

## Public Summary of the Complaint Investigation Report

Complaint from Friends of the Earth Netherlands / Milieudefensie about SCS Global Services @ plantation estates in Cameroon, Ivory-Coast, Nigeria and Sierra Leone

ASI Complaint Reference: COMP202106782

Date: 16/12/2021

### 1. Introduction

This final public summary report summarizes the investigation into the performance of SCS Global Services as the Compliance Assessment Body (CAB) contracted to perform RSPO certification activities by different Oil Palm estates located in Cameroon, Ivory-Coast, Nigeria and Sierra Leone

The complaint was submitted by Friends of the Earth Netherlands / Milieudefensie on 02/06/2021 to ASI and accepted for formal investigation on 01/07/2021. The investigation was closed on 27/10/2021.

Parties in this case include the CAB (SCS Global Services) and the complainant (Friends of the Earth Netherlands / Milieudefensie).

### 2. Scope of investigation

The investigation scopes included assessing the CAB compliance with:

- RSPO-PRO-T01-002 V2.0 ENG section 4.6.3 regarding RSPO requirements for 'Evidence gathering from all relevant stakeholders'.
- RSPO-PRO-T01-002 V2.0 ENG section 4.6.1 regarding RSPO requirements for 'Public Announcements'.
- RSPO complaint requirements in investigating and responding to the Complainant complaint raised on 02 Nov 2020 to determine whether appropriate process was followed.
- RSPO-PRO-T01-002 V2.0 ENG section 4.6.4 regarding RSPO requirements for 'Customary rights of local communities and indigenous peoples'.
- RSPO-PRO-T01-002 V2.0 ENG section 4.6.5 regarding RSPO requirements for 'Summary of public comments to be included in Public Summary Report'.

### 3. Methods

The Assessment type selected for this investigation was a desk-based complaint investigation as per ASI Complaints Procedure (ASI-PRO-20-104-Complaints-V6.0) including document review, interviews with the complaint parties as well as with stakeholders.

## 4. Investigation results

This section presents ASI respective conclusions to the respective claims made by the complainant:

### 4.1 Not all relevant stakeholders were consulted

ASI conclusion: the publication of stakeholder consultation notification was made only in English which is against the RSPO requirements. ASI recommends to follow-up on this during a desk-review assessment to determine if a finding should be raised or not.

### 4.2 CAB did not comply with RSPO requirements (RSPO Certification Systems 2017, section 4.6.1) with regards to the posting of stakeholder consultation notification on the company website.

ASI conclusion: the CAB follows the RSPO requirement from section 4.6.1 in consideration of the related RSPO interpretation that states the following:

*"not all company/management unit has their own website domain. Hence, in the previous RSPO certification system document, there is an exclusion in which only those with their own website domain shall make it published on their website. Therefore, it is not mandatory to publish on the company website where there don't have their own domain/website. However, we should emphasize the elements of "through accessible means and formats" as stated in the documents. This means that the organization needs to put their best effort to ensure all their stakeholders are aware of the audit which will take place and the details of the assessment".*

### 4.3 CAB did not consider the fact that some community members feel that their interest are not fairly represented by some community leaders.

ASI conclusion: it is not the responsibility of the CAB to decide on the representation of the community and appointment of relevant community leaders. A stakeholder consultation process can be considered to be in compliance with RSPO requirements as long as the CAB's consultation process is open, inclusive and allows all relevant stakeholders to participate. The CAB follows the RSPO requirements.

### 4.4. Confidentiality and secured context during stakeholder consultation process was not ensured

ASI conclusion: the evidence reviewed during the complaint investigation did not demonstrate any noncompliance with RSPO requirements with regards to maintaining confidentiality and independence during SCS stakeholder consultation process. The CAB follows the RSPO requirements.

### 4.5 CAB performance during Safacam initial certification audit in Cameroon

ASI conclusion: regarding the fact that the CAB may not have adequately assessed during its audit some of the environmental, social and land use right issues raised by local communities ASI could not fully verify the issues in the investigation. Therefore, it is recommended that ASI

should conduct an on-site Assessment (Witness or Compliance) to fully investigate this claim and verify if the CAB follows the RSPO requirements or not.

#### **4.6 CAB Performance during SOGB initial certification audit in Ivory Coast**

ASI conclusion: regarding the claims related to land dispute, environmental and social impact issues, ASI could not fully verify those issues during the investigation. Therefore, it is recommended that ASI should conduct an on-site Assessment (Witness or Compliance) to fully investigate this claim and verify if the CAB follows the RSPO requirements or not.

#### **4.7 CAB Performance during OOPC initial certification audit in Nigeria**

ASI conclusion regarding:

- the lack of social and human right expertise of the CAB audit team, ASI recommends to follow-up on this during a desk-review assessment to determine if a finding should be raised or not.
- the claims related to land dispute, ASI could not fully verify those issues during the investigation. Therefore, it is recommended that ASI should conduct an on-site Assessment (Witness or Compliance) to fully investigate this claim and verify if the CAB follows the RSPO requirements or not.

#### **4.8 CAB Performance during SAC initial certification audit in Sierra Leone**

ASI conclusion: the evidence reviewed during the investigation did not demonstrate any noncompliance with the RSPO requirements. The CAB follows the RSPO requirements.

### **5. Conclusion**

Following the recommendations of the Final Complaint Investigation Report, ASI conducted a desk review assessment to verify if findings should be raised as for the claims under 4.1 and 4.7 of this summary. The desk review assessment confirmed one Nonconformity against RSPO P&C Certification Systems, 2017, 3.8.