Convention on Occupational Cancer 1974 (No 139)			Art 1-5	Members shall make every effort to have carcinogenic substances and agents to which workers may be exposed in the course of their work replaced by non-carcinogenic substances or agents or by less harmful substances or agents; in the choice of substitute substances or agents account shall be taken of their carcinogenic, toxic and other properties.
	3.6 6.7	ILO Convention on Invalidity Insurance (Agriculture) 1933 (No. 38)			Art 1-6, 13, 17, 20,23	Maintenance of a scheme for invalidity Insurance for workers.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
	6.1 6.2	Convention on Maternity Protection 2000 (No. 183)			Art 2-4	Maternity Protection and benefits
Control or Eliminate the use of Dangerous Chemicals and Pesticides	7.2	Stockholm Convention on Persistent Organic Pollutants (2001)			Arts 1-5	Prohibit and/or eliminate production and use of chemicals listed in Annex A (eg Aldrin, Chlordane PCB); restrict production and use of chemicals in Annex B (eg DDT); reduce or eliminate releases of chemicals listed in Annex C (eg Hexachlorobenze).
	7.2	Rotterdam Convention on Prior and Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (1998)			Art 1, 5, and 6	Curb the trade of banned and hazardous chemicals and pesticides; develop national procedures for control of their use and trade; list banned and hazardous chemicals and pesticides.
			UN Declaration on the Rights of Indigenous Peoples (2007)		Art 21(1), 23, 24, 29(3)	Improvement of livelihood and sanitation, health and housing, participate in health delivery; maintain traditional health systems; effective monitoring of health.
		ILO Convention No 148 on Working Environment (Air, Pollution, Noise and Vibration) 1977			Art 1-3	Provides for measures which should be taken for the prevention and control of, and protection against, occupational hazards in the working environment due to air pollution, noise and vibration.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
		ILO Convention No 170 on Chemical Convention 1990			Art 2(c), and Part IV	Provides for measures to prevent or reduce the incidences of chemically induced illness and injuries at work; and identifies the roles and responsibilities of employers in the context of identification, transfer of chemicals, exposures, operational control, disposal and information dissemination and training.
Right to Food	6.2	International Covenant on Economic, Social and Cultural Rights (ICESCR) (1966)			Art 11	Right to adequate standard of living, including right to food.
Environmental Protection	3.4	UN Convention on Biological Diversity (1992)			Art 14	Environmental impact assessment of its proposed projects that are likely to have significant adverse effects on biological diversity with a view to avoiding or minimizing such effects and, where appropriate, allow for public participation in such procedures.
Conservation of Biodiversity		UN Convention on Biological Diversity (1992)			Art 1 – 18	Conservation of biological diversity and the sustainable use of its components.
GHG Emissions	7.10	United Nations Framework Convention on Climate Change (1992)			Art 1-4	Aimed at stabilizing atmospheric concentrations of greenhouse gases to avoid “dangerous anthropogenic interference, including in agricultural sector.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
		Kyoto Protocol to the United Nations Framework Convention on Climate Change (1997)			Art 2(1)	Emissions reductions in order to promote sustainable development, through energy efficiency and the promotion of sustainable agricultural modalities.
		Paris Agreement (2015)			Art 2, 4	Strengthen the global response to the threat of climate change, in the context of sustainable development. Achieve global emissions of greenhouse gases reach their maximum point as soon as possible.
Rare, threatened or endangered species	7.12	Convention on the Conservation of Migratory Species of Wild Animals (1983)			Art 1-6	It recognizes the importance of the conservation of migratory species and of the measures to be agreed for this purpose. The same recognition extends to the appropriate and necessary measures for the conservation of such species and their habitat. It recognizes the need to adopt measures to prevent a migratory species from becoming a threatened species.

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
High Carbon Stocks	7.12	United Nations Framework Convention on Climate Change (1992)			Art 4(d)	To promote sustainable management, and promote and cooperate in the conservation and enhancement, as appropriate, of sinks and reservoirs of all greenhouse gases, including biomass, forests and other terrestrial and coastal ecosystems.
		Kyoto Protocol to the United Nations Framework Convention on Climate Change (1997)			Art 2(1)	Emissions reductions in order to promote sustainable development, through the protection and improvement of sinks and deposits of greenhouse gases.
		Paris Agreement (2015)			Art 5	<p>To adopt measures to conserve and increase sinks and deposits of greenhouse gases, including forests.</p> <p>To adopt measures to reduce emissions due to deforestation and forest degradation, and the role of conservation, sustainable forest management and the enhancement of forest carbon stocks, for the comprehensive and sustainable management of forests , reaffirming at the same time, the importance of encouraging, when appropriate, the non-carbon benefits derived from these approaches.</p>

Theme	Referenced in following P&C	International Standards			Key Provisions	Summary of Protection
		Convention	Declaration	Guiding Principles/ UN Outcome Documents		
High Conservation Values	7.7 7.12	Ramsar Convention on Wetlands of International Importance especially as Waterfowl Habitat (1971)			Art 1-4	Conservation, management and rational use of migratory populations of waterfowl and wetlands of international importance. Promote the conservation of wetlands through planning and the creation of natural reserves.
	7.12	UNESCO Convention concerning the Protection of the World Cultural and Natural Heritage (1972)				

ANNEX 3B: KEY NATIONAL LAWS AND REGULATIONS APPLICABLE TO THE PRODUCTION OF PALM OIL IN MEXICO

PRINCIPLE 1. BEHAVE ETHICALLY AND TRANSPARENTLY		
Criterion 1.1 The unit of certification provides adequate information to relevant stakeholders on environmental, social and legal issues relevant to RSPO Criteria, in appropriate languages and forms to allow for effective participation in decision making.		
Indicators	Legal Framework	Legal Linkage
1.1.1	<p><u>Federal Law on Protection of Personal Data held by Private Parties</u></p> <p>Article 6. Data controllers must adhere to the principles of legality, consent, notice, quality, purpose, fidelity, proportionality and accountability under the Law.</p> <p>Article 7. Personal data must be collected and processed in a lawful manner in accordance with the provisions established by this Law and other applicable regulations.</p> <p>Personal data must not be obtained through deceptive or fraudulent means.</p> <p>In all processing of personal data, it is presumed that there is a reasonable expectation of privacy, understood as the trust any one person places in another for personal data provided to be treated pursuant to any agreement of the parties in the terms established by this Law.</p> <p>Article 8. All processing of personal data will be subject to the consent of the data owner except as otherwise provided by this Law.</p> <p>Consent will be express when such is communicated verbally, in writing, by electronic or optical</p>	<p><i>Those responsible for managing the documents that are going to be available to the public, must ensure the protection of personal data that are provided by individuals, so that the data do not fall into the hands of third parties and may be misused.</i></p> <p><i>Data owners must give their consent for the processing of their data.</i></p>

	<p>means or via any other technology, or by unmistakable indications.</p> <p>It will be understood that the data owner tacitly consents to the processing of his data when, once the privacy notice has been made available to him, he does not express objection.</p> <p>Financial or asset data will require the express consent of the data owner, except as provided in Articles 10 and 37 of this Law.</p> <p>Consent may be revoked at any time without retroactive effects being attributed thereto. For revocation of consent, the data controller must, in the privacy notice, establish the mechanisms and procedures for such action.</p> <p>Article 9. In the case of sensitive personal data, the data controller must obtain express written consent from the data owner for processing, through said data owner's signature, electronic signature, or any authentication mechanism established for such a purpose.</p> <p>Databases containing sensitive personal data may not be created without justification of their creation for purposes that are legitimate, concrete and consistent with the explicit objectives or activities pursued by the regulated party.</p> <p>[...]</p> <p>Article 14. The data controller shall ensure compliance with the personal data protection principles established by this Law, and shall adopt all necessary measures for their application. The foregoing will apply even when this data has been processed by a third party at the request of the data controller. The data controller must take all necessary and sufficient action to ensure that the privacy notice given to the data owner is respected at all times by it or by any other parties with which it has any legal relationship.</p> <p>Article 15. The data controller will have the obligation of providing data owners with information regarding what information is collected on them and why, through the privacy notice.</p>	
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Regulations of the Federal Law on Protection of Personal Data held by Private Parties

Article 3. This Regulation shall apply to the processing of personal data held in physical or electronic media, which make it possible to access personal data according to certain criteria, regardless of the form or modality of its creation, type of support, processing, storage and organization

The provisions of this Regulation will not apply when access to personal data requires disproportionate deadlines or activities.

In terms of article 3, Article V of the Law, personal data may be expressed in numerical, alphabetical, graphic, photographic, acoustic or any other form, concerning an identified natural person or an identifiable natural person.

Article 4. This Regulation shall be mandatory for all treatment when:

- I. Is carried out in an establishment of the responsible located in Mexican territory;
- II. It is carried out by a responsible, regardless of its location, on behalf of a responsible person established in Mexican territory;
- III. The responsible is not established in Mexican territory but Mexican legislation is applicable to him, derived from the conclusion of a contract or in terms of international law, and
- IV. The responsible party is not established in Mexican territory and uses means located in said territory, unless such means are used only for transit purposes that do not imply a treatment. For purposes of this Article, the responsible party must provide the means necessary for the effective fulfillment of the obligations imposed by the Law, its Regulations and other applicable provisions, derived from the processing of personal data. For this purpose, it may designate a representative or implement the mechanism it deems pertinent, provided that it ensures that the responsible party will be able to effectively comply, in Mexican territory, with the obligations that the applicable regulations impose on those persons (natural or moral) data that

	<p>treat personal data in Mexico.</p> <p>When the responsible party is not located in Mexican territory, but the person in charge is, the provisions related to the security measures contained in Chapter III of these Regulations shall apply to the latter.</p> <p>In the case of individuals, the establishment will be understood as the place where the main seat of their business is located or the one they use for the performance of their activities or their home.</p> <p>In the case of moral persons, the establishment shall be understood as the location where the main administration of the business is located; if it is a legal entity residing abroad, the location where the main administration of the business is located in Mexican territory, or in its absence, the one they designate, or any stable installation that allows the effective or actual exercise of an activity.</p> <p>Article 5. The provisions of this Regulation shall not be applicable to the following information:</p> <p>I. The one relating to moral persons;</p> <p>II. The one that refers to natural persons in their capacity as merchants and professionals, and</p> <p>III. The natural persons who provide their services for any moral person or individual with business activities and/or provision of services, consisting only of their name and surnames, the functions or positions held, as well as some of the following labor data: physical address, electronic address, telephone number and fax number; provided that this information is treated for the purposes of representing the employer or contractor.</p>	
1.1.2	<p><u>General Law on the Linguistic Rights of Indigenous Peoples</u></p> <p>Article 9. - It is the right of every Mexican to communicate in the language of which he or she is a speaker, without restrictions in the public or private sphere, orally or in writing, in all his social,</p>	<p><i>Although the Law does not require the certification unit to share the information referred to in this principle, it does indicate that there should not be restrictions in the</i></p>

	economic, political, cultural, religious and any other activities.	<i>private sphere that indigenous communities communicate in their language in their economic and social activities.</i>
1.1.3	N/A	N/A
1.1.4	N/A	N/A
1.1.5	N/A	N/A
Criterion 1.2 The unit of certification commits to ethical conduct in all business operations and transactions.		
Indicators	Legal Framework	Legal Linkage
1.2.1	N/A	N/A
1.2.2	N/A	N/A

PRINCIPLE 2. OPERATE LEGALLY AND RESPECT RIGHTS		
Criterion 2.1 There is compliance with all applicable local, national and ratified international laws and regulations.		
Indicators	Legal Framework	Legal Linkage
2.1.1	N/A	N/A
2.1.2	N/A	N/A
2.1.3	<p><u>Federal Civil Code</u></p> <p>Article 841. Every owner has the right to delimit his property and make or demand the demarcation thereof.</p> <p>Article 842.-The owner also have the right and, where appropriate, obligation to close or enclose your property, in whole or in part, in the way you deem appropriate or as provided by laws or regulations, without prejudice to the servitudes that report the property.</p> <p><u>Agrarian Law</u></p> <p>Article 14. Corresponds to the ejidatarios (rights holders of communal lands) the right of use and enjoyment on their plots, the rights that the internal regulation of each communal land grants them on the other communal lands (ejidos) and the others that legally correspond to them.</p> <p>Article 23.- [...] The following matters shall be the exclusive competence of the assembly: [...] VII. Designation and delimitation of the areas necessary for human settlement, legal foundation and plots with specific destination, [...] [...] X. Delimitation, assignment and destination of common use lands as well as their exploitation regime; XI. Division of the communal land or its fusion with other communal land; [...]</p>	<p><i>It should not be planted outside the established property. Likewise, in the private property regime, the owners are expected to delimit their properties in relation to those of third parties.</i></p>

Article 56.- The assembly of each ejido, with the formalities provided for that purpose in articles 24 to 28 and 31 of this law, may determine the destination of the lands that are not formally parceled, carry out the parceling of these, recognize the economic or made or regularize the tenure of the possessors or those who lack the corresponding certificates. Consequently, the assembly may allocate them to the human settlement, to the common use or to divide them in favor of the ejidatarios [...]

In any case, the National Agrarian Registry shall issue the technical standards that the assembly shall follow when delimiting the lands within the ejido and shall provide the same with the assistance requested to that effect. The Registry will certify the internal plan of the ejido, and based on this, it will issue the parcel certificates or common rights certificates, or both, as the case may be, in favor of each and every one of the individuals that integrate the ejido, as to the instructions of the assembly, through the curator or by the representative appointed. These certificates must be registered in the National Agrarian Registry itself.

Article 62. As of the allocation of parcels, the beneficiary ejidatarios shall have the rights over the use and usufruct of the same, in the terms of this law.

When the assignment has been made to a group of ejidatarios, it shall be presumed, unless there is evidence to the contrary, that they enjoy such rights in equal parts, and shall be exercised in accordance with the agreement between them, or, failing that, to the provisions of the internal regulation or the resolution of the assembly and, additionally, according to the rules of co-ownership provided by the Civil Code for the Federal District in Common Matters and for the entire Republic in Federal Matters.

Article 76.- Corresponds to the ejidatarios the right of timeshare, use and usufruct of their plots.

Article 78. The rights of the ejidatarios on their parcels will be accredited with their corresponding certificates of agrarian rights or plot rights certificates, which will show the basic identification data of the plot. The parcel certificates will be issued in accordance with the provisions of article 56 of this law. In your case, the corresponding resolution of the agrarian court will serve as a certificate for the purposes of this law.

Article 152.- There must be registered in the National Agrarian Registry:
[...]

II. Certificates or titles that protect rights to lots, common lands and parcels of ejidatarios or

	comuneros; [...] IV. The plans and delimitation of the lands referred to in article 56 of this law.	
Criterion 2.2 All contractor providing operational services and supplying labour, and FFB suppliers, comply with legal requirements.		
Indicators	Legal Framework	Legal Linkage
2.2.1 .	N/A	N/A
2.2.2	N/A	N/A
2.2.3	N/A	N/A
Criterion 2.3 All FFB suppliers from outside the unit of certification are from legal sources.		
Indicators	Legal Framework	Legal Linkage
2.3.1	N/A	N/A
2.3.2	N/A	N/A

PRINCIPLE 3. OPTIMISE PRODUCTIVITY, EFFICIENCY, POSITIVE IMPACTS AND RESILIENCE		
Criterion 3.1 There is an implemented management plan for the unit of certification that aims to achieve long-term economic and financial viability.		
Indicators	Legal Framework	Legal Linkage
3.1.1	N/A	N/A
3.1.2	N/A	N/A
3.1.3	N/A	N/A
Criterion 3.2 The unit of certification regularly monitors and reviews their economic, social and environmental performance and develops and implements action plans that allow demonstrable continuous improvement in key operations.		
Indicators	Legal Framework	Legal Linkage
3.2.1	N/A	N/A
3.2.2	N/A	N/A
Criterion 3.3 Operating procedures are appropriately documented, consistently implemented and monitored.		
Indicators	Legal Framework	Legal Linkage
3.3.1	N/A	N/A
3.3.2	N/A	N/A
3.3.3	N/A	N/A
Criterion 3.4 A comprehensive Social and Environmental Impact Assessment (SEIA) is undertaken prior to new plantings or operations, and a social and environmental management and monitoring plan is implemented and regularly updated in ongoing operations.		
Indicators	Legal Framework	Legal Linkage
3.4.1	<p><u>General Law of Ecological Equilibrium and Environmental Protection - LGEEPA</u></p> <p>Article 28.- The environmental impact assessment is the procedure through which the Secretariat establishes the conditions to be subject to the execution of works and activities that may cause ecological imbalance or exceed the limits and conditions established in the applicable</p>	<p><i>To obtain an Environmental Impact Authorization, necessary for the development of a specific project (in the case that concerns us: plantations, refineries, extractors, etc.), an Environmental Impact</i></p>

	<p>provisions to protect the environment and preserve and restore ecosystems, in order to avoid or minimize their negative effects on the environment. For this, in those cases in which the Regulation that is issued for this purpose is established, those who intend to carry out any of the following works or activities will previously require authorization in the matter of the environmental impact of the Secretariat:</p> <p>I.- Hydraulic works, general communication routes, oil pipelines, gas pipelines, pipelines and pipelines; (...) IV.- Facilities for the treatment, confinement or elimination of hazardous waste, as well as radioactive waste; (...) VII.- Changes in land use in forest areas, as well as in forests and arid zones; (...) X.- Works and activities in wetlands, mangroves, lagoons, rivers, lakes and estuaries connected to the sea, as well as in their coastlines or federal zones; XI. Works and activities in protected natural areas of the Federation's competence; XII.- Fishing, aquaculture or agricultural activities that may endanger the preservation of one or more species or cause damage to ecosystems, and ... (...)</p> <p>Article 30.- In order to obtain the authorization referred to in article 28 of this Law, the interested parties must submit to the Secretariat a manifestation of environmental impact, which must contain, at least, a description of the possible effects on the ecosystems that could be affected by the work or activity in question, considering the set of elements that make up these ecosystems, as well as the preventive, mitigation and other measures necessary to avoid and minimize the negative effects on the ecosystem. ambient. [...]</p> <p style="text-align: center;">[...]</p> <p>Article 35.- Once the manifestation of environmental impact has been presented, the Secretariat will initiate the evaluation procedure, for which it will check that the request complies with the formalities provided for in this Law, its Regulations and the applicable Mexican official standards, and will integrate the respective file within a period of no more than ten days. [...]</p> <p style="text-align: center;">[...]</p> <p>Regulations of the General Law of Ecological Equilibrium and Environmental Protection in the</p>	<p><i>Statement must be submitted to the Ministry of Environment and Natural Resources (SEMARNAT), which will submit an evaluation procedure that will be duly documented and will be public.</i></p> <p><i>It should be mentioned that the Social Impact Assessment is not mandatory in Mexican legislation for projects of this type, however, in order to comply with the RSPO criteria, it must be carried out.</i></p>
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Matter of Environmental Impact Assessment

Article 5 .- Those who intend to carry out any of the following works or activities, will require prior authorization from the Secretariat in terms of environmental impact:

A) HYDRAULICS:

I. Storage dams, diverters and flood control with a capacity of more than 1 million cubic meters, jagüeyes and other works for the collection of rainwater, canals and pumping stations, with the exception of those located outside of fragile ecosystems , Natural Protected Areas and regions considered priority for their biodiversity and do not involve the flooding or removal of arboreal vegetation or human settlements, the habitat affectation of species included in any protection category, the shortage of water to the surrounding communities, or the limitation to the free transit of natural, local or migratory populations;

II. Hydro-agricultural or temporary technified units greater than 100 hectares;

III. Projects for the construction of docks, canals, breakwaters, breakwaters, embankments, docks, dams, breakwaters, embankments, docks, dry docks and retaining walls for national waters, with the exception of damming dams for water purposes for livestock, self-consumption and local irrigation that does not exceed 100 hectares;

IV. Driving works for the national water supply exceeding 10 kilometers in length, which have an expenditure of more than fifteen liters per second and whose driving diameter exceeds 15 centimeters;

V. Multiple water supply systems with driving diameters of more than 25 centimeters and a length greater than 100 kilometers;

SAW. Plants for the treatment of wastewater that discharges liquids or sludges in receiving bodies that constitute national assets, except those in which the following characteristics are met:

a) Discharge liquids up to a maximum of 100 liters per second, including unloading works in the federal zone;

b) In their treatment do not carry out activities considered highly risky, and

c) Some other assumption of article 28 of the Law is not applicable to it;

VII. Deposit or fill with materials to gain land to the sea or to other bodies of national waters;

VIII. Drainage and desiccation of national water bodies;

IX. Modification or pipelining of permanent streams of national waters;

X. Dredging works of national water bodies;

XI. Water treatment plants for supplying supply networks to communities, when high-risk activities are planned;

XII. Desalination plants;

	<p>XIII. Opening of shooting areas in national bodies of water to dispose of dredging product or any other material, and</p> <p>XIV. Opening lagoon intercommunication mouths maritime [...]</p> <p>M) FACILITIES FOR THE TREATMENT, CONFINEMENT OR ELIMINATION OF HAZARDOUS WASTE, AS WELL AS RADIOACTIVE WASTE:</p> <p>I. Construction and operation of confinement plants and waste disposal centers dangerous;</p> <p>II. Construction and operation of plants for the treatment, reuse, recycling or elimination of hazardous waste, with the exception of those in which the elimination of said waste is carried out within the generator facilities, in which the wastewater from the separation process is destined to the generator treatment plant and in which the sludge product of the treatment is disposed of according to the applicable legal norms, and</p> <p>III. Construction and operation of plants and facilities for the treatment or elimination of infectious biological waste, with the exception of those in which the elimination is carried out in hospitals, clinics, laboratories or mobile equipment, through the methods of disinfection or sterilization and without emissions to the atmosphere and wastewater that exceed the limits established in the respective legal provisions are generated. [...]</p> <p>Ñ) FOREST PLANTATIONS:</p> <p>I. Forest plantations with commercial purposes in properties with a surface area of more than 20 hectares, those of exotic species in a given ecosystem and those that have as their objective the production of cellulose, with the exception of afforestation for commercial purposes with native species of the ecosystem of concerned in preferably forest lands, and</p> <p>II. Reforestation or installation of nurseries with exotic species, hybrids or transgenic varieties.</p> <p>O) CHANGES OF USE OF THE SOIL OF FOREST AREAS, AS WELL AS IN SELVAS AND ARID ZONES:</p> <p>I. Change in land use for farming, aquaculture, real estate development, urban infrastructure, general communication routes or for the establishment of commercial, industrial or service facilities in lands with forest vegetation, with the exception of the construction of single-family housing and the establishment of commercial facilities or services in properties less than 1000 square meters, when its construction does not involve the felling of trees in an area larger than 500 square meters, or the removal or fragmentation of the habitat of specimens of flora or fauna subject to a special protection regime in accordance with Mexican official standards and other applicable legal instruments;</p> <p>II. Change of land use from forest areas to any other use, with the exception of agricultural</p>	
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	<p>activities for family self-consumption, carried out on farms with slopes of less than five percent, when they do not involve the aggregation or clearing of more than twenty percent of the total area and this does not exceed 2 hectares in temperate zones and 5 in arid zones, and</p> <p>III. Other changes in land use in lands or areas with forest land use, except for the modification of agricultural or livestock soils in forestry, agroforestry or silvopastoral, through the use of native species.</p> <p>[...]</p> <p>Q) REAL ESTATE DEVELOPMENTS THAT AFFECT COASTAL ECOSYSTEMS: Construction and operation of hotels, condominiums, villas, housing and urban developments, restaurants, trade facilities and services in general, marinas, docks, breakwaters, golf courses, tourist or urban infrastructure, general roads of communication, restitution or recovery works of beaches, or artificial reefs, that affect coastal ecosystems, with the exception of:</p> <p>a) Those whose purpose is protection, embellishment and decoration, through the use of native species;</p> <p>b) Recreational activities when they do not require any type of civil works, and</p> <p>c) The construction of single-family homes for the communities settled in the coastal ecosystems.</p> <p>R) WORKS AND ACTIVITIES IN WETLANDS, MANGROVES, LAGOONS, RIVERS, LAKES AND ESTEROS CONNECTED WITH THE SEA, AS WELL AS IN ITS LITORALES OR FEDERAL ZONES:</p> <p>I. Any type of civil works, with the exception of the construction of single-family homes for the communities settled in these ecosystems, and</p> <p>II. Any activity that has commercial purposes or objectives, with the exception of fishing activities that are not foreseen in Article XII of article 28 of the Law, and that according to the General Law of Sustainable Fisheries and Aquaculture and its regulations do not require the presentation of a manifestation of environmental impact, as well as those of navigation, self-consumption or subsistence of the communities settled in these ecosystems.</p> <p>[...]</p> <p>V) AGRICULTURAL ACTIVITIES THAT CAN HURT THE PRESERVATION OF ONE OR MORE SPECIES OR CAUSE DAMAGE TO ECOSYSTEMS:</p> <p>Agricultural activities of any kind when these imply the change of land use of forest areas, with the exception of:</p> <p>a) Those whose purpose is family self-consumption, and</p> <p>b) Those that imply the use of the techniques and methodologies of organic agriculture.</p>	
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	<p>Article 9.- The promoters must submit an environmental impact statement to the Secretariat, in the corresponding modality, so that the latter may evaluate the project of the work or activity for which authorization is requested.</p> <p>The information that contains the manifestation of environmental impact must refer to relevant environmental circumstances related to the realization of the project.</p> <p>The Secretariat will provide the promoters with guides to facilitate the presentation and delivery of the environmental impact statement according to the type of work or activity that is intended to be carried out. The Secretariat will publish these guides in the Official Gazette of the Federation and in the Ecological Gazette. [...]</p> <p>Article 38.- The evaluation files of the environmental impact statements, once integrated in the terms of article 20 of these regulations, will be available to any person for consultation. [...]</p>	
3.4.2	N/A	<i>Note: Mitigation measures and monitoring of SEMARNAT conditions by the AIA (environmental management plan).</i>
3.4.3	N/A	N/A
Criterion 3.5 A system for managing human resources is in place.		
Indicators	Legal Framework	Legal Linkage
3.5.1	N/A	N/A
3.5.2	N/A	N/A
Criterion 3.6 An occupational health and safety (H&S) plan is documented, effectively communicated and implemented.		
Indicators	Legal Framework	Legal Linkage
3.6.1	N/A	N/A
3.6.2	N/A	N/A

Criterion 3.7 All staff, workers, scheme smallholders, outgrowers and contract workers are appropriately trained.		
Indicators	Legal Framework	Legal Linkage
3.7.1	<p><u>Federal Labour Law</u></p> <p>Article132.- The obligations of the employers are: [...] XV.- Provide training and training to their workers, in the terms of Chapter III Bis of this Title. [...]</p> <p>Article 153-A.- Employers have the obligation to provide all workers, and these to receive training or training in their work that allows them to raise their standard of living, their labor competence and their productivity, according to the plans and programs formulated, common agreement, by the employer and the union or the majority of its workers. [...] [...]</p> <p>Article 153-C.- The training will aim to:</p> <p>I. Update and improve the knowledge and skills of workers and provide them with information so that they can apply in their activities the new technologies that employers must implement to increase productivity in companies;</p> <p>II. Make workers aware of the risks and dangers to which they are exposed during the performance of their work, as well as the provisions contained in the regulations and the official Mexican standards on safety, health and the working environment that apply to them , to prevent work risks;</p> <p>III. Increase productivity;</p> <p>IV. In general, improve the educational level, the labor competence and the skills of the workers.</p> <p><i>Note: The registration procedure of the training plan before the STPS must be performed</i></p>	<p><i>The employer has the obligation to provide and the worker to receive training or training in their work to develop in their work in accordance with the plans and programs formulated for the proper performance of their duties.</i></p>
3.7.2	<p><u>Federal Labour Law</u></p> <p>Article 153-T.- Workers who have been approved in the training and training examinations under the terms of this Chapter shall have the right to have the respective certification issued</p>	<p><i>In the case of training by authorized external third parties, the certificates for the respective training must be counted, which must be registered with the Ministry of</i></p>

	<p>by the instructing entity, which, authenticated by the Joint Commission for Training and Training of the Company, shall be they will inform the Ministry of Labor and Social Welfare, through the corresponding National Committee or, failing this, through the labor authorities so that the Secretariat itself registers them and takes them into account when formulating the register. of trained workers that corresponds, in the terms of fraction IV of article 539. [...]</p> <p>Article 153-V.- The constancy of skills or work skills is the document with which the worker will certify having taken and approved a training course.</p> <p>The companies are obliged to send to the Secretary of Labor and Social Welfare for their registration and control, lists of the certificates that have been issued to their workers.</p> <p>The proofs in question will have full effects, for promotion purposes, within the company in which the training has been provided.</p>	<p><i>Labor and Social Welfare (STPS), for workers who satisfactorily complete the training and training processes.</i></p> <p><i>The registration must be available; provide proof when it comes to external trainers approved by STPS.</i></p>
3.7.3	N/A	N/A

PRINCIPLE 4. RESPECT COMMUNITY AND HUMAN RIGHTS AND DELIVER BENEFITS

Criterion 4.1 The unit of certification unit respects human rights, which includes respecting the rights of Human Rights Defenders.

Indicators	Legal Framework	Legal Linkage
4.1.1	<p><u>Political Constitution of the United Mexican States</u></p> <p>Article 1.- In the United Mexican States, all persons shall enjoy the human rights recognized in this Constitution and in the international treaties to which the Mexican State is a party, as well as the guarantees for their protection, the exercise of which may not be suspended, except in the cases and under the conditions established by this Constitution.</p> <p><u>Law for the Protection of Human Rights Defenders and Journalists</u></p> <p>Article 2.- Human Rights Defender: Individuals acting individually or as members of a group, organization or social movement, as well as legal persons, groups, organizations or social movements whose purpose is the promotion or defense of human rights.</p> <p><u>Federal Labour Law</u></p> <p>Article 2.- Labor standards tend to seek a balance between the factors of production and social justice, and to promote decent work in all labour relations.</p> <p>Decent work is defined as work that fully respects the human dignity of the worker; there is no discrimination based on ethnic or national origin, gender, age, disability, social condition, health conditions, religion, migratory status, opinions, sexual preferences or marital status; there is access to social security and a remunerative salary; there is continuous training to increase productivity with shared benefits; and there are optimal safety and hygiene conditions to prevent work risks.</p>	<p><i>Compliance with the human rights of workers must be guaranteed.</i></p> <p><i>The employer must ensure that the human and social rights of all workers are respected in the workplace, that there is no discrimination of any kind and for any reason.</i></p>

	<p>Decent or dignified work also includes unrestricted respect for workers' collective rights, such as right of association, autonomy, the right to strike and collective bargaining.</p> <p>The substantive or <i>de facto</i> equality of workers is protected <i>vis-à-vis</i> the employer.</p> <p>Substantive equality is achieved by eliminating discrimination against women that undermines or nullifies the recognition, enjoyment or exercise of their human rights and fundamental freedoms in the workplace. It implies access to the same opportunities, taking into account the biological, social and cultural differences between women and men.</p> <p><u>International human rights treaties ratified by the Mexican State:</u></p> <p>To get information on the international human rights treaties ratified by Mexico, consult the following link: https://www.gob.mx/cms/uploads/attachment/file/281967/Marco_Normativo_en_materia_de_Derechos_Humanos.pdf</p>	
4.1.2	<p><u>Federal Labour Law</u></p> <p>Article 133.- Employers or their representatives are prohibited:</p> <p>[...]</p> <p>Perform acts of harassment and/or sexual harassment against any person in the workplace;</p> <p>XIII. Allow or tolerate acts of harassment and/or sexual harassment in the workplace;</p> <p><u>Federal Law on Private Security</u></p> <p>Article 32.- These are obligations of service providers:</p> <p>[...]</p>	<p><i>Harassment and sexual harassment within the company may not be permitted for any reason and this statement should be included in company policies.</i></p> <p><i>Third parties with security functions in the workplace should ensure compliance with human rights, avoiding abuses, arbitrariness and violence.</i></p>

	<p>X. Avoid at all times applying, tolerating or permitting acts of torture, ill-treatment, cruel, inhuman or degrading acts, even when it is a superior order or when special circumstances are argued, such as threats to public security;</p> <p>Article 33.- These are obligations of the private security operative personnel:</p> <p>[...]</p> <p>VI. Behave at all times, with professionalism, honesty and respect for the rights of individuals, avoiding abuse, arbitrariness and violence, in addition to being governed by the principles of action and duties provided for members of the public security forces in the General Law Establishing the Basis for Coordination of the National Public Security System.</p>	
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Criterion 4.2 There is a mutually agreed and documented system for dealing with complaints and grievances, which is implemented and accepted by all affected parties.

Indicators	Legal Framework	Legal Linkage
4.2.1	N/A	N/A
4.2.2	N/A	N/A
4.2.3	N/A	N/A
4.2.4	N/A	N/A

Criterion 4.3 The unit of certification unit contributes to local sustainable development as agreed by local communities.

Indicators	Legal Framework	Legal Linkage
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4.3.1	N/A	N/A
Criterion 4.4 Use of the land for oil palm does not diminish the legal, customary or user rights of other users without their free, prior and informed consent (FPIC).		
Indicators	Legal Framework	Legal Linkage
4.4.1	<p><u>Agrarian Law</u></p> <p>Article 16.- The status of ejidatarios is accredited:</p> <p>I. With the certificate of agrarian rights issued by the competent authority;</p> <p>II. With the parcel certificate or certificate of common rights; or</p> <p>III. With the judgment or relative resolution of the agrarian court.</p> <p>Article 17.- The ejidatarios have the power to designate who should succeed them in their rights over the parcel of land and other rights inherent in their capacity as ejidatarios, for which it shall be sufficient for the ejidatario to formulate a list of succession in which the names of the persons and the order of preference according to which the award of rights shall be made upon their death. For this purpose, he may designate the spouse, the concubine or concubine, as the case may be, one of his children, one of the ascendants or any other person.</p> <p>The list of succession must be deposited in the National Agrarian Registry or formalized before a notary public.</p> <p>When the ejidatarios have not designated successors, or when none of those indicated in the list of heirs can inherit due to material or legal impossibility, the agrarian rights shall be transferred in accordance with the following order of preference:</p> <p>I. To the spouse;</p>	<p><i>It must have the documentation that proves ownership or tenure of land, in agrarian matters finds its support in the National Agrarian Registry which is public.</i></p> <p><i>The owners of the properties must have their property accredited before the Public Property Registry.</i></p> <p><i>If this is the case, the final judgment on the lawsuit in which the legitimate property is accredited must be counted.</i></p>

	<p>II. To the concubine or concubinary;</p> <p>III. To one of the ejidatarios children;</p> <p>To one of his ascendants; and</p> <p>V. To any other person on whom they depend economically.</p> <p>In the cases referred to in sections III, IV and V, if the death of the ejidatarios results in two or more persons with the right to inherit, the heirs will have three months from the death of the ejidatario to decide who, among them, will retain the ejido rights. If no agreement is reached, the Agrarian Court shall provide for the sale of these ejidal rights at public auction [...].</p> <p>Article 45.- Ejidal lands may be the subject of any association or development contract entered into by the nucleus of the ejidal population, or by the ejidatarios owners, depending on whether the land is for common use or parcelled out, respectively. Contracts involving the use of ejidal lands by third parties shall have a duration in accordance with the corresponding productive project, not exceeding thirty years, which may be extended.</p> <p>Article 78.- The rights of the ejidatarios over their parcels shall be accredited with their corresponding agrarian rights certificates or parcel certificates, which shall bear the basic identification data of the parcel. The parcel certificates shall be issued in accordance with the provisions of Article 56 of this Law.</p> <p>Where appropriate, the relevant decision of the Agricultural Court shall act as a certificate for the purposes of this Act.</p> <p>Article 79.- The ejidatarios may use their parcels directly or grant to other ejidatarios or third parties their use or usufruct, by means of sharecropping, mediation, association, lease or any other legal act not prohibited by law, without the authorization of the assembly or any authority. It may also contribute its usufruct rights to the formation of both commercial and</p>	
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civil companies.

Article 151.- The National Agrarian Registry shall be public and any person may obtain information on its entries and inscriptions and obtain at his or her own expense the copies requested.

Article 152.- They shall be registered in the National Agrarian Registry:

[...]

II. Certificates or titles that protect rights over plots of land in common use and parcels of ejidatarios or comuneros;

III. The primary titles of the communities and, where appropriate, the titles that recognize them as traditional communities;

IV. The plans and delimitation of the lands referred to in article 56 of this law;

V. Plans and documents relating to the rural cadastre and census;

[...]

Federal Civil Code

Article 1282.- Inheritance is defended by the will of the testator or by law. The first is called testamentary, and the second legitimate.

Article 1283.- The testator may dispose of all or part of his property. The part he does not have will be governed by the precepts of the legitimate succession.

Article 3042.- They shall be registered in the Public Registry of Immovable Property:

I. The titles by which it is created, declared, recognizes, acquires, transmits, modifies, limits,

	<p>serious or extinguishes the dominion, original possession and the other real rights on real estate;</p> <p>II. The constitution of the family patrimony;</p> <p>III. Contracts for the lease of real estate for a period of more than six years and those in which there are income advances for more than three years; and</p> <p>IV. Other titles that the law expressly orders to be registered.</p>	
4.4.2	N/A	N/A
4.4.3	N/A	N/A
4.4.4	N/A	N/A
4.4.5	N/A	N/A
4.4.6	N/A	N/A
<p>Criterion 4.5 No new plantings are established on local peoples' land where it can be demonstrated that there are legal, customary or user rights, without their FPIC. This is dealt with through a documented system that enables these and other stakeholders to express their views through their own representative institutions.</p>		
Indicators	Legal Framework	Legal Linkage
4.5.1	N/A	N/A
4.5.2	N/A	N/A
4.5.3	N/A	N/A

4.5.4	N/A	N/A
4.5.5	N/A	N/A
4.5.6	N/A	N/A
4.5.7	N/A	N/A
4.5.8	N/A	N/A

Criterion 4.6 Any negotiation concerning compensation for loss of legal, customary or user rights are dealt with through a documented system that enables indigenous peoples, local communities and other stakeholders to express their views through their own representative institutions.

Indicators	Legal Framework	Legal Linkage
4.6.1	N/A	N/A
4.6.2	N/A	N/A
4.6.3	N/A	N/A
4.6.4	N/A	N/A

Criterion 4.7 Where it can be demonstrated that local peoples have legal, customary or user rights, they are compensated for any agreed land acquisitions and relinquishment of rights, subject to their FPIC and negotiated agreements.

Indicators	Legal Framework	Legal Linkage
4.7.1	N/A	N/A
4.7.2	N/A	N/A

4.7.3	N/A	N/A
Criterion 4.8 The right to use land is demonstrated and is not legitimately contested by local people who can demonstrate that they have legal, customary or user rights.		
Indicators	Legal Framework	Legal Linkage
4.8.1	N/A	N/A
4.8.2	N/A	N/A
4.8.3	N/A	N/A
4.8.4	N/A	N/A

PRINCIPLE 5. SUPPORT SMALLHOLDER INCLUSION

Criterion 5.1 The unit of certification deals fairly and transparently with all smallholders (independent and scheme) and other local businesses.

Indicators	Legal Framework	Legal Linkage
5.1.1	N/A	N/A
5.1.2	N/A	N/A
5.1.3	<p><u>Federal Law on Economic Competition</u></p> <p>Article 53.- Absolute monopolistic practices, consisting of contracts, agreements, arrangements or combinations between competing Economic Agents, whose object or effect is any of the following, are considered illicit: I. Fix, raise, agree or manipulate the sale or purchase price of goods or services to which they are offered or demanded in the markets;</p> <p>Article 54.- Relative monopolistic practices are those consisting of any act, contract, agreement, procedure or combination that:</p> <p>I. Frame in any of the cases referred to in Article 56 of this Law;</p> <p>Article 56.- The cases referred to in section I of article 54 of this Law consist of any of the following: [...]</p> <p>II. The imposition of the price or other conditions that a distributor or supplier must observe when rendering, marketing or distributing goods or services.</p>	<p><i>The prices established must comply with the requirements of economic competition and thus avoid monopoly.</i></p>
5.1.4	N/A	N/A
5.1.5	N/A	N/A
5.1.6	<p><u>Commercial Code</u></p> <p>Article 380.- The buyer shall pay the price of the goods sold to him in the agreed terms and</p>	<p><i>Payments must be complied with as established in the purchase-sale, respecting the terms indicated.</i></p>

	periods. In the absence of an agreement, the buyer shall pay it in cash. The delay in the payment of the price shall constitute the obligation to pay yields at the legal rate on the amount owed.	
5.1.7	N/A	N/A
5.1.8	N/A	N/A
5.1.9	N/A	N/A
Criterion 5.2 The certification unit supports the improvement of small producers' livelihoods and their inclusion in sustainable palm oil value chains.		
Indicators	Legal Framework	Legal Linkage
5.2.1	N/A	N/A
5.2.2	N/A	N/A
5.2.3	N/A	N/A
5.2.4	N/A	N/A
5.2.5	N/A	N/A

PRINCIPLE 6. RESPECT WORKERS' RIGHTS AND CONDITIONS

Criterion 6.1 Any form of discrimination is prohibited.

Indicators	Legal Framework	Legal Linkage
6.1.1	<p><u>Political Constitution of the United Mexican States</u></p> <p>Article 1.- Any discrimination based on ethnic or national origin, gender, age, disability, social status, health conditions, religion, opinions, sexual preferences, marital status or any other ground which violates human dignity and is intended to nullify or impair the rights and freedoms of persons shall be prohibited.</p> <p><u>Federal Law on the Prevention and Eradication of Discrimination</u></p> <p>Article 4.- Any discriminatory practice that has the purpose or effect of preventing or nullifying the recognition or exercise of rights and real equality of opportunity in terms of article 1 of the Constitution and article 1, second paragraph, section III of this Law is prohibited.</p> <p>Article 9.- Based on the provisions of the first constitutional article and Article 1, second paragraph, section III of this Law are considered discrimination, among others: [...] III: Prohibit free choice of employment, or restrict opportunities for access, permanence and promotion;</p> <p><u>Federal Labour Law</u></p> <p>Article 3.- [...] Conditions may not be established that imply discrimination among workers on the grounds of ethnic or national origin, gender, age, disability, social condition, health conditions, religion, migratory status, opinions, sexual preferences, marital status or any other that violates human dignity.</p> <p>Article 133: Employers or their representatives are prohibited:</p>	<p><i>Discrimination actions in the workplace are not allowed and should be avoided at all costs.</i></p>

	<p>I. Refuse to accept workers on the grounds of ethnic or national origin, gender, age, disability, social condition, health conditions, religion, opinions, sexual preferences, marital status or any other criterion that may give rise to a discriminatory act;</p> <p>Article 164.- Women enjoy the same rights and have the same obligations as men.</p>	
6.1.2	N/A	N/A
6.1.3	<p><u>Federal Law to Prevent and Eradicate Discrimination</u></p> <p>Article 5.- Affirmative actions that have the effect of promoting real equality of opportunities for persons or groups shall not be considered discriminatory. Nor shall a distinction based on reasonable, proportional and objective criteria, the purpose of which is not to impair rights, be deemed discriminatory.</p> <p>Article 9.- On the basis of the provisions of article 1 of the Constitution and article 1, second paragraph, section III of this Law, discrimination shall be considered, among others: [...] III: Prohibit free choice of employment, or restrict opportunities for access, permanence and promotion; IV. Establish differences in remuneration, benefits and working conditions for equal work; V. Limit access to and permanence in training and professional development programs; VI. Denying or limiting information on sexual and reproductive rights or impeding the free exercise of the determination of the number and spacing of children; Deny or condition health care services, or prevent participation in decisions about their medical or therapeutic treatment within their means and possibilities; [...] XIII. Apply any type of use or custom that threatens equality, dignity and human integrity; [...] XX. To prevent access to social security and its benefits or to establish limitations on the contracting of medical insurance, except in cases where the law so provides; XXII Ter. The denial of reasonable accommodations that guarantee, under equal conditions, the enjoyment or exercise of the rights of persons with disabilities; XXIII. Exploit or give abusive or degrading treatment; [...] XXVIII. Engaging in or promoting physical, sexual, or psychological, patrimonial or economic violence based on age, gender, disability, physical appearance, manner of dressing, speech, gesture or public assumption of sexual preference, or any other ground of discrimination;</p>	<p><i>The worker will be assigned his/her work activities based on his/her aptitudes and abilities.</i></p> <p><i>No jobs will be assigned for favoritism and the integrity of the workers must always be taken care of.</i></p>

	<p><u>Federal Labour Law</u></p> <p>Article 3.- [...] Distinctions, exclusions or preferences based on the particular qualifications required for a given task shall not be considered discriminatory.</p> <p>Article 27.- If the service or services to be provided have not been determined, the worker shall be obliged to perform the work that is compatible with his or her strengths, aptitudes, state or condition and that is of the same gender as those that make up the object of the enterprise or establishment.</p> <p>Article 154: Employers shall be obliged to prefer, under equal circumstances, Mexican workers to those who are not, to those who have served them satisfactorily for a longer period of time, to those who have no other source of economic income and are dependent on a family, to those who have completed their obligatory basic education, to those who are trained in respect of those who are not, to those who have a greater aptitude and knowledge to perform a job, and to those who are unionized in respect of those who are not.</p> <p>If a collective bargaining agreement exists and contains an admission clause, preference for vacancies or newly created positions shall be governed by the provisions of the collective bargaining agreement and the trade union statute.</p>	
6.1.4	<p><u>Federal Labour Law</u></p> <p>Article 133.- Employers or their representatives are prohibited: [...] XIV. Require the presentation of medical certificates of non-pregnancy for entry, permanence or promotion in employment; [...] XV. Firing or coercing a worker directly or indirectly to resign because of pregnancy, change of marital status, or child care; and [...]</p> <p>Article 170.- Working mothers shall have the following rights: I. During the period of pregnancy, they shall not carry out work that requires considerable</p>	<p><i>The fact that women are pregnant should not be an impediment to being hired or to work inside the work center.</i></p> <p><i>In the event that the worker is pregnant, the employer must assign her tasks in which her physical integrity is taken care of and which do not put her health or that of the baby at risk.</i></p>

	effort and poses a danger to their health in connection with pregnancy, such as lifting, pulling or pushing heavy weights, producing trepidation, standing for a long time or acting or altering their mental and nervous state;	
6.1.5	N/A	N/A
6.1.6	<p><u>Federal Labour Law</u></p> <p>Article 86.- Equal work, performed in the same position, working day and conditions of efficiency, must correspond to equal salary.</p> <p><u>Federal Law to Prevent and Eradicate Discrimination</u></p> <p>Article 9.- On the basis of the provisions of article 1 of the Constitution and article 1, second paragraph, section III of this Law are considered discrimination, among others: [...] IV. Establish differences in remuneration, benefits and working conditions for equal work;</p> <p><u>General Law on Women's Access to a Life Free of Violence</u></p> <p>Article 11.- The following constitute workplace violence: the illegal refusal to hire the victim or to respect the victim's permanence or general working conditions; the disqualification of the work performed, threats, intimidation, humiliation, conduct referred to in the Federal Labor Law, exploitation, the impediment to women to carry out the breastfeeding period provided for in the law, and all types of gender discrimination.</p>	<p><i>The salary that is paid and the benefits given to the workers must be equal in the case in which the same activities are performed.</i></p> <p><i>A differentiated salary by the same work implies an act of gender discrimination that, according to the General Law on Women's Access to a Life Free of Violence, constitutes workplace violence.</i></p>
Criterion 6.2 Pay and conditions for staff and workers and for contract workers always meet at least legal or industry minimum standards and are sufficient to provide decent living wages.		
Indicators	Legal Framework	Legal Linkage
6.2.1	<p><u>Federal Labour Law</u></p> <p>Article 24.- Working conditions must be recorded in writing when there are no applicable collective agreements. At least two copies shall be made, one of which shall remain in the possession of each party.</p>	<p><i>The employer must comply with the formalities with which the contracts containing the general working conditions must comply.</i></p>

	<p>Article 25.- The document in which the working conditions are stated must contain:</p> <p>I. Name, nationality, age, sex, marital status, population ID, Federal Registry of Taxpayers and domicile of the worker and of the employer;</p> <p>If the work relationship is for a specific work or time, by season, initial training or for an indefinite time and, if applicable, if it is subject to a trial period;</p> <p>III. The service or services to be provided, which will be determined as precisely as possible;</p> <p>IV. The place or places where the work is to be performed;</p> <p>V. The length of the working day;</p> <p>VI. The form and amount of the salary;</p> <p>VII. The day and place of payment of the salary;</p> <p>VIII. The indication that the worker will be trained or instructed in the terms of the plans and programs established or to be established in the company, in accordance with the provisions of this Law; and</p> <p>IX. Other working conditions, such as rest days, vacations and others as may be agreed upon by the worker and the employer.</p> <p>Article 282.- Working conditions shall be drafted in writing, observing the provisions of Article 25 and other relative provisions of this Law. Federal Labor Law</p> <p>Article 132.- These are obligations of the employers: [...]</p> <p>VII.- Issue every fifteen days, at the request of the workers, a written record of the number of days worked and the salary received;</p>	
6.2.2	<p><u>Federal Labour Law</u></p> <p>Article 132.- These are obligations of the employers:</p>	<p><i>Employers shall issue a written record of the number of days worked and the salary received every 15 days at the worker's</i></p>

	<p>[...] VII.- Issue every fifteen days, at the request of the workers, a written record of the number of days worked and the salary received;</p>	<p><i>request.</i></p>
6.2.3	<p><u>Federal Labour Law</u></p> <p>Article 136.- All agricultural, industrial, mining or any other kind of work enterprises are obliged to provide workers with comfortable and hygienic rooms. In order to comply with this obligation, companies must contribute five percent of the salaries of the workers at their service to the National Housing Fund.</p> <p>[...]</p> <p>Article 143.- For the purposes of this Chapter, the salary referred to in article 136 is integrated with the payments made in cash for daily quota, and the gratuities, perceptions, food, housing, bonuses, commissions, benefits in kind and any other amount or benefit that is given to the worker for his services; given their nature, the following concepts shall not be taken into account:</p> <p>a) Work instruments, such as tools, clothes and other similar;</p> <p>b) Savings, when integrated by a deposit of an equal weekly or monthly amount of the worker and the company; and the amounts granted by the employer for social or union purposes;</p> <p>c) Contributions to the National Housing Fund Institute for Workers and shares in company profits;</p> <p>d) Food and lodging when not provided free of charge to the worker, as well as pantries;</p> <p>e) Attendance prizes;</p> <p>f) Payments for extraordinary time, except when this type of service is agreed in the form of a fixed time;</p> <p>g) Contributions to the Mexican Social Security Institute paid by the worker and covered by the companies.</p>	<p><i>It shall be the duty of plantation, mill or refinery employers to provide comfortable and hygienic rooms for their workers.</i></p> <p><i>The employers of plantations, refineries or extractors must integrate as part of the salary of their workers, in addition to the consideration in money, work instruments, food, housing and social security contributions.</i></p>
6.2.4	<p><u>Federal Labour Law</u></p>	<p><i>Companies should provide workers with adequate and hygienic rooms, proportionate</i></p>

	<p>Article 136.- All agricultural, industrial, mining or any other kind of work enterprises are obliged to provide workers with comfortable and hygienic rooms. In order to comply with this obligation, companies must contribute five percent of the salaries of the workers at their service to the National Housing Fund.</p> <p>Article 151.- When rooms are rented to workers, the rent may not exceed half a percent monthly of the cadastral value of the farm and the following rules shall be observed: I. The companies are obliged to maintain them in habitable conditions and to make the necessary and convenient repairs in a timely manner;</p> <p>Article 283.- Employers have the following special obligations: (...) II. Provide workers with adequate and hygienic rooms, proportional to the number of family members or economic dependents accompanying them, and, if applicable, individual or collective land for the breeding of farmyard animals, free of charge; III. Maintain the rooms in good condition, making any necessary and appropriate repairs; To provide workers with drinking water and sanitary services during the working day; V. Maintain in the workplace medicines and healing materials, as well as the necessary antidotes, in order to provide first aid to workers, their families or economic dependents who accompany them, as well as training personnel who lend them; VI. Provide workers and their family members who accompany them with medical assistance or move them to the nearest place where medical services exist. They shall also have the obligations referred to in article 504, section II.</p>	<p><i>to the number of family members accompanying them, free of charge, to meet the needs for a dignified life.</i></p> <p><i>In the event that the rooms are rented to workers, the rent may not exceed the average monthly percentage of the cadastral value of the property.</i></p> <p><i>Companies must contribute to the National Housing Fund five percent of the salaries of the workers at their service if they do not want to provide comfortable rooms.</i></p>
6.2.5	N/A	N/A
6.2.6	<p><u>Federal Labour Law</u></p> <p>Article 82.- Wage is the remuneration that the employer must pay the worker for his work.</p> <p>Article 83.- The salary may be fixed per unit of time, per unit of work, per commission, at a fixed price or in any other manner.</p> <p>In the case of wages per unit of time, this nature shall be specifically established. The worker and the employer may agree on the amount, provided that it is a remunerative salary, as well as the payment for each hour of service, provided that the maximum legal working day is not exceeded and that the labor and social security rights corresponding to the place in question are respected. The income received by workers under this modality shall in no case be less</p>	<p><i>Workers should be paid a salary that is sufficient to cover all their needs.</i></p>

	<p>than that corresponding to one working day.</p> <p>When the salary is set per unit of work, in addition to specifying the nature of the work, the quantity and quality of the material, the condition of the tool and the tools that the employer, if any, provides for the execution of the work, and the time for which he will make them available to the worker, without being able to demand any amount for the natural wear and tear suffered by the tool as a result of the work.</p> <p>Article 84.- The salary is integrated with the payments made in cash for daily quota, gratifications, perceptions, room, premiums, commissions, benefits in kind and any other amount or benefit that is given to the worker for his work.</p> <p>Article 85.- The salary must be remunerative and never less than the minimum fixed in accordance with the provisions of this Law. In order to fix the amount of the salary, the quantity and quality of the work shall be taken into consideration.</p> <p>In the salary per unit of work, the retribution paid shall be such that for a normal work, in a day of eight hours, it results in the amount of the minimum salary, at least</p>	
6.2.7	<p><u>Federal Labour Law</u></p> <p>Article 35.- Work relations may be for a specific work or time, for a specific season or for an indefinite period and, if necessary, may be subject to testing or initial training. In the absence of express stipulations, the relationship shall be for an indeterminate period of time.</p>	<i>The temporary nature of the worker's employment relationship must be determined.</i>
<p>Criterion 6.3 The unit of certification respects the rights of all personnel to form and join trade unions of their choice and to bargain collectively. Where the right to freedom of association and collective bargaining are restricted under law, the employer facilitates parallel means of independent and free association and bargaining for all such personnel.</p>		
Indicators	Legal Framework	Legal Linkage
6.3.1	<p><u>Federal Labour Law</u></p> <p>Article 354.- The Law recognizes the freedom of coalition of workers and employers.</p> <p>Article 355.- Coalition is the temporary agreement of a group of workers or employers to defend their common interests.</p> <p>Article 356.- Union is the association of workers or employers, constituted for the study,</p>	<i>Workers have the right to form and join trade unions in defense of their respective interests without repercussions for the employer.</i>

	<p>improvement and defense of their respective interests.</p> <p>Article 357.- Workers and employers have the right to form unions without prior authorization.</p> <p>Any undue interference will be sanctioned in the terms established by law.</p> <p>Article 358.- No one may be compelled to form part of a union or not to form part of it.</p> <p>Article 359.- Unions have the right to draft their statutes and regulations, freely elect their representatives, organize their administration and activities, and formulate their action program.</p> <p>Foreign workers may not form part of the board of directors of trade unions.</p> <p>Unions may form federations and confederations, which shall be governed by the provisions of this chapter, as applicable.</p> <p>An employer who employs workers who are members of a union shall be obliged to enter into a collective bargaining agreement with the union at its request. If the employer refuses to sign the contract, the workers may exercise the right to strike set forth in article 450.</p>	
6.3.2	N/A	N/A
6.3.3	<p><u>Federal Labour Law</u></p> <p>Article 2.- [...] Decent or dignified work also includes unrestricted respect for the collective rights of workers, such as freedom of association, autonomy, the right to strike and collective bargaining.</p> <p>Article 133.- Employers or their representatives are prohibited: [...]</p> <p>IV.- Compelling workers, by coercion or by any other means, to join or withdraw from the union or group to which they belong, or to vote for a particular candidate;</p> <p>V. Intervene in any way in the internal system of the union, prevent its formation or the development of union activity, through implicit or explicit reprisals against workers;</p> <p>Workers and employers have the right to form unions without prior authorization.</p>	<p><i>Employers will not interfere with workers' decisions about the union to which they want to belong.</i></p>

	Any undue interference will be sanctioned in the terms established by law. Article 358.- No one may be forced to form part of a union or not to form part of it.	
Criterion 6.4 Children are not employed or exploited.		
Indicators	Legal Framework	Legal Linkage
6.4.1	<p><u>Political Constitution of the United Mexican States</u></p> <p>Article 123.- Everyone has the right to decent and socially useful work; to this end, the creation of jobs and the social organization of work shall be promoted in accordance with the law.</p> <p>The Congress of the Union, without contravening the following bases shall issue laws on labor, which shall govern:</p> <p>A. Among the workers, day laborers, domestic workers, craftsmen and, in a general manner, all labor contracts: [...] The use of labour by children under the age of 15 is prohibited. Persons over this age and under sixteen shall have a maximum working day of six hours. [...]</p> <p><u>Federal Labour Law</u></p> <p>Article 22.- Those over fifteen years of age may freely render their services with the limitations established in this Law.</p> <p>Those older than fifteen and younger than sixteen need authorization from their parents or guardians and, in their absence, from the union to which they belong, from the Conciliation and Arbitration Board, from the Labor Inspector or from the Political Authority.</p> <p>Child workers must receive payment of their wages and, where appropriate, take appropriate action.</p> <p>Article 22 Bis.- The work of minors under fifteen years of age is prohibited; the work of</p>	<p><i>The minimum age to work in Mexico is 15 years old, a provision foreseen both in the Constitution and in the Federal Labour Law.</i></p> <p><i>If a child works, he or she must be supervised and protected by both federal and local labour authorities.</i></p>

	<p>persons over fifteen years of age and under eighteen years of age who have not completed their compulsory basic education may not be used, except in cases approved by the corresponding labor authority in which, in its judgment, there is compatibility between studies and work.</p> <p>Article 23.- When the labor authorities detect a minor under fifteen working outside the family circle, they shall order that he or she immediately cease working. The employer who engages in this conduct shall be punished with the penalty established in Article 995 Bis of this Law. [...]</p> <p>The work of minors is subject to special supervision and protection by both federal and local labor authorities.</p> <p>The Ministry of Labor and Social Security, in coordination with the labor authorities in the federal states, shall develop programs to identify and eradicate child labor.</p> <p>Article 174.- Persons over fifteen and under eighteen years of age must obtain a medical certificate attesting to their fitness for work and submit to the medical examinations periodically ordered by the corresponding labor authorities. Without these requirements, no employer may use their services.</p> <p>Article 175.- The use of work by minors under the age of eighteen is prohibited:</p> <p>I. In non-industrial establishments after ten o'clock at night; (...)</p> <p>IV. In dangerous or unhealthy work that, due to the nature of the work, the physical, chemical or biological conditions of the environment in which it is provided, or the composition of the raw material used, are capable of acting on the life, development and physical and mental health of minors, in terms of the provisions of Article 176 of this Law.</p> <p>Article 180.- Employers who have at their service minors under eighteen years of age are obliged to:</p> <p>I. Demand that they be shown medical certificates accrediting that they are fit for work;</p> <p>II. Keep and make available to the competent authority, records and supporting documentation indicating the name and surnames, date of birth or age of children under eighteen years of age employed by them, type of work, hours, salary and other general</p>	
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	<p>working conditions; likewise, such records must include the corresponding information of those who receive guidance, training or professional formation in their companies.</p> <p>III. Distribute the work so that they have the necessary time to complete their school programs;</p> <p>IV. provide them with training in the terms of this Law; and,</p> <p>V. Provide labour authorities with the reports they request.</p>	
6.4.2	<p><u>Federal Labour Law</u></p> <p>Article 180.- Employers who have at their service minors under eighteen years of age, are obliged to:</p> <p>I. Demand that they be shown medical certificates accrediting that they are fit for work;</p> <p>II. Keep and make available to the competent authority, records and supporting documentation indicating the name and surnames, date of birth or age of children under eighteen years of age employed by them, type of work, hours, salary and other general working conditions; likewise, such records shall include the corresponding information of those who receive guidance, training or professional formation in their companies.</p> <p>III. Distribute the work so that they have the necessary time to complete their school programs;</p> <p>IV. provide them with training in the terms of this Law; and,</p> <p>V. Provide labor authorities with the reports they request.</p> <p><u>Federal Civil Code</u></p> <p>Article 641.- The marriage of a minor under eighteen years of age produces emancipation by right. Even if the marriage is dissolved, the emancipated spouse, who is a minor, shall not fall under parental authority.</p>	<p><i>Employers must have evidence that children under 18 years of age are identified and their general working conditions are optimal.</i></p> <p><i>A minor emancipated through marriage may, in accordance with Mexican law, be considered an adult for work purposes. In this regard, it is important to note that child marriage is a prohibited practice at the federal level, but regulated at the state level, so that the current state legal frameworks applicable to child marriage should be considered.</i></p>
6.4.3	<p><u>Federal Labour Law</u></p> <p>Article 23.- [...] It is prohibited for minors under the age of eighteen to work within the family circle in any type of activity that is dangerous to their health, safety or morals, or that affects the exercise of their rights and, with it, their integral development.</p>	<p><i>Workers under the age of 18 may not engage in dangerous or unhealthy activities so as not to affect their health, safety or morals, or the exercise of their rights.</i></p>

	<p>Article 175.- The use of work by minors under the age of eighteen is prohibited: (...) IV. In dangerous or unhealthy work that, due to the nature of the work, the physical, chemical or biological conditions of the environment in which it is provided, or the composition of the raw material used, are capable of acting on the life, development and physical and mental health of minors, in terms of the provisions of Article 176 of this Law.</p> <p>Article 176.- For the purposes of article 175, in addition to the provisions of applicable laws, regulations and standards, the work involved shall be considered dangerous or unhealthy:</p> <p>I. Exposure to: Noise, vibrations, ionizing and non-ionizing infrared or ultraviolet radiations, elevated or abated thermal conditions or abnormal environmental pressures. 2. Chemical pollutants in the working environment. 3. Hazardous waste, biological agents or contagious infectious diseases. 4. Dangerous fauna or harmful flora.</p> <p>II. Labors: 1. Industrial nights or work after twenty-two hours. 2. Rescue, rescue and disaster brigades. 3. In height or confined spaces. 4. In which critical equipment and processes are operated where dangerous chemical substances are handled that can cause major accidents. 5. Welding and cutting. 6. In extreme weather conditions in open field, which expose them to dehydration, heat stroke, hypothermia or freezing. (...) 8. Agricultural, forestry, sawmill, forestry, hunting and fishing. (...) 15. With a high degree of difficulty; in time pressure; that demand high responsibility, or that require sustained concentration and attention. 16. Relating to the operation, inspection, maintenance and testing of pressure vessels, cryogenic vessels and steam generators or boilers. (...)</p> <p>III. Moderate and heavy physical effort; loads greater than seven kilograms; forced postures, or with repetitive movements for prolonged periods, that alter your musculoskeletal system. Handling, transport, storage or dispatch of dangerous chemical substances. V. Handling, operation and maintenance of machinery, equipment or mechanical, electrical, pneumatic or</p>	
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	<p>motorized tools that can generate amputations, fractures or serious injuries. VI. Operation of motorized vehicles, including mechanical and electrical maintenance.</p> <p>VII. Use of sharp-pointed hand tools.</p> <p>Article 423. The [interior work] regulations shall contain: [...] VII. Unsanitary and dangerous work that should not be performed by minors and the protection that pregnant workers should have;</p>	
6.4.4	N/A	N/A
Criterion 6.5 There is no harassment or abuse in the workplace and reproductive rights are protected.		
Indicators	Legal Framework	Legal Linkage
6.5.1	<p><u>Federal Labour Law</u></p> <p>Article 47.- These are causes of termination of the employment relationship, without responsibility for the employer: [...] II. The worker, during his work, commits any lack of probity or honesty, acts of violence, threats, insults or ill-treatment against the employer, his relatives or the management or administrative staff of the company or establishment, or against customers and suppliers of the employer, unless provoked or acting in self-defence; [...] VIII. The worker commits immoral acts or harassment and/or sexual harassment against any person in the establishment or workplace; [...]</p> <p>Article 51.- These are causes of termination of the employment relationship, without responsibility for the worker: [...] II. the employer, his relatives or any of his representatives, within the service, in lack of probity or honesty, acts of violence, threats, insults, harassment and/or sexual harassment, bad treatment or other similar, against the worker, spouse, parents, children or siblings; [...]</p>	<p><i>Sexual harassment and harassment must be avoided at all costs without discrimination if they are employers or workers, and goes even further by imposing pecuniary penalties to punish such conduct, there are criminal sanctions for this type of conduct.</i></p>

	<p>Article 133.- Employers or their representatives are prohibited: [...] Perform acts of harassment and/or sexual harassment against any person in the workplace;</p> <p>XIII. Allow or tolerate acts of harassment and/or sexual harassment in the workplace; [...]</p> <p>Article 994.- A fine shall be imposed for the equivalent of: [...] VI From 250 to 5000 times the general minimum wage, an employer who commits any discriminatory act or conduct in the workplace; an employer who performs acts of sexual harassment or who tolerates or permits acts of sexual harassment or harassment against his workers; and [...]</p> <p><u>General Law On Women's Access To A Life Free Of Violence</u></p> <p>Article 10.- Labor and Teaching Violence: It is exercised by persons who have an employment, teaching or similar relationship with the victim, regardless of the hierarchical relationship, consisting of an act or omission in abuse of power that damages the self-esteem, health, integrity, freedom and security of the victim, and prevents their development and undermines equality. It may consist of a single harmful event or a series of events whose sum produces the damage. It also includes sexual harassment.</p> <p>Article 11.- The following constitute workplace violence: the illegal refusal to hire the victim or to respect her permanence or general working conditions; the disqualification of the work performed, threats, intimidation, humiliation, exploitation and all types of gender discrimination. [...]</p> <p>Article 13.- Sexual harassment is the exercise of power, in a relationship of real subordination of the victim to the aggressor in the work and/or school environments. It is expressed in verbal or physical conduct, or both, related to sexuality with a lewd connotation.</p>	
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	<p>Sexual harassment is a form of violence in which, although there is no subordination, there is an abusive exercise of power that leads to a state of helplessness and risk for the victim, regardless of whether it takes place in one or more events.</p>	
<p>6.5.2</p>	<p><u>Political Constitution of the United Mexican States</u></p> <p>Article 4.- Men and women are equal before the law. The law shall protect the organization and development of the family.</p> <p>Everyone has the right to decide freely, responsibly and in an informed manner on the number and spacing of their children. [...]</p> <p>Everyone has the right to decent and socially useful work; to this end, the creation of jobs and the social organization of work shall be promoted in accordance with the law.</p> <p>The Congress of the Union, without contravening the following bases shall issue laws on labor, which shall govern:</p> <p>A. Among the workers, day laborers, domestic workers, craftsmen and, in a general manner, all labor contracts: [...]</p> <p>V. Women during pregnancy shall not perform work that requires considerable effort and endangers their health in connection with childbirth; they shall necessarily have a rest period of six weeks prior to and six weeks after the date set for confinement; they shall receive their full salary and shall retain their employment and the rights they have acquired through the employment relationship. During the breastfeeding period they shall have two extraordinary breaks per day, of half an hour each, to feed their children; [...]</p> <p><u>Federal Law to Prevent and Eradicate Discrimination</u></p> <p>Article 9.- On the basis of the provisions of article 1 of the Constitution and article 1, second paragraph, section III of this Law is considered discrimination, among others: [...]</p> <p>Denying or limiting information on sexual and reproductive rights or impeding the free exercise of the determination of the number and spacing of children;</p>	<p><i>The rights that pregnant women have in the performance of their duties must be guaranteed, obliging employers to provide adequate conditions for their workers so that they can fully enjoy this right.</i></p>

Federal Labour Law

Article 132.- These are obligations of the employers:

[...]

XXVII.- To provide pregnant women with the protection established in the regulations.

XXVII Bis: Grant paternity leave of five working days with pay to working men for the birth of their children and in the same manner in the case of the adoption of an infant; and

[...]

Article 133.- Employers or their representatives are prohibited:

[...]

XIV. Require the presentation of medical certificates of non-pregnancy for entry, stay or promotion in employment; and

XV. Firing or coercing a worker directly or indirectly to resign because of pregnancy, change of marital status, or child care.

[...]

When the health of the woman or the product is endangered, whether during pregnancy or lactation, and without prejudice to her salary, benefits and rights, her work may not be used in unhealthy or dangerous work, industrial night work, in commercial or service establishments after ten o'clock at night, as well as during overtime.

For the purposes of this title, dangerous or unhealthy work is that which, due to the nature of the work, the physical, chemical and biological conditions of the environment in which it is performed, or the composition of the raw material used, is capable of acting on the life and physical and mental health of the pregnant woman or the product.

The regulations that are issued will determine the jobs that fall under the above definition.

[...]

Working mothers shall have the following rights:

I. During the period of pregnancy, they shall not carry out work that requires considerable

	<p>effort and poses a danger to their health in connection with pregnancy, such as lifting, pulling or pushing heavy weights, producing trepidation, standing for a long time or acting or altering their mental and nervous state; [...]</p>	
6.5.3	<p><u>Political Constitution of the United Mexican States</u></p> <p>Article 123.- Everyone has the right to decent and socially useful work; to this end, the creation of jobs and the social organization of work shall be promoted in accordance with the law.</p> <p>The Congress of the Union, without contravening the following bases shall issue laws on labor, which shall govern:</p> <p>A. Among the workers, day laborers, domestic workers, craftsmen and, in a general manner, all labor contracts: [...]</p> <p>V. Women during pregnancy shall not perform work that requires considerable effort and endangers their health in connection with childbirth; they shall necessarily have a rest period of six weeks prior to and six weeks after the date set for confinement; they shall receive their full salary and shall retain their employment and the rights they have acquired through the employment relationship. During the breastfeeding period they shall have two extraordinary breaks per day, of half an hour each, to feed their children; [...]</p> <p><u>Federal Labour Law</u></p> <p>Article 132.- These are obligations of the employers: [...]</p> <p>XXVII.- To provide pregnant women with the protection established in the regulations.</p> <p>XXVII Bis: Grant paternity leave of five working days with pay to working men for the birth of their children and in the same manner in the case of the adoption of an infant; and [...]</p> <p>Article 133.- Employers or their representatives are prohibited: [...]</p>	<p><i>Women should be allowed a period of time as well as a place for them to breastfeed or store breast milk.</i></p>

	<p>XIV. Require the presentation of medical certificates of non-pregnancy for entry, stay or promotion in employment; and</p> <p>XV. Firing or coercing a worker directly or indirectly to resign because of pregnancy, change of marital status, or child care. [...]</p> <p>When the health of the woman or the product is endangered, whether during pregnancy or lactation, and without prejudice to her salary, benefits and rights, her work may not be used in unhealthy or dangerous work, industrial night work, in commercial or service establishments after ten o'clock at night, as well as during overtime.</p> <p>For the purposes of this title, dangerous or unhealthy work is that which, due to the nature of the work, the physical, chemical and biological conditions of the environment in which it is performed, or the composition of the raw material used, is capable of acting on the life and physical and mental health of the pregnant woman or the product.</p> <p>The regulations that are issued will determine the jobs that fall under the above definition. [...]</p> <p>Working mothers shall have the following rights:</p> <p>I. During the period of pregnancy, they shall not carry out work that requires considerable effort and poses a danger to their health in connection with pregnancy, such as lifting, pulling or pushing heavy weights, producing trepidation, standing for a long time or acting or altering their mental and nervous state; [...]</p> <p>IV. In the period of lactation up to the maximum term of six months, they will have two extraordinary rests per day, of half an hour each, to feed their children, in an adequate and hygienic place designated by the company, or, when this is not possible, after agreement with the employer, their working day will be reduced by one hour during the period indicated;</p>	
6.5.4	N/A	N/A
Criterion 6.6 No form of forced or trafficked labour are used.		
Indicators	Legal Framework	Legal Linkage

6.6.1

Political Constitution of the United Mexican States

Article 1.- In the United Mexican States, all persons shall enjoy the human rights recognized in this Constitution and in the international treaties to which the Mexican State is a party, as well as the guarantees for their protection, the exercise of which may not be restricted or suspended, except in the cases and under the conditions established by this Constitution.

[...]

Slavery is prohibited in the United Mexican States. The slaves of the foreigner who enter the national territory will achieve, by this fact alone, their freedom and the protection of the laws.

[...]

Federal Labour Law

Article 2.- Labor standards tend to strike a balance between the factors of production and social justice, and to promote decent work in all labor relations.

Decent work is defined as work that fully respects the human dignity of the worker; there is no discrimination based on ethnic or national origin, gender, age, disability, social condition, health conditions, religion, migratory status, opinions, sexual preferences or marital status; there is access to social security and a remunerative salary; there is continuous training to increase productivity with shared benefits; and there are optimal safety and hygiene conditions to prevent work risks.

Decent or dignified work also includes unrestricted respect for workers' collective rights, such as freedom of association, autonomy, the right to strike and collective bargaining.

The substantive or *de facto* equality of workers is protected *vis-à-vis* the employer.

Substantive equality is achieved by eliminating discrimination against women that undermines or nullifies the recognition, enjoyment or exercise of their human rights and fundamental freedoms in the workplace. It implies access to the same opportunities, taking into account the biological, social and cultural differences between women and men.

Article 3: Work is a social right and duty. It is not an article of commerce.

Article 110.- Discounts on workers' salaries are prohibited except in the following cases and

There must be no form of slavery, translated into trafficking or forced labor, is permitted.

Decent work must also be guaranteed to guarantee the fulfillment of human rights.

Salaries must not be reduced or limited at the discretion of the employer.

	<p>with the following requirements:</p> <p>I. Payment of debts contracted with the employer for advance payment of wages, payments made with excess to the worker, errors, losses, breakdowns or acquisition of items produced by the company or establishment. In no case may the amount demanded be greater than the amount of one month's wages and the discount shall be the one agreed upon by the worker and the employer, and may not be greater than thirty percent of the excess of the minimum wage;</p> <p>II. Payment of the rent referred to in article 151, which may not exceed fifteen percent of the salary.</p> <p>Payment of installments to cover loans from the National Housing Fund for Workers destined to the acquisition, construction, repair, expansion or improvement of houses or to the payment of liabilities acquired for these concepts. Likewise, those workers who have been granted a credit for the acquisition of housing located in housing complexes financed by the Institute of the National Housing Fund for Workers shall be deducted 1% of the salary referred to in Article 143 of this Law, which shall be used to cover the expenses incurred for the administration, operation and maintenance of the housing complex in question. These discounts must have been freely accepted by the worker.</p> <p>Payment of dues for the establishment and promotion of cooperative societies and savings banks, provided that the workers expressly and freely express their agreement and that they do not exceed thirty percent of the excess of the minimum wage;</p> <p>V. Payment of maintenance payments in favor of maintenance creditors, decreed by the competent authority. In the event that the worker ceases to render services at the workplace, the employer shall inform the competent jurisdictional authority and the food creditors of such circumstance, within five working days following the date of termination of the employment relationship;</p> <p>VI. Payment of the ordinary union dues provided for in the statutes of the unions.</p> <p>VII. Payment of installments to cover credits guaranteed by the Institute referred to in article 103 Bis of this Law, destined to the acquisition of consumer goods or to the payment of services. These discounts must have been freely accepted by the worker and may not exceed twenty percent of the salary.</p> <p>Article 111.- The debts contracted by workers with their employers shall in no case accrue interest.</p> <p>Article 112.- Workers' salaries may not be seized, except in the case of alimony decreed by the competent authority for the benefit of the persons indicated in article 110, section V.</p>	
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	<p>Article 133.- Employers or their representatives are prohibited: (...) I. - Demand or accept money from workers as a reward because they are admitted to work or for any other reason that refers to the conditions of the work;</p> <p><u>Agrarian Law</u></p> <p>Article 63.- The lands destined to human settlement integrate the necessary area for the development of the community life of the ejido, which is composed of the lands in which the urbanization zone is located and its legal estate. The same protection shall be given to the school plot, the women's agricultural industrial unit, the productive unit for the integral development of the youth and the other areas reserved for the settlement.</p> <p>Article 70.- In each ejido, the assembly may decide on the demarcation of the areas it deems necessary for the establishment of the school plot, which shall be allocated to research, teaching and dissemination of agricultural practices that allow a more efficient use of human and material resources available to the ejido. The internal regulations of the ejido will regulate the use of the school plot.</p> <p>Article 71.- The assembly may also reserve an area in the extension it determines, preferably located on the best lands adjacent to the urbanization zone, which will be destined for the establishment of the women's agricultural industrial unit, which shall be used by women over sixteen years of age in the nucleus of population.</p> <p>The purpose of this unit shall be to carry out and coordinate productive activities, mutual assistance, use of resources, marketing or any other activity that promotes the economic and social development of women within the agrarian nucleus.</p> <p>Article 108.- Ejidos may form unions, the purpose of which shall include the coordination of productive activities, mutual assistance, marketing or other activities not prohibited by law. [...] In order to constitute a union of ejidos, the resolution of the assembly of each of the participating nuclei, the election of their delegates and the determination of their faculties shall be required. The constitutive act containing the statutes of the union must be granted before a notary public and entered in the National Agrarian Register, from which point the</p>	<p><i>The inclusion of the UAIM and the school plot recognizes the existence of legal figures for voluntary community work and mutual assistance, especially for women, children and young people in the ejidos.</i></p>
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	<p>union shall have legal personality.</p> <p>[...] Women belonging to an agrarian nucleus, regardless of its character, may be organized as an Agricultural Industrial Women's Unit and they in turn may be organized into unions, complying with the requirements set forth in this title. The company name shall be followed by the words Women's Agricultural Industrial Unit or its abbreviation, UAIM.</p>	
<p>6.6.2</p>	<p><u>Federal Labour Law</u></p> <p>Article 7.- In any company or establishment, the employer must employ at least ninety percent Mexican workers. In the categories of technicians and professionals, the workers must be Mexican, unless they are not in a specific specialty, in which case the employer may temporarily employ foreign workers, in a proportion that does not exceed ten percent of those in the specialty. The employer and the foreign workers shall have a joint and several obligations to train Mexican workers in the specialty in question. Physicians at the service of companies must be Mexican.</p> <p>(...)</p> <p>Employers shall be obliged to prefer, under equal circumstances, Mexican workers to those who are not, to those who have served them satisfactorily for a longer period of time, to those who have no other source of economic income and are dependent on a family, to those who have completed their compulsory basic education, to those who have been trained in respect of those who are not, to those who have a greater aptitude and knowledge for performing work, and to those who are unionized in respect of those who are not.</p> <p>(...)</p> <p>Article 156.- If there is no collective bargaining agreement or if the admission clause is not included, the provisions contained in the first paragraph of article 154 shall be applicable to workers who habitually, without having the character of plant workers, render services in a company or establishment, filling temporary or temporary vacancies and to those who carry out extraordinary work or for a specific project, which do not constitute a normal or permanent activity of the company.</p> <p>(...)</p>	<p><i>Foreign and temporary workers shall be given equal treatment, always respecting their working and workplace conditions and monitoring compliance with human rights.</i></p>

	Article 372.- Foreign workers may not form part of the board of directors of trade unions.	
Criterion 6.7 The certification unit ensures that the working environment under its control is safe and without undue risk to health.		
Indicators	Legal Framework	Legal Binding
6.7.1	N/A	N/A
6.72	<p><u>Federal Labour Law</u></p> <p>Article 132.- The obligations of the employers are: (...) XVII. Comply with the regulations and the official Mexican standards regarding safety, health and the working environment, as well as having at all times the essential medicines and healing materials to render first aid promptly and effectively;</p> <p>Article 423.- The [internal working] regulation shall contain: [...] SAW. Standards to prevent work risks and instructions for providing first aid; [...]</p>	<p><i>The employer must comply with the regulations and official Mexican standards regarding safety, health and the work environment.</i></p> <p><i>The procedure for the proper provision of first aid in cases of emergency or accident shall be established in the Internal Labour Regulation.</i></p>
6.7.3	<p><u>Federal Labour Law</u></p> <p>Article 475 Bis.- The employer is responsible for safety and hygiene and the prevention of risks at work, in accordance with the provisions of this Law, its regulations and the applicable Mexican official standards.</p> <p>It is the obligation of the workers to observe the safety and hygiene preventive measures established by the regulations and official Mexican standards issued by the competent authorities, as well as those indicated by the standards for the prevention of work risks.</p> <p><u>Federal Regulations on Safety and Health at Work</u></p> <p>Article 7. The following are obligations of the employers: [...] X. Provide workers with Personal Protective Equipment, in accordance with the Risks to which they are exposed;</p>	<p><i>It is the employer's obligation to provide adequate training and training to their workers for the performance of their duties.</i></p>

6.7.4	<p><u>Federal Labour Law</u></p> <p>Article 504.- The employers have the following special obligations:</p> <p>I. Maintain in the workplace the medicines and healing material needed for first aid and train personnel to provide them;</p> <p>II. When you have more than one hundred workers at your service, establish a nurse, equipped with the medicines and healing material necessary for emergency medical and surgical care. It will be attended by competent personnel, under the direction of a surgeon. If, in the judgment of the latter, due medical and surgical care can not be provided, the worker will be transferred to the population or hospital where he can attend to his cure;</p> <p>III. When they have more than three hundred workers at their service, install a hospital, with the necessary medical and auxiliary personnel;</p> <p>IV. With the agreement of the workers, the employers may enter into contracts with sanatoriums or hospitals located in the place where the establishment is located or at a distance that allows the fast and comfortable transfer of the workers, so that they may render the services referred to by the two previous fractions;</p> <p>[...]</p> <p><u>Social Security Law</u></p> <p>Article 12. The mandatory regime is subject to insurance:</p> <p>I. Persons who, in accordance with articles 20 and 21 of the Federal Labor Law, lend, permanently or continually, to others of a physical or moral nature or economic units without legal personality, a paid service, personal and subordinate, whatever the act giving rise to it and whatever the legal personality or economic nature of the employer even when the latter, by virtue of any special law, is exempt from the payment of contributions.</p>	<p><i>Employers are be obliged to provide adequate medical attention to their workers.</i></p>
6.7.5	<p><u>Federal Labour Law</u></p> <p>Article 483.- Compensation for work risks that produce disabilities, will be paid directly to the</p>	<p><i>If the worker suffers an accident at work, he must be attended to and in case his physical and / or mental integrity is put at risk, the</i></p>

<p>worker. In cases of mental incapacity, verified before the Board, the compensation shall be paid to the person or persons, of those indicated in article 501, to whose care it remains; in cases of death of the worker, the provisions of article 115 shall be observed.</p> <p>Article 484.- In order to determine the compensations referred to in this Title, the daily salary received by the worker at the time of the risk and the subsequent increases corresponding to the job performed will be taken as a basis, until the degree of disability is determined. , the date on which the death occurs or the one that was perceived at the time of separation from the company.</p> <p>Article 485.- The amount taken as a basis for the payment of compensation may not be less than the minimum wage.</p> <p><u>Social Security Law</u></p> <p>Article 55. Work risks may produce:</p> <ul style="list-style-type: none">I. Temporary disability;II. Partial permanent disability;III. Total permanent disability, andIV. Death. <p>It will be understood as temporary disability, partial permanent disability and total permanent disability, which in this regard are provided by the relative articles of the Federal Labor Law.</p> <p>If the worker suffers an accident at work, he must be attended to and in case his physical and / or mental integrity is put at risk, the employer must grant the necessary time so that he recovers and can work without difficulties.</p>	<p><i>employer must grant the necessary time so that he recovers and can work without difficulties.</i></p>
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PRINCIPLE 7. PROTECT, CONSERVE AND ENHANCE ECOSYSTEMS AND THE ENVIRONMENT

Criterion 7.1 Pests, diseases, weeds and invasive introduced species are effectively managed using appropriate integrated pest management (IPM) techniques.

Indicators	Legal Framework	Legal Linkage
7.1.1	<p><u>Federal Law of Plant Health</u></p> <p>Article 19.- Phytosanitary measures are intended to prevent, confine, exclude, combat or eradicate pests that affect plants, their products or by-products, when they may represent a phytosanitary risk.</p> <p>Article 22.- The mobilization inside the national territory of the goods referred to in the following article, will be subject to the issuance of the phytosanitary certificate when they come and are mobilized:</p> <p>I. From areas under phytosanitary control to free zones or low prevalence;</p> <p>II. Between two or more zones under phytosanitary control, transiting through free zones, under protection or of low prevalence; and from areas of low prevalence or low protection, to free zones;</p> <p>Y</p> <p>III. Between two or more free zones or of low prevalence, transiting by areas under phytosanitary control.</p> <p>Article 23.- The importation of the following goods when they are susceptible to carry pests is subject to control by issuing the phytosanitary certificate:</p> <p>I. Vegetables, their products or by-products, pathogenic agents and any type of supplies, materials and equipment that may represent a phytosanitary risk;</p> <p>II. Transport vehicles or packaging and containers in which the goods mentioned in the previous section are moved or contained or when they involve a risk of spreading plagues that affect the plants, their products or by-products [...]</p> <p>Article 24.- Whoever imports any of the goods listed in the previous article, will check at the entry phytosanitary inspection point, that they comply with the official Mexican norm and other applicable legal provisions in phytosanitary matters that provide for the concrete situation applicable to the object of the import.</p>	

7.1.2	<p><u>General Law of Ecological Equilibrium and Environmental Protection</u></p> <p>Article 46.- In the protected natural areas, the foundation of new population centers can not be authorized. In the protected natural areas the introduction of invasive alien species is prohibited.</p> <p><u>General Law of Wildlife</u></p> <p>Article 27. The handling of specimens and exotic populations can only be carried out under conditions of confinement that guarantee the safety of civil society and dignified and respectful treatment towards specimens, in accordance with a management plan that must be previously approved by the Secretariat and the one that should contain the provisions of Article 78 Bis, to avoid the negative effects that the specimens and exotic populations could have for the conservation of the native populations and populations of the wild life and its habitat. The persons who own some or some specimens referred to in the previous paragraph, as a pet or pet, must have express authorization from the Secretariat. Those specimens of species that due to their nature, in the face of an inadequate management or event that puts the civilian population at risk, should be relocated by the Secretariat.</p> <p>Article 27 Bis.- The release or introduction to the natural habitats and ecosystems of invasive alien species shall not be permitted. The Secretariat shall determine, within official Mexican norms and / or secretarial agreements, the lists of invasive alien species. The respective lists will be reviewed and updated every 3 years or sooner if enough information is presented for the inclusion of any species or population. The lists and their updates will indicate the genus, the species and, where appropriate, the subspecies and will be published in the Official Gazette of the Federation and in the Ecological Gazette. Likewise, it will issue the official Mexican norms and / or secretarial agreements related to the prevention of the entrance of invasive alien species, as well as the management, control and eradication of those that are already established in the country or in cases of fortuitous introduction, accidental or illegal.</p>	
7.1.3	N/A	N/A
Criterion 7.2 Pesticides are used in a ways that do not endanger health of workers, families, communities or the environment.		
Indicators	Legal Framework	Legal Linkage

7.2.1	<p><u>General Law of Ecological Equilibrium and Environmental Protection- LGEEPA</u></p> <p>Article 134.- For the prevention and control of soil contamination, the following criteria will be considered: [...] IV. The use of pesticides, fertilizers and toxic substances must be compatible with the equilibrium of ecosystems and consider their effects on human health in order to prevent damage that may cause [...]</p>	<p><i>The use of a pesticide, fertilizer or other toxic substance must be compatible with the balance of ecosystems</i></p>
7.2.2	N/A	N/A
7.2.3	N/A	N/A
7.2.4	N/A	N/A
7.2.4	<p><u>General Law of Health</u></p> <p>Article 198. Only establishments dedicated to: [...] III. The application of pesticides; [...]</p> <p>Article 204.- Medications and other supplies for health, narcotic drugs, psychotropic substances and products containing them, as well as pesticides, plant nutrients and toxic or dangerous substances, for sale or supply must have sanitary authorization, in the terms of this Law and other applicable provisions.</p>	<p><i>It is required that the pesticides used are approved by the Ministry of Health, so that these are not a risk to the health of the people who apply them.</i></p>
7.2.6	N/A	N/A
7.2.7	<p><u>Regulation of the General Law for the Prevention and Integral Management of Waste</u></p> <p>Article 82.- The hazardous waste storage areas of small and large generators, as well as service providers shall comply with the following conditions, in addition to those established by the official Mexican standards for some type of waste in particular: I. Basic conditions for storage areas: a) Be separated from the areas of production, services, offices and storage of raw materials or finished products; b) Be located in areas where risks are reduced by possible emissions, leaks, fires, explosions and floods; [...]</p>	

7.2.8	<p><u>Regulation of the General Law for the Prevention and Integral Management of Waste</u></p> <p>Article 87.- Containers that have been in contact with hazardous materials or waste may be reused to contain the same type of hazardous or other materials or waste compatible with those originally packaged, provided that said containers do not allow the release of materials or hazardous waste contained in them.</p> <p><u>Regulation of Sanitary Control of Products and Services</u></p> <p>Article 214. Containers may not be reused for food, non-alcoholic beverages, alcoholic beverages or perfumery and beauty products that have contained medicines, cleaning products, pesticides, plant nutrients or toxic or dangerous substances.</p>	<p><i>Pesticide containers under any circumstances can be reused and must be disposed of according to the applicable regulations.</i></p>
7.2.9	<p><u>Regulation of the Federal Law of Plant Protection</u></p> <p>Article 122.- The application of pesticides in the field, as well as airway of these, will require the written recommendation of the Authorized Phytosanitary Professional by SENASICA.</p>	<p><i>The application of pesticides by air must be authorized, after justification, by the corresponding phytosanitary authorities.</i></p>
7.2.10	N/A	N/A
7.2.11	<p><u>Federal Labour Law</u></p> <p>Article 23.- [...] The work of minors under eighteen years of age within the family circle is prohibited in any type of activity that is dangerous for their health, safety or morals, or that affects the exercise of their rights and, with it, its integral development. [...]</p> <p>Article 133.- Employers or their representatives are prohibited from: [...] XV. Dismiss a worker or coerce her directly or indirectly so that she resigns because she is pregnant, due to a change in marital status or because she is taking care of minor children, and [...]</p> <p>Article 170.- Working mothers shall have the following rights:</p> <p>I. During the period of pregnancy, they will not carry out work that requires considerable effort and represents a danger to their health in relation to pregnancy, such as lifting, pulling or pushing large weights, causing trepidation, standing for a long time or act or may alter their psychic and nervous</p>	<p><i>It is forbidden for pregnant or breastfeeding women and those under 18 to manipulate pesticides, in their capacity as hazardous waste, for the performance of their work.</i></p>

	<p>state; [...]</p> <p>Article 175. It is prohibited to use the work of children under eighteen years of age: [...]</p> <p>IV. In hazardous or unhealthy work that, by the nature of the work, by the physical, chemical or biological conditions of the environment in which it is provided, or by the composition of the raw material used, are capable of acting on life, development and the physical and mental health of minors, in terms of the provisions of article 176 of this Law.</p> <p>Article 176.- For the effects of article 175, in addition to what the Laws, regulations and applicable norms stipulate, those that imply are considered as dangerous or unhealthy tasks:</p> <p>I. Exposure to:</p> <ol style="list-style-type: none"> 1. Noise, vibrations, ionizing and non-ionizing infrared or ultraviolet radiation, elevated or depleted thermal conditions or abnormal environmental pressures. 2. Chemical agents polluting the work environment. 3. Hazardous waste, biological agents or infectious contagious diseases. 4. Dangerous fauna or noxious flora. <p>II. Work:</p> <ol style="list-style-type: none"> 1. Industrial night hours or work after twenty-two hours. 2. Rescue, rescue and brigades against casualties. 3. In height or confined spaces. 4. In which critical equipment and processes are operated where dangerous chemical substances are handled that can cause major accidents. 5. Welding and cutting. 6. In extreme weather conditions in open field, which expose them to dehydration, heat stroke, hypothermia or freezing. (...) 8. Agricultural, forestry, sawing, forestry, hunting and fishing. (...) 15. With a high degree of difficulty; in time constraint; that demand high responsibility, or that require sustained concentration and attention. 16. Concerning the operation, review, maintenance and testing of containers subject to pressure, cryogenic vessels and steam generators or boilers. (...) 	
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	<p>III. Moderate and heavy physical effort; loads greater than seven kilograms; Forced postures, or with repetitive movements for prolonged periods, that alter your musculoskeletal system.</p> <p>IV. Handling, transportation, storage or disposal of hazardous chemicals. V. Handling, operation and maintenance of machinery, equipment or mechanical, electrical, pneumatic or motorized tools that can generate amputations, fractures or serious injuries. SAW. Management of motorized vehicles, including mechanical and electrical maintenance.</p> <p>VII. Use of sharp cutting tools.</p> <p><u>Federal Regulations on Safety and Health at Work</u></p> <p>Article 58.- It is forbidden to assign women in pregnancy, the performance of the following works: [...]</p> <p>IV. That they expose them to Contaminants of the Work Environment that may affect their health or that of the product of conception;</p> <p>V. Where toxic, carcinogenic, teratogenic or mutagenic substances are handled, transported, stored or processed;</p> <p>SAW. In those who are exposed to hazardous waste, biological agents or infectious contagious diseases; [...]</p> <p>Article 60.- The work of women in a lactation state shall not be used in work where there is exposure to Hazardous Chemical Substances capable of acting on the life and health of the infant or of interrupting said process</p>	
Criterion 7.3 Waste is reduced, recycled, reused and disposed of in an environmentally and socially responsible manner.		
Indicators	Legal framework	Legal Linkage
7.3.1	<p><u>General Law of Ecological Equilibrium and Environmental Protection - LGEEPA</u></p> <p>Article 150.- Hazardous materials and waste shall be handled in accordance with this Law, its Regulations and the official Mexican standards issued by the Secretariat, with the prior opinion of the Ministries of Commerce and Industrial Development, Health, Energy, Communications and Transportation, Navy and Government.</p> <p>The regulation of the handling of these materials and waste will include as appropriate, its use,</p>	<p><i>Generators must have documented waste management plans and register them with the competent authorities according to the waste category in question.</i></p>

	<p>collection, storage, transportation, reuse, recycling, treatment and final disposal.</p> <p>The Regulations and the official Mexican standards referred to in the paragraph above, will contain the criteria and listings that identify and classify the hazardous materials and waste due to their degree of dangerousness, considering their characteristics and volumes; in addition, they will have to differentiate those of high and low danger. The Secretariat regulates and controls hazardous materials and wastes.</p> <p><u>General Law for the Prevention and Integral Management of Waste - LGPGIR</u></p> <p>Article 33.- The companies or establishments responsible for the management plans shall submit, for their registration to the Secretariat, those related to hazardous waste; to the state authorities the waste of special handling, and to the municipal ones the urban solid waste, in accordance with this Law and as determined by its Regulation and other legal instruments that derive from it.</p> <p>In case the management plans state management forms contrary to this Law and the applicable regulations, the management plan should not be applied. [...]</p> <p>Article 45.- The generators of hazardous waste shall identify, classify and manage their waste in accordance with the provisions contained in this Law and its Regulations, as well as in the official Mexican standards issued by the Secretariat in this regard.</p> <p>In any case, the generators must leave free of hazardous waste and pollution that may represent a risk to health and the environment, the facilities in which they have been generated, when they are closed or the activities that produce such waste are no longer carried out.</p>	
7.3.2	<p><u>General Law of Ecological Equilibrium and Environmental Protection- LGEEPA</u></p> <p>Article 121.- Without prior treatment and permission or authorization from the federal authority, or from the local authority in cases of discharges in waters of local jurisdiction or drainage and sewerage systems of population centers wastewater containing pollutants shall not be discharged or infiltrated in any body or stream of water or in the soil or subsoil.</p> <p>Article 122.- Wastewater from urban public uses and uses industrial or agricultural products that are discharged into the drainage and sewage systems of the populations or in the basins rivers,</p>	

	<p>channels, vessels and other deposits or water currents, as well as those that by any means are infiltrated in the subsoil, and in general, those that spill on the floors, must meet the necessary conditions to prevent:</p> <p>I. Pollution of the receiving bodies; II. Interferences in water purification processes; and III. Disorders, impediments or alterations in the correct use, or in the adequate functioning of the systems, and in the hydraulic capacity in the basins, channels, vessels, aquifers and other nationally owned deposits, as well as in the sewerage systems.</p> <p>Article 123.- All the discharges in the collector networks, rivers, aquifers, basins, channels, vessels, marine waters and other deposits or water currents and spills of wastewater in the soils or their infiltration in land, must meet the official Mexican standards issued for such purposes, and where appropriate, the particular discharge conditions that determine the Secretariat or local authorities. It will correspond to whoever generates these discharges to perform the required treatment.</p> <p>Article 135.- The criteria to prevent and control soil contamination are considered, in the following cases: I. The management and regulation of urban development; IV. The granting of all types of authorizations for the manufacture, import, use and in general the realization of activities related to pesticides, fertilizers and toxic substances.</p> <p>Article 136.- The residues that accumulate or may accumulate and are deposited or infiltrated in the ground must meet the necessary conditions to prevent or avoid: I. Soil pollution; II. The harmful alterations in the biological process of the soils; III. Alterations in the soil that harm its use, use or exploitation, IV. Risks and health problems.</p> <p><u>Regulations of the General Law for the Prevention and Integral Management of Waste</u></p> <p>Article 26.- The incorporation to a management plan registered before the Secretariat will be accredited with the following documents: I. Certified copy of the legal instrument that contains the agreement of wills between the obliged</p>	
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	<p>subject and the subject that wishes to join said management plan, or</p> <p>II. Writ by means of which the obligated subject, by himself or through the legal representative that has powers of attorney, expressly accepts the incorporation of the interested party to the management plan.</p> <p>In the document referred to in section II of this article, the registration number of the management plan must be specified.</p> <p>Article 142.- In no case may the import of waste be authorized for its spill, deposit, confinement, storage, incineration or any treatment for its destruction or final disposal in the national territory or in the areas in which the nation exercises its sovereignty and jurisdiction. The authorizations for the transit through the national territory of non-hazardous waste destined for another Nation, may only be granted when there is prior consent of the latter.</p> <p>Article 143.- Pesticides, fertilizers and other dangerous materials shall be subject to the official Mexican standards issued by the Secretariat and the Secretariats of Agriculture, Livestock, Rural Development, Fisheries and Food, Health and Economy. The Regulations of this Act will establish the framework that must complied with activities related to said materials, including the final disposal of their waste, empty packaging and containers, measures to avoid adverse effects on the ecosystems and procedures for the granting of the corresponding authorizations.</p>	
7.3.3	N/A	N/A
Criterion 7.4 Practices maintain soil fertility at, or where possible improve soil fertility to, a level that ensures optimal and sustained yield.		
Indicators	Legal Framework	Legal Linkage
7.4.1	<p><u>General Law of Ecological Equilibrium and Environmental Protection- LGEEPA</u></p> <p>Article 134.- For the prevention and control of soil contamination, the following criteria shall be considered: [...] The use of pesticides, fertilizers and toxic substances must be compatible with the balance ecosystems and consider their effects on human health in order to prevent the damage they may cause; the necessary actions to recover or restore their conditions must be taken for soils contaminated by the presence of hazardous materials or waste, in such way that they can be used in any type of activity foreseen by the urban development program or ecological ordinance that is applicable.</p>	

	<p>Article 135.- The criteria for preventing and controlling soil contamination are considered, in the following cases: The generation, management and final disposal of solid, industrial and hazardous waste, as well as in the authorizations and permits granted for that purpose; The granting of all types of authorizations for the manufacture, import, use and in general the realization of activities related to pesticides, fertilizers and toxic substances.</p> <p>Article 136.- Wastes that accumulate or can accumulate and are deposited or infiltrated in the grounds must meet the necessary conditions to prevent or avoid:</p> <p>I. Soil pollution; II. The harmful alterations in the biological process of the soils; III. The alterations in the soil that harm its use, use or exploitation, and Risks and health problems.</p> <p>Article 143.- Pesticides, fertilizers and other dangerous materials shall be subject to the official Mexican standards issued by the Secretariat and the Secretariats of Agriculture, Livestock, Rural Development, Fisheries and Food, Health and Economy. The Regulations of this Act will establish the framework that must complied with activities related to said materials, including the final disposal of their waste, empty packaging and containers, measures to avoid adverse effects on the ecosystems and procedures for the granting of the corresponding authorizations.</p>	
7.4.2	N/A	N/A
7.4.3	N/A	N/A
7.4.4	N/A	N/A
Criterion 7.5 Practices minimize and control erosion and degradation of soil.		
Indicators	Legal Framework	Legal Linkage
7.5.1	N/A	N/A
7.5.2	N/A	N/A
7.5.3	N/A	N/A
Criterion 7.6 Soil surveys and topographic information are used for site planning in the establishment of new plantings, and the results are incorporated into plans and operations.		
Indicators	Legal Framework	Legal Linkage

7.6.1	<p><u>General Law of Ecological Equilibrium and Environmental Protection -LGEEPA</u></p> <p>Article 135.- The criteria for preventing and controlling soil contamination are considered, in the following cases: The generation, management and final disposal of solid, industrial and hazardous waste, as well as in the authorizations and permits granted for that purpose; The granting of all types of authorizations for the manufacture, import, use and in general the realization of activities related to pesticides, fertilizers and toxic substances.</p> <p>Article 136.- Wastes that accumulate or can accumulate and are deposited or infiltrated in the grounds must meet the necessary conditions to prevent or avoid:</p> <p>I. Soil pollution;</p> <p>II. The harmful alterations in the biological process of the soils;</p> <p>III. The alterations in the soil that harm its use, use or exploitation, and Risks and health problems.</p>	
7.6.2	<p><u>General Law of Ecological Equilibrium and Environmental Protection -LGEEPA</u></p> <p>Article 101.- In the jungle zones, the Federal Government will attend as a priority, in accordance with the applicable provisions:</p> <p>I.- Preservation and sustainable use of jungle ecosystems, where they exist established agricultural activities;</p> <p>II.- The progressive change of the practice of slash, grave and burning to others that do not imply deterioration of the ecosystems, or those that do not allow their natural regeneration or that alter the processes of ecological succession;</p> <p>III.- The fulfillment, in the extraction of non-renewable resources, of the criteria established in this Law, as well as of the official Mexican standards issued for that purpose;</p> <p>IV.- The introduction of crops compatible with ecosystems and that favor their restoration when they have suffered deterioration;</p> <p>V. - The ecological regulation of human settlements;</p> <p>VI.- The prevention of erosion phenomena, deterioration of the physical, chemical or biological properties of the soil and the lasting loss of natural vegetation, and</p>	

	<p>VII.- The regeneration, recovery and rehabilitation of the areas affected by degradation or desertification phenomena, in order to restore them.</p> <p>Article 102.- All authorizations that affect the use of land in jungle areas or arid, as well as the ecological balance of their ecosystems, are subject to the criteria and provisions established by this Law and other applicable.</p> <p>Article 103.- Those who carry out agricultural and livestock activities must carry out the preservation practices, sustainable use and restoration necessary to avoid soil degradation and ecological imbalances and, where appropriate, achieve their rehabilitation, in terms of the provisions of this and other applicable laws.</p> <p>Article 104.- The Secretariat will promote before the Secretariat of Agriculture, Livestock, Development Rural, Fisheries and Food and the other competent agencies and entities, the introduction and generalization of soil protection and restoration practices in agriculture and livestock activities, as well as the carrying out of environmental impact studies that must be carried out prior to the granting of authorizations to carry out changes in land use, when there are elements that make it possible to foresee serious deterioration of the affected soils and the ecological balance of the area.</p>	
7.6.3	N/A	N/A
Criterion 7.7 No new planting on peat, regardless of depth after November 15, 2018 and all peatlands are managed responsibly.		
Indicators	Legal Framework	Legal Linkage
7.7.1	<p><u>National Waters Law</u></p> <p>Article 86 BIS 1.- For the preservation of the wetlands that are affected by the national water flow regimes, "the Commission" will act through the Basin Organizations, or by itself, in the cases provided in Fraction IX of Article 9 of this Act, which are reserved for the direct action of "the Commission". For such purposes, it will have the following attributions:</p> <p>I. Define and carry the inventory of wetlands in national assets or those flooded by national waters;</p> <p>II. Promote in the terms of this Law and its regulations, national water reserves or the ecological reserve according to the law of the matter, for the preservation of wetlands;</p>	

	<p>III. Propose the Official Mexican Standards to preserve, protect and, where appropriate, restore the wetlands, the national waters that feed them, and the aquatic and hydrological ecosystems that are part of them;</p> <p>IV. Promote and, where appropriate, carry out the actions and measures necessary to rehabilitate or restore the wetlands, as well as to set a natural environment or perimeter of protection of the wet zone, in order to preserve its hydrological conditions and the ecosystem, and</p> <p>V. Grant permits to dry land in wetlands in the case of waters and national property under their jurisdiction, for protection purposes or to prevent damage to public health. For the execution of the faculties referred in this Article, "the Commission" and the Basin Organizations will coordinate with the other authorities that must intervene or participate in the area of their jurisdiction.</p>	
7.7.2	N/A	N/A
7.7.3	N/A	N/A
7.7.4	N/A	N/A
7.7.5	N/A	N/A
7.7.6	N/A	N/A
7.7.7	N/A	N/A

Criterion 7.8 Practices maintain the quality and availability of surface and groundwater.

Indicators	Legal Framework	Legal Linkage
7.8.1	N/A	N/A
7.8.2	<p><u>General Law of Wildlife - LGVS</u></p> <p>Article 60 Ter.- Removal, filling, transplant, pruning, or any work or activity that affects the integral hydrological flow of the mangrove is prohibited; of the ecosystem and its area of influence; of its natural productivity; of the natural load capacity of the ecosystem for tourism projects; of the nesting, reproduction, refuge, feeding and nursery areas; or of the interactions between the</p>	<p><i>The affectation of the hydrological flow of the mangrove, of the ecosystem and its zone of influence that causes changes in the characteristics and ecological services is prohibited; except when it is intended to protect, restore, investigate or conserve</i></p>

	<p>mangrove, the rivers, the dune, the adjacent maritime zone and the corals, or that cause changes in the characteristics and ecological services.</p> <p>The works or activities that have the purpose of protecting, restoring, investigating or conserving the mangrove areas will be exempt from the prohibition referred to in the previous paragraph.</p>	<p><i>mangrove areas.</i></p>
<p>7.8.3</p>	<p><u>General Law of Ecological Equilibrium and Environmental Protection - LGEEPA</u></p> <p>Article 117.- The following criteria will be considered for the prevention and control of water pollution:</p> <p>[...]</p> <p>III. The use of water in productive activities susceptible to produce its contamination, entails the responsibility of the treatment of the discharges, to reintegrate it in suitable conditions for its use in other activities and to maintain the balance of the ecosystems;</p> <p>[...]</p> <p>Article 120.- To avoid water pollution, the following is subject to federal or local regulation:</p> <p>I. Discharges of industrial origin;</p> <p>II. The discharges of municipal origin and its uncontrolled mixing with other discharges;</p> <p>III. The discharges derived from agricultural activities;</p> <p>IV. Discharges of waste, substances or waste generated in the activities of extraction of non-renewable resources;</p> <p>V. The application of pesticides, fertilizers and toxic substances;</p> <p>SAW. Infiltrations that affect aquifers; Y</p> <p>VII. The dumping of solid waste, hazardous materials and sludge from the treatment of wastewater into bodies and water currents.</p> <p>Article 121.- Discharges or infiltration to any body or stream of water or soil or subsoil, wastewater containing pollutants is prohibited, without prior treatment and permission or authorization from the federal authority, or from the local authority in cases of discharges in waters of local jurisdiction or to drainage and sewage systems of population centers.</p> <p>Article 122.- Wastewater from urban public uses and those from industrial or agricultural uses that</p>	<p><i>The productive activities (plantations, mills, refineries, etc.) that generate discharges of wastewater are forced to its proper treatment.</i></p> <p><i>Productive activities (plantations, mills, refineries, etc.) that generate discharges of wastewater into groundwater are bound to their proper treatment.</i></p> <p><i>When the discharge is carried out in drainage and sewage systems, the municipalities must compete in the same way with all the essential characteristics of an adequate treatment.</i></p> <p><i>For the proper treatment of wastewater, the technical provisions dictated by the applicable Mexican Official Standards must be complied with.</i></p> <p><i>The National Water Commission will be responsible for establishing the (various) parameters that wastewater must meet prior to discharge.</i></p> <p><i>The authorizations for wastewater discharges in receiving bodies of federal jurisdiction will be in charge of the</i></p>

	<p>are discharged into the drainage and sewage systems of the towns or in the basins rivers, channels, vessels and other deposits or water currents, and those that by any means are infiltrated in the subsoil, and in general, those that spill in the soils, must meet the necessary conditions to prevent;</p> <p>I. Contamination of the receiving bodies; II. Interferences in water purification processes; Y III. Disorders, impediments or alterations in the correct use, or in the proper functioning of the systems, and in the hydraulic capacity in the watersheds, channels, vessels, aquifers and other nationally owned deposits, as well as in the sewerage systems.</p> <p>Article 123.- All discharges in the collector networks, rivers, aquifers, basins, channels, vessels, marine waters and other deposits or water currents and spills of wastewater in the soils or their infiltration in lands, shall comply with Mexican official standards who, for that purpose, will be issued, and where appropriate, the specific discharge conditions determined by the Secretariat or local authorities. It will correspond to whoever generates these downloads, perform the required prior treatment.</p> <p><u>National Waters Law</u></p> <p>Article 87.- "The Water Authority" will determine the parameters to be met by the discharges, the assimilation and dilution capacity of the national water bodies and the loads of contaminants they may receive, as well as the quality goals and deadlines to achieve them, by issuing of Classification of the National Water Bodies Statements, which will be published in the Official Gazette of the Federation, as well as its modifications, for its observance. The declarations will contain:</p> <p>I. The delimitation of the classified water body;</p> <p>II. The parameters to be met by the discharges according to the body of water classified according to the periods foreseen in the regulations of this Law;</p> <p>III. The capacity of the body of water classified to dilute and assimilate pollutants, and</p> <p>IV. The maximum discharge limits of the pollutants analyzed, basis to fix the particular discharge conditions.</p> <p>Article 88.- A discharge permit is required to permanently or intermittently discharge wastewater</p>	<p><i>National Water Commission, while those that are made in the drainage and sewer systems will be under the tutelage of the municipalities.</i></p>
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	<p>into receiving bodies that are national waters or other national assets, including marine waters, as well as when infiltrate lands that are national property or other land when they can contaminate the subsoil or aquifers.</p> <p>The control of the discharges of wastewater to the drainage or sewage systems of the population centers corresponds to the municipalities, with the help of the states when necessary and as determined by the laws.</p>	
7.8.4	N/A	N/A
Criterion 7.9 Efficiency of fossil fuel use and the use of renewable energy is optimized.		
Indicators	Legal Framework	Legal Linkage
7.9.1	<p><u>General Law on Climate Change - LGCC.</u></p> <p>Article 33.- The objectives of public policies for mitigation are:</p> <p>I. Promote the protection of the environment, sustainable development and the right to a healthy environment through the mitigation of emissions;</p> <p>II. Reduce national emissions, through policies and programs, that promote the transition to a sustainable, competitive and low carbon emissions economy, including market instruments, incentives and other alternatives that improve the cost-effectiveness of measures specific mitigation, reducing their economic costs and promoting competitiveness, technology transfer and the promotion of technological development;</p> <p>III. Gradually promote the replacement of the use and consumption of fossil fuels with renewable sources of energy, as well as the generation of electricity through the use of renewable energy sources;</p> <p>IV. Promote energy efficiency practices, the development and use of renewable energy sources and the transfer and development of low carbon technologies, particularly in movable and immovable property of agencies and entities of the centralized and parastatal federal public administration, of the states and of the municipalities;</p> <p>V. Promote, as a priority, mitigation technologies whose emissions of greenhouse gases and compounds are low in carbon throughout their life cycle;</p>	<p><i>The Transition Strategy to Promote the Use of Cleaner Technologies and Fuels will establish measures and policies for the use of renewable energies, replacing fossil fuels.</i></p>

	<p>[...] VII. Measure, report and verify emissions; [...]</p> <p>Article 109.- The three levels of government must promote the co-responsible participation of society in the planning, execution and monitoring of the National Climate Change Policy.</p> <p><u>Energy Transition Law - LTE</u></p> <p>Article 5.- The Strategy will establish policies and measures to promote the energy use of renewable resources and for the substitution of fossil fuels in final consumption.</p> <p>Article 27.- The Strategy constitutes the guiding instrument of the national policy in the medium and long term in terms of Clean Energy obligations, sustainable use of energy and improvement in energy productivity where appropriate, of economically viable reduction of polluting emissions of the Electric Industry, whose main objectives are:</p> <p>I. Establish the goals and the Roadmap for the implementation of said goals; II. Promote the reduction of polluting emissions originated by the Electricity Industry, and III. Reduce, under criteria of economic viability, the country's dependence on fossil fuels as a primary source of energy.</p> <p>The Strategy will establish the policies and actions that must be executed through the Program and the annual programs that derive from it in order to meet its objectives.</p>	
<p>Criterion 7.10 Plans to reduce pollution and emissions, including greenhouse gases (GHG) are developed, implemented and monitored and new developments are designed to minimize GHG emissions.</p>		
Indicators	Legal Framework	Legal Binding
7.10.1	<p><u>Regulations of the General Law of Ecological Equilibrium and Environmental Protection in the Matter of Prevention and Control of the Pollution of the Atmosphere</u></p> <p>Article 17.- Those responsible for the fixed sources of federal jurisdiction, by which odors, gases or solid or liquid particles are emitted to the atmosphere, shall be obliged to:</p> <p>I.- Use equipment and systems that control emissions to the atmosphere, so that they do not exceed the maximum permissible levels established in the corresponding ecological technical</p>	<p><i>Individuals who make emissions into the atmosphere in the development of their productive activities (refiners, mills) will be required to make an analysis of them and report them to SEMARNAT in the terms that it establishes.</i></p>

	<p>standards;</p> <p>II.- Integrate an inventory of its polluting emissions into the atmosphere, in the format determined by the Secretariat;</p> <p>III.- Install sampling platforms and ports;</p> <p>IV.- Measure its polluting emissions to the atmosphere, record the results in the format determined by the Secretariat and send the records to it, when requested;</p> <p>V.- Carry out the perimeter monitoring of its polluting emissions to the atmosphere, when the source in question is located in urban or suburban areas, when it borders protected natural areas, and when by its operating characteristics or its materials premiums, products and by-products, may cause serious deterioration to ecosystems, in the opinion of the Secretariat;</p> <p>VI.- Keep a log of operation and maintenance of its process and control equipment;</p> <p>VII.- Give advance notice to the Secretariat of the start of operation of its processes, in the case of scheduled stoppages, and immediately in the event that these are circumstantial, if they can cause contamination;</p> <p>VIII.- Give immediate notice to the Secretary in the case of failure of the control equipment, so that it determines the conducive, if the failure can cause contamination; Y</p> <p>IX.- The others established by the Law and the Regulations.</p>	
7.10.2	<p><u>Regulations of the General Law of Ecological Equilibrium and Environmental Protection in the Matter of Prevention and Control of the Pollution of the Atmosphere</u></p> <p>Article 17.- Those responsible for the fixed sources of federal jurisdiction, by which odors, gases or solid or liquid particles are emitted to the atmosphere, shall be obliged to:</p> <p>I.- Use equipment and systems that control emissions to the atmosphere, so that they do not exceed the maximum permissible levels established in the corresponding ecological technical standards;</p>	<p><i>Individuals that make emissions into the atmosphere in the development of their productive activities (refiners, mills) will be required to make an analysis of them and report them to SEMARNAT.</i></p>

	<p>II.- Integrate an inventory of its polluting emissions into the atmosphere, in the format determined by the Secretariat;</p> <p>III.- Install sampling platforms and ports;</p> <p>IV.- Measure its polluting emissions to the atmosphere, record the results in the format determined by the Secretariat and send the records to it, when requested;</p> <p>V.- Carry out the perimeter monitoring of its polluting emissions to the atmosphere, when the source in question is located in urban or suburban areas, when it borders protected natural areas, and when by its operating characteristics or its materials premiums, products and by-products, may cause serious deterioration to ecosystems, in the opinion of the Secretariat;</p> <p>VI.- Keep a log of operation and maintenance of its process and control equipment;</p> <p>VII.- Give advance notice to the Secretariat of the start of operation of its processes, in the case of scheduled stoppages, and immediately in the event that these are circumstantial, if they can cause contamination;</p> <p>VIII.- Give immediate notice to the Secretary in the case of failure of the control equipment, so that it determines the conducive, if the failure can cause contamination; Y</p> <p>IX.- The others established by the Law and the Regulations.</p>	
7.10.3	<p><u>General Law on Climate Change - LGCC</u></p> <p>Article 33.- Mitigation public policy objectives are:</p> <p>I. Promote the protection of the environment, sustainable development and the right to a healthy environment through the mitigation of emissions;</p> <p>II. Reduce national emissions, through policies and programs, that promote the transition to a sustainable, competitive and low carbon emissions economy, including market instruments, incentives and other alternatives that improve the cost-effectiveness of measures specific mitigation, reducing their economic costs and promoting competitiveness, technology transfer and the promotion of technological development;</p> <p>III. Gradually promote the replacement of the use and consumption of fossil fuels with renewable sources of energy, as well as the generation of electricity through the use of renewable energy</p>	<p><i>The measurement of polluting emissions will be carried out according to sampling and quantification procedures in accordance with the corresponding ecological technical standards.</i></p> <p><i>Individuals who make emissions into the atmosphere in the development of their productive activities (refiners, mills) will be required to make an analysis of them and report them to SEMARNAT in the terms that it establishes.</i></p>

	<p>sources;</p> <p>IV. Promote energy efficiency practices, the development and use of renewable energy sources and the transfer and development of low carbon technologies, particularly in movable and immovable property of agencies and entities of the centralized and parastatal federal public administration, of the states and of the municipalities;</p> <p>V. Promote, as a priority, mitigation technologies whose emissions of greenhouse gases and compounds are low in carbon throughout their life cycle;</p> <p>VI. Promote the alignment and congruence of the programs, budgets, policies and actions of the three levels of government to curb and reverse deforestation and the degradation of forest ecosystems;</p> <p>VII. Measure, report and verify emissions;</p> <p>[...]</p> <p>Article 87.- The Secretariat shall integrate the Register of emissions generated by fixed and mobile emissions sources that are identified as subject to reporting. The regulatory provisions of this Law will identify the sources that must be reported in the Registry by sector, subsector and activity, and will also establish the following elements for the integration of the Registry:</p> <p>I. The gases or greenhouse compounds that must be reported for the integration of the Registry;</p> <p>II. The thresholds from which establishments subject to a federal competition report must present the report of their direct and indirect emissions;</p> <p>III. The methodologies for the calculation of direct and indirect emissions that should be reported;</p> <p>IV. The monitoring, reporting and verification system to guarantee the integrity, consistency, transparency and accuracy of the reports, and</p> <p>V. Linkage, where appropriate, with other federal or state emissions records.</p> <p>[...]</p> <p>Article 109.- The three levels of government must promote the co-responsible participation of society in the planning, execution and monitoring of the National Climate Change Policy.</p> <p><u>Regulation of the General Law on Climate Change</u></p> <p>(Note.- The emission limit must be established)</p> <p>Article 3.- For the purposes of article 87, second paragraph of the Act, the following are identified</p>	
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	<p>as sectors and sub-sectors in which the Establishments Subject to Report are grouped:</p> <p>[...]</p> <p>n. Food and drinks industry subsector:</p> <p>[...]</p> <p>Article 4. The activities that will be considered as Establishments Subject to Report grouped within the sectors and subsectors indicated in the previous article, are the following:</p> <p>n. Food and drinks industry subsector:</p> <p>[...]</p> <p>n.2. Grinding of grains and seeds and obtaining oils and fats;</p> <p>[...]</p> <p>Article 5.- For the purposes of Article 87, second paragraph, section I of the Law, the Greenhouse Gases or Compounds subject to reporting under the terms of these Regulations are:</p> <p>I. Carbon dioxide;</p> <p>II. Methane;</p> <p>III. Nitrous oxide;</p> <p>IV. Black carbon or soot;</p> <p>V. Chlorofluorocarbons;</p> <p>SAW. Hydrochlorofluorocarbons;</p> <p>VII. Hydrofluorocarbons;</p> <p>VIII. Perfluorocarbons;</p> <p>IX. Sulfur hexafluoride;</p>	
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	<p>X. Nitrogen trifluoride;</p> <p>XI. Halogenated ethers;</p> <p>XII. Halocarbons;</p> <p>XIII. Mixtures of the above, and</p> <p>XIV. The Greenhouse Gases and Compounds that the Intergovernmental Panel determines as such and that the Secretariat discloses as subject to report by means of Agreement that it publishes in the Official Gazette of the Federation.</p> <p>The Secretariat, through an Agreement that publishes in the Official Gazette of the Federation, will determine the specific Greenhouse Gases or Compounds that are grouped in the items indicated in sections I to XII of this article, as well as the mixtures thereof that will be subject to report, indicating in all cases the corresponding chemical formula or any other technical information that facilitates their identification.</p> <p><u>Regulations of the General Law of Ecological Equilibrium and Environmental Protection in the Matter of Prevention and Control of the Pollution of the Atmosphere</u></p> <p>Article 16.- The emissions of odors, gases, as well as of solid and liquid particles to the atmosphere that are generated by fixed sources, shall not exceed the maximum permissible levels of emission and immission, by pollutants and by sources of contamination that are established. in the ecological technical standards issued for this purpose by the Secretariat in coordination with the Ministry of Health, based on the determination of the maximum permissible concentration levels for the human being of contaminants in the environment that the latter determines.</p> <p>Likewise, and taking into account the diversity of technologies presented by the sources, different values can be established in the ecological technical standard when determining the maximum permissible levels of emission or immission, for the same pollutant or for the same source, depending on whether:</p> <p>I.- Existing sources;</p>	
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	<p>II.- New sources; Y</p> <p>III.- Sources located in critical areas.</p> <p>The Secretariat, in coordination with the Ministry of Health, and prior the corresponding studies, will determine in the respective ecological technical standard, the areas that should be considered critical.</p> <p>Article 25.- The measurements of pollutant emissions to the atmosphere shall be carried out in accordance with the sampling and quantification procedures established in the corresponding ecological technical standards. To evaluate the total emission of air pollutants from a multiple source, the individual emissions of the existing chimneys should be added up.</p>	
Criterion 7.11 Fire is not used for preparing land and is prevented in the managed area.		
Indicators	Legal Framework	Legal Linkage
7.11.1	<p><u>General Law of Ecological Equilibrium and Environmental Protection - LGEEPA</u></p> <p>Article 101.- In the jungle zones, the Federal Government will attend as a matter of priority, in accordance with the applicable provisions:</p> <p>[...]</p> <p>II.- The progressive change of the practice of slash, tomb and burn to others that do not imply deterioration of the ecosystems, or those that do not allow their natural regeneration or that alter the processes of ecological succession;</p> <p>[...]</p> <p><u>General Law on Climate Change</u></p> <p>Article 34.- In order to reduce emissions, the agencies and entities of the federal public administration, the Federative Entities and the Municipalities, within the scope of their competence, will promote the design and development of policies and mitigation actions associated with the corresponding sectors. , considering the following provisions:</p> <p>[...]</p> <p>III. Reduction of emissions and carbon sequestration in the sector of agriculture, forests and other land uses and preservation of ecosystems and biodiversity:</p> <p>[...]</p> <p>f) Strengthen the fight against forest fires and promote and encourage the gradual reduction of the</p>	<p><i>Burning of agricultural land is prohibited.</i></p> <p><i>It will not be possible to burn forest land for later use as agricultural land.</i></p>

	<p>burning of sugarcane and slash, burn and burn practices. [...]</p> <p><u>General Law for Sustainable Forest Development - LGDFS</u></p> <p>Article 99.- The Secretariat, with the participation of the Commission, will coordinate with the Ministry of Agriculture, Livestock, Rural Development, Fisheries and Food, the policy of land use to stabilize its agricultural use, including the slash, tomb and burn, developing permanent practices and preventing agricultural production from growing at the expense of forest land.</p> <p>The Ministry of Agriculture, Livestock, Rural Development, Fisheries and Food will not grant financial support or incentives for agricultural activities on lands whose land use change has not been authorized by the Secretariat for such activities.</p> <p>Article 155.- Infractions of the provisions of this Law are: [...] IX. Carry out the burning of agricultural lands in a negligent manner that encourages the propagation of fire to neighboring forest lands and temporarily forest land;</p>	
7.11.2	N/A	N/A
7.11.3	<p><u>General Law for Sustainable Forest Development - LGDFS</u></p> <p>Article 155.- Infractions of the provisions of this Law are: (...) IX. Carry out the burning of agricultural lands in a negligent manner that encourages the propagation of fire to neighboring forest lands and temporarily forest land;</p>	<i>There should be no burning on the premises.</i>
NOM-015-SEMARNAT/SAGARPA-2007 - Establishes the technical specifications of methods of fire use in forest lands and agricultural land.		
Criterion 7.12 Land clearing does not cause deforestation or damage any area required to protect or enhance High Conservation Values (HCV) or High Carbon Stocks (HCS) forest. HCVs and HCS forests in the managed area are identified and protected or enhanced.		
Indicators	Legal Framework	Legal Linkage
7.12.1	<p><u>General Law of Ecological Equilibrium and Environmental Protection - LGEEPA.</u></p> <p>Article 28.- The environmental impact assessment is the procedure through which the Secretariat establishes the conditions to be subject to the execution of works and activities that may cause ecological imbalance or exceed the limits and conditions established in the applicable provisions to</p>	<i>Before the start of their activities, plantations and the industry must have authorized the change of land use by SEMARNAT.</i>

protect the environment. environment and preserve and restore ecosystems, in order to avoid or minimize their negative effects on the environment. For this, in those cases in which the Regulation that is issued for this purpose is established, those who intend to carry out any of the following works or activities will previously require authorization in the matter of the environmental impact of the Secretariat:

(...)

VII.- Changes in land use in forest areas, as well as in forests and arid zones;

(...)

Article 44.- The owners, holders or holders of other rights over lands, waters and forests included within protected natural areas shall be subject to the modalities that, in accordance with this Law, establish the decrees by which said areas are constituted, as well as as to the other provisions contained in the management program and in the ecological management programs that apply.

Article 46 .- In the protected natural areas the introduction of invasive alien species is prohibited.

Article 98.- For the preservation and sustainable use of the soil the following criteria will be considered:

I. The use of land must be compatible with its natural vocation and must not alter the balance of ecosystems;

II. The use of soils must be done in such a way that they maintain their physical integrity and their productive capacity;

III. The productive uses of the soil must avoid practices that favor the erosion, degradation or modification of the topographic characteristics, with adverse ecological effects;

IV.- In the actions of preservation and sustainable use of the soil, the necessary measures must be considered to prevent or reduce its erosion, deterioration of the physical, chemical or biological properties of the soil and the lasting loss of the natural vegetation;

V.- In the areas affected by degradation or desertification, the necessary regeneration, recovery and rehabilitation actions must be carried out in order to restore them, and

VI.- The realization of public or private works that by themselves can cause severe deterioration of soils, must include equivalent actions of regeneration, recovery and restoration of their natural vocation.

[...]

Article 102.- All authorizations that affect the use of land in jungle or arid zones, as well as the ecological balance of their ecosystems, are subject to the criteria and provisions established by this

	<p>Law and other applicable laws.</p> <p><u>Regulations of the General Law of Ecological Equilibrium and Environmental Protection on Environmental Impact Assessment</u></p> <p>Article 5 .- Those who intend to carry out any of the following works or activities, will require prior authorization from the Secretariat in terms of environmental impact: (...) O) CHANGES OF USE OF THE SOIL OF FOREST AREAS, AS WELL AS IN RAINFORESTS AND ARID ZONES: I. Change in land use for farming, aquaculture, real estate development, urban infrastructure, general communication routes or for the establishment of commercial, industrial or service facilities in lands with forest vegetation, with the exception of the construction of single-family housing and the establishment of commercial facilities or services in properties less than 1000 square meters, when its construction does not involve the felling of trees in an area larger than 500 square meters, or the removal or fragmentation of the habitat of specimens of flora or fauna subject to a special protection regime in accordance with Mexican official standards and other applicable legal instruments; II. Change of land use from forest areas to any other use, with the exception of agricultural activities for family self-consumption, carried out on farms with slopes of less than five percent, when they do not involve the aggregation or clearing of more than twenty percent of the total area and this does not exceed 2 hectares in temperate zones and 5 in arid zones, and III. Other changes in land use in lands or areas with forest land use, except for the modification of agricultural or livestock soils in forestry, agroforestry or silvopastoral, through the use of native species. (...) V) AGRICULTURAL ACTIVITIES THAT CAN AFFECT THE PRESERVATION OF ONE OR MORE SPECIES OR CAUSE DAMAGE TO ECOSYSTEMS: Agricultural activities of any kind when these imply the change of land use of forest areas, with the exception of: a) Those whose purpose is family self-consumption, and b) Those that imply the use of the techniques and methodologies of organic agriculture.</p>	
7.12.2	N/A	N/A
7.12.3	N/A	N/A
7.12.4	N/A	N/A

7.12.5	N/A	N/A
7.12.6	<p><u>General Law of Ecological Equilibrium and Environmental Protection - LGEEPA</u></p> <p>Article 79.- For the preservation and sustainable use of flora and fauna, the following criteria will be considered:</p> <p>I.- The preservation and conservation of the biodiversity and natural habitat of the species of flora and fauna found in the national territory and in the areas where the nation exercises its sovereignty and jurisdiction;</p> <p>II.- The continuity of the evolutionary processes of the species of flora and fauna and other biological resources, assigning representative areas of the ecological systems of the country to actions of preservation and investigation;</p> <p>III.- The preservation of endemic, threatened, endangered or subject to special protection;</p> <p>IV.- The fight against illegal trafficking or appropriation of species;</p> <p>V.- The promotion and creation of biological stations for the rehabilitation and repopulation of wild fauna species;</p> <p>VI.- The participation of social organizations, public or private, and other stakeholders in the preservation of biodiversity;</p> <p>VII.- The promotion and development of the investigation of the wild fauna and flora, and of the genetic materials, in order to know their scientific, environmental, economic and strategic value for the Nation;</p> <p>VIII.- The promotion of dignified and respectful treatment of animal species, with the purpose of avoiding cruelty against them;</p> <p>IX.- The development of alternative productive activities for rural communities, and</p> <p>X.- The traditional biological knowledge and the participation of the communities, as well as the indigenous peoples in the elaboration of biodiversity programs of the areas in which they live.</p> <p>[...]</p> <p>Article 83.- The use of natural resources in areas that are habitat for wild species of flora or fauna, especially endemic, threatened or endangered, should be done in a manner that does not alter the conditions necessary for subsistence , development and evolution of said species.</p> <p>The Secretariat shall promote and support the management of flora and fauna, based on traditional biological knowledge, technical, scientific and economic information, with the purpose of making sustainable use of the species.</p> <p><u>General Law of Wildlife - LGVS</u></p>	<p><i>Endangered of extinction, threatened or subject to special protection species, must be protected and prevented from being used without authorization.</i></p>

	<p>Article 58.- Among the species and populations at risk will be included those identified as:</p> <p>a) In danger of extinction, those whose areas of distribution or size of their populations in the national territory have drastically decreased putting at risk their biological viability in all their natural habitat, due to factors such as the destruction or drastic modification of the habitat, use not sustainable, diseases or predation, among others.</p> <p>b) Threatened, those that could be in danger of disappearing in the short or medium term, if the factors that negatively affect its viability continue to operate, causing the deterioration or modification of their habitat or directly reducing the size of their populations.</p> <p>c) Subject to special protection, those that could be threatened by factors that negatively affect its viability, which is why the need to promote their recovery and conservation or the recovery and conservation of populations of associated species is determined.</p>	
7.12.7	N/A	N/A
7.12.8	N/A	N/A

Official Mexican Standards applicable to the RSPO Principles and Criteria

Name	Description
<u>NOM-001-SEMARNAT-1996</u>	That establishes the maximum permissible limits of pollutants in wastewater discharges in national waters and goods
<u>NOM-002-SEMARNAT-1996</u>	That establishes the maximum permissible limits of contaminants in wastewater discharges to urban or municipal sewerage systems
<u>NOM-021-SEMARNAT-2000</u>	That establishes the specifications of fertility, salinity and soil classification. Studies, sampling and analysis
<u>NOM-022-SEMARNAT-1993</u>	That establishes the specifications for the preservation, conservation, sustainable use and restoration of coastal wetlands in mangrove areas.
<u>NOM-043-SEMARNAT-1993</u>	That establishes the maximum permissible levels of emission to the atmosphere of solid particles from fixed sources
<u>NOM-059-SEMARNAT-2010</u>	Environmental protection-Species native to Mexico of wild flora and fauna-Risk categories and specifications for inclusion, exclusion or change-List of species at risk
<u>NOM-060-SEMARNAT-1994</u>	That establishes the specifications to mitigate the adverse effects caused in the soils and bodies of water by the forest use
<u>NOM-061-SEMARNAT-1994</u>	Establishes the specifications to mitigate the adverse effects caused to wildlife by forest use
<u>NOM-062-SEMARNAT-1994</u>	Establishes the specifications to mitigate the adverse effects on biodiversity that are caused by the change of land use from forest to agricultural lands
<u>NOM-083-SEMARNAT-2003</u>	Environmental protection specifications for the selection of the site, design, construction, operation, monitoring, closure and complementary works of a final disposal site for urban solid waste and special handling
<u>NOM-085-SEMARNAT-2011</u>	Atmospheric pollution - Maximum permissible emission levels of indirect heating combustion equipment and its measurement
<u>NOM-161-SEMARNAT-2011</u>	That establishes the criteria to classify the Special Management Residues and determine which are subject to the Management Plan; the list of them, the procedure for inclusion or exclusion to said list; as well as the elements and procedures for the formulation of the management plans
<u>NOM-165-SEMARNAT-2013</u>	That establishes the list of substances subject to report for the registration of emissions and transfer of pollutants
<u>NOM-001-STPS-2008</u>	Buildings, premises, facilities and areas in work centers-Safety conditions
<u>NOM-002-STPS-2010</u>	Safety conditions-Prevention and protection against fires in work centers
<u>NOM-003-STPS-1999</u>	Agricultural activities-Use of phytosanitary supplies or pesticides and vegetable nutrition inputs or fertilizers-Safety and hygiene conditions
<u>NOM-004-STPS-1999</u>	Protection systems and safety devices in machinery and equipment used in work centers

<u>NOM-005-STPS-1998</u>	Related to the conditions of safety and hygiene in the work centers for the handling, transport and storage of dangerous chemical substances
<u>NOM-006-STPS-2014</u>	Handling and storage of materials-Safety and health conditions at work
<u>NOM-007-STPS-2000</u>	Agricultural activities-Facilities, machinery, equipment and tools-Safety conditions.
<u>NOM-008-STPS-2013</u>	Activities of logging forest use and in storage and transformation centers in their primary activity-Safety and health conditions in the workplace
<u>NOM-009-STPS-2011</u>	Safety conditions for work at height
<u>NOM-010-STPS-2014</u>	Chemical agents polluting the work environment-Recognition, evaluation and control
<u>NOM-011-STPS-2001</u>	Safety and hygiene conditions in work centers where noise is generated
<u>NOM-017-STPS-2008</u>	Personal protective equipment-Selection, use and management in work centers
<u>NOM-018-STPS-2015</u>	Harmonized system for the identification and communication of hazards and risks by hazardous chemical substances in work centers
<u>NOM-019-STPS-2011</u>	Constitution, integration, organization and operation of health and safety commissions
<u>NOM-026-STPS-2008</u>	Colors and signs of safety and hygiene, and identification of risks by fluids driven in pipes
<u>NOM-030-STPS-2009</u>	Preventive safety and health services at work-Functions and activities
<u>NOM-035-STPS-2018</u>	Psychosocial risk factors at work-Identification, analysis and prevention
<u>NOM-052-FITO-1995</u>	That establishes the specifications to present the notice of commencement of operation by individuals or corporations that are dedicated to the aerial application of agricultural pesticides
<u>NOM-015-SEMARNAT/SAGARPA-2007</u>	That establishes the technical specifications of methods of fire use in forest lands and agricultural land
<u>NOM-003-CNA-1996</u>	Requirements during the construction of water extraction wells to prevent contamination of aquifers



ANNEX 4: IMPLEMENTATION PROCEDURE FOR INDICATOR 2.3.2

Where the unit of certification has smallholder suppliers, for existing RSPO certified mills, the time requirement to fulfil this Criterion for all their smallholder suppliers is three years from [15 November 2018]. For mills that are not yet certified/ mills going for first year of certification, the time requirement is three years from initial point of certification for their smallholder suppliers.

ANNEX 5: TRANSITION FROM HCV TO HCV–HCS ASSESSMENT

Criterion 7.12 requires that new land clearing after 15 November 2018 (i.e. adoption of the P&C at GA15) must be preceded by an HCV-HCS assessment. The Task Force recognizes that there is an array of scenarios, in which HCV assessments have previously been undertaken and have been approved or are in the process of approval. This Annex shows how the new requirements apply in different scenarios of existing and new certifications, with and without new land clearing.

NO NEW LAND CLEARING SCENARIOS:

- Existing certified plantations, with valid HCV assessment approved before 15 November 2018
 - o Going for recertification → HCV assessment is acceptable
 - o Replanting → HCV assessment is acceptable
- Existing plantations, not yet certified at 15 November 2018, going for initial certification
 - o Without existing ALS Approved HCV Assessment → New combined HCV-HCS required
 - o With valid ALS approved HCV assessment → ALS Approved Assessment acceptable
 - Where certification is pending, as of 15 November 2018, because it has been held up by RACP or HGU processes, previous approved HCV assessment (RSPO and ALS approved), if they are not older than January 2009¹, will be accepted.
 - o HCV assessment submitted to ALS but pending approval before 15 November 2018
 - If passes ALS process, then the approved HCV assessment is acceptable;
 - If fails ALS process, new combined HCV-HCS assessment required
 - o Replanting → ALS approved HCV is acceptable

¹ The date for first published list of RSPO-approved HCV assessors.

ANNEX 5: TRANSITION FROM HCV TO HCV-HCS ASSESSMENT

NEW LAND CLEARING SCENARIOS:

- In new plantations and in existing uncertified units, land clearing after 15 November 2018
 - o Without existing HCV assessment
 - New combined HCV-HCS required
 - o HCV assessment conducted, but not yet submitted to ALS before 15 November 2018
 - New combined HCV-HCS required
 - o HCV Assessment submitted to ALS but pending approval before 15 November 2018
 - If passes ALS process, then the approved HCV assessment is acceptable;
 - If fails ALS process, new combined HCV-HCS assessment required
 - o NPP initiated by 15 November 2018 and HCV assessment conducted and passes ALS before 15 November 2018
 - ALS Approved HCV assessment is acceptable

- In existing certified plantations (certified before 15 November 2018), with land clearing after 15 November 2018 → New combined HCV-HCS required
 - o If area to be cleared is exclusively pasture, infrastructure, agriculture or monocrop tree plantations which have not been abandoned for more than three years
 - Valid HCV assessment + LUCA to demonstrate that no clearing of native vegetation occurred without prior HCV assessment is acceptable.



The RSPO is an international non-profit organisation formed in 2004 with the objective to promote the growth and use of sustainable oil palm products through credible global standards and engagement of stakeholders.

www.rspo.org

Mexican National Interpretation of RSPO Principles and Criteria

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