

NDPE Implementation Reporting Framework: Land Rights methodology

The Implementation Reporting Framework (IRF) is a tracking and reporting tool designed to help supply chain companies to systematically understand and track progress (or lack of progress) in delivering responsible sourcing commitments/NDPE across all their volumes. For palm oil, these commitments are often referred to as NDPE: No deforestation, no peat and no exploitation.

The table below shows the current methodology for measuring a palm oil mill's progress in meeting land rights commitments (under No Exploitation). This is based on the commitments many companies in the palm oil sector have made to respect the land rights of Indigenous Peoples and Local Communities affected by their operation and supply chain. The allocation criteria are used to assess how a mill is performing in terms meeting land rights commitments and allocate its volumes to different levels of progress – Awareness, Commitments and starting actions, Progressing and Delivering.

The methodology and allocation criteria have been developed through a collaboration between Proforest and Landesa and have gone through stakeholder consultations with companies, technical experts and land rights organizations. The criteria are currently being piloted by selected palm oil companies to gain further feedback on their applicability.

	NDPE IRF Progress Category					
Thematic Area	Awareness	Commitments and starting actions	Progressing (FFB from own concessions)	Progressing (FFB from third party supply)	Delivering (FFB from own concessions)	Delivering (FFB from third party supply)
Certification	ISPO ¹	ISCC ²	MSPO ³ or RSPO ⁴ Mass Balance	MSPO ⁵ or RSPO ⁶ Mass Balance	RSPO Identity Preserved or POIG ⁷	RSPO Identity Preserved or POIG (covering all volumes)
	OR	OR	OR	OR	OR	OR
Internal management systems	Participation in an NDPE workshop or similar which included land rights as a topic	The mill or parent company has commitments on land rights that meets the elements noted in the guidance	Actions under Commitments and Starting Actions AND	Actions under Commitments and Starting Actions AND A risk assessment on the potential impacts the mill's	Actions under Progressing AND The mill has an operational due diligence process/procedure that	Actions under Progressing AND The mill has an operational due diligence process/procedure that

¹ Indonesian Sustainable Palm Oil certification scheme

² International Sustainability and Carbon Certification

³ Malaysian Sustainable Palm Oil certification scheme

⁴ Roundtable for Sustainable Palm Oil certification scheme

⁵ Malaysian Sustainable Palm Oil certification scheme

⁶ Roundtable for Sustainable Palm Oil certification scheme

⁷ Palm Oil Innovation Group (POIG) scheme

Certification scheme classification still under review

	<p>OR</p> <p>Site visit with a land rights component</p> <p>OR</p> <p>Self-assessment with a land rights component</p>	<p>AND</p> <p>The mill has communicated its commitments on land rights internally and publicly, including to all local communities potentially affected by its operations and supply chain</p>	<p>An assessment of land rights and uses within and impacted by the mill's operations and supply chain has been completed</p> <p>AND</p> <p>The mill has an action plan to ensure the respect of land rights of all legitimate land tenure holders within and impacted by its operation and supply chain</p> <p>AND</p> <p>The mill has an operational grievance mechanism that can effectively receive and resolve issues or complaints raised by any individual or group impacted by the mill's operations and supply chain</p>	<p>operations and supply chain are having on land rights has been completed</p> <p>AND</p> <p>The mill has an action plan to ensure the respect of land rights of all legitimate land tenure holders within and impacted by its operation and supply chain</p> <p>AND</p> <p>The mill has an operational grievance mechanism that can effectively receive and resolve issues or complaints raised by any individual or group impacted by the mill's operations and supply chain</p>	<p>meets the elements noted in the guidance, enabling it to effectively identify, prevent, mitigate, and account for how it addresses land rights issues in its operations and supply chain on an ongoing basis</p> <p>AND</p> <p>The mill has staff and resources assigned to managing land rights issues and company-community engagement</p>	<p>meets the elements noted in the guidance, enabling it to effectively identify, prevent, mitigate, and account for how it addresses land rights issues in its operations and supply chain on an ongoing basis</p> <p>AND</p> <p>The mill has staff and resources assigned to managing land rights issues and company-community engagement</p>
			<p>AND ALL OF THE FOLLOWING</p>	<p>AND ALL OF THE FOLLOWING</p>	<p>AND ALL OF THE FOLLOWING</p>	<p>AND ALL OF THE FOLLOWING</p>
<p>Progress on own estates including schemed smallholders)</p>			<p>The mill and its estates have evidence of a legitimate right to use the land</p>		<p>Actions under Progressing</p> <p>AND</p> <p>The mill and its estates have evidence that FPIC has been obtained from Indigenous Peoples and/or local communities (IP/LCs) affected by their operations</p> <p>AND</p> <p>The mill and its estates have evidence that an SIA was conducted prior to any land use change land clearing or</p>	

						preparation conducted by or on behalf of the mill	
Progress on third party supply	Third party estates				Mill requires third party estates to comply with land rights policy		<p>Actions under Progressing</p> <p>AND</p> <p>The mill has evidence that third party estates have legitimate right to use the land</p> <p>AND</p> <p>The mill verifies estates are implementing the necessary actions to be compliant with the mill's policy requirements on land rights</p>
	Independent smallholders				Mill requires independent smallholders to comply with land rights policy		<p>Actions under Progressing</p> <p>AND</p> <p>The mill has verified that there are no conflicts or disputes associated with the land used by these independent smallholders or, if conflicts/disputes are present, that these are under a resolution process</p> <p>AND</p>

							Smallholders are under an engagement programme (led by the mill or in collaboration with other stakeholders) supporting them to meet mill's and best practice requirements on land rights
	Dealers/ traders/ collectors				Mill requires dealers/ traders/ collectors to comply with land rights policy		Actions under Progressing AND The mill verifies that the FFB it receives from dealers/ traders/ collectors is compliant with its land rights policy requirements
				AND (also required if certified)	AND (also required if certified)	AND (also required if certified)	AND (also required if certified)
	Grievance management			Land rights related grievances against the mill's own operation (if any) are recorded and investigated	Land rights related grievances against the mill's third-party suppliers (if any) are recorded and investigated	All land rights related grievances against mill's own operation, including own estates and schemed smallholders, are following a comprehensive resolution process that is agreed by all involved parties	All land rights related grievances against the mill's third-party suppliers have been identified and are following a comprehensive resolution process that is agreed by all involved parties

Draft Guidance for answering template questions

Section	Question	Guidance	Evidence	Resources
Mill information	Mill parent company	Mill parent/group name		
	Mill name	Mill name		

	UML ID	The Universal Mill List ID		https://data.globalforestwatch.org/datasets/5c026d553ff049a585b90c3b1d53d4f5_34
	Latitude	Latitude of the mill		
	Longitude	Longitude of the mill		
	Country	Country where the mill is located		
	Jurisdiction	Jurisdiction/Province/State where the mill is located		
	Volume sourced from mill (ton) (default is 1 ton, but can be edited)	Please include here the volume that you source from this mill (in tons) in the reporting period. If you don't add anything, the default entry is 1 and it is assumed that you source the same volume from each mill		
Certification	RSPO	The mill is RSPO Mass Balance (MB) or Identity Preserved (IP) certified	Certification document	https://rspo.org/certification/search-for-certified-growers
	POIG	Has the mill been POIG verified and in what period of time? Data can be found in POIG database in mill's records of assessments and verifications.	POIG certificate	http://poig.org/
	MSPO	The mill shared the latest MSPO certificate and the certification period has not expired	Certification document	https://www.mpoc.org.my/
	ISCC	The mill shared the latest ISCC certificate and the certification period has not expired	Certification document	https://www.iscc-system.org/certificates/all-certificates/
	ISPO	The mill shared the latest ISPO certificate and the certification period has not expired	Certification document	
Supply base information	Does the mill process FFB from its own or parent company's concessions or other directly managed production (e.g. schemed smallholders)?	Indicate if the mill sources FFB from areas that they, their schemed smallholders or their parent company own and manage themselves		

	If yes, how much on average is being processed from directly managed areas (%)?	If you have this information, please provide the average percentage of FFB sourced from directly managed areas. If you do not have this information, the cell can be left blank and a default ratio based on regional averages will be applied		
	Does the mill source FFB from third party estates?	Indicate if the mill sources FFB from third party estates		
	Does the mill source FFB from independent smallholders?	Indicate if the mill sources FFB from independent smallholders		
	Does the mill source FFB from dealers/traders/collectors?	Indicate if the mill sources FFB from dealers/traders/collectors		
Internal management systems	Has the mill been part of an NDPE workshop or similar which included land rights as a topic?	A representative of the mill must have attended a training, workshop, or other capacity building activity that specifically included land rights as a topic and covered context specific issues in the mill's area of operation (e.g. land tenure laws and practices). The representative should also have shared this information with relevant staff members at the mill (e.g. functions related to sustainability, legal compliance, procurement or supplier management, acquisition/expansion of operations, and community engagement).	Evidence can include for example: <ul style="list-style-type: none"> Record of training programmes and attendance workshop reports 	
	Has the mill been subject to a site visit with a land rights component? (see guidance)	Mill site visit has been conducted with a land rights component. This must include verifying whether best practice on land rights is being implemented (e.g. assessing FPIC processes, land conflicts/disputes or community consultation channels, community engagement, etc.). These visits are often called 'verification assessments', 'engagement visits' or similar, and involve visiting the mill over several days to understand conditions and systems, identify gaps, and	Site assessment full or summary report	

		make expectations clear to mills. These visits can be carried out by third parties, the parent company or buyer representatives, among others.		
	Has the mill completed a self-assessment with a land rights component? (see guidance)	Self-assessment questionnaire with a land rights component has been sent to and filled out by the mill. These questions must include elements of best practice (e.g. asking whether the mill has carried out FPIC processes, is working with local communities, has clear channels for receiving and addressing conflicts around land, etc.)	Filled out self-assessment questionnaire or full or summary report	
	Does the mill or parent company have commitments on land rights which includes the elements noted in the guidance?	<p>The mill and/or parent company written commitments on respecting the land and resource rights of all legitimate land and resource tenure holders affected by its operations and supply chain. These must include at a minimum:</p> <ul style="list-style-type: none"> • Commitment to respect the land and resource rights of all legitimate land and resource tenure holders (person, family, community, or legal entity with rights to the land or associated natural resources, whether the right is based in national law, indigenous rights, or customary/traditional practice, regardless of whether the right is currently protected by law or formally recorded) • Compliance to national laws and policies • Commitments to following international best practices for respecting land rights of all legitimate land and resource tenure holders including the principles of Free, Prior, and Informed Consent (FPIC) (see Accountability Framework Core Principle 2.2 and Principle 7) 	Policy documents	<ul style="list-style-type: none"> • Accountability framework Core Principle 2.2. Respect for the rights of indigenous peoples and local communities: https://accountability-framework.org/core-principles/2-respect-for-human-rights/ • Landesa Sample Business Enterprise Land Policies: http://ripl.stage.s3.amazonaws.com/uploads/support_link/file/1/IGB_SR_1_Sample_Business_Enterprise_Policies.pdf • Proforest guidance on Understanding commitments to No Deforestation, No Peat and No Exploitation (NDPE): https://proforest.net/proforest/en/publications/infonote_04_introndpe.pdf

		<ul style="list-style-type: none"> Commitment to protecting the security of environmental and human rights defenders, whistle-blowers, complainants, and community spokespersons and protect their confidentiality and (when requested and lawful) their anonymity <p>These commitments may be included in one or multiple policy documents the mill has on responsible production.</p> <p>If the policy is at the parent company level, it must also apply to the mill and the mill must have the responsibility of implementing it in its own operations and supply chain.</p>		
<p>Has the mill communicated its commitments on land rights internally and publicly, including to all local communities potentially affected by its operations and supply chain? (see guidance)</p>	<p>The mill must communicate its commitments on land rights internally and publicly so all are aware.</p> <p>Internally, this must include training relevant staff (e.g. functions related to sustainability, legal compliance, procurement or supplier management, acquisition/expansion of operations, and community engagement) to have a minimum understanding of the commitments made in the land policy. Staff should know what land tenure-related issues could arise for their job functions, how to identify risks, and the expectations for action.</p> <p>Externally, this must include informing local communities, suppliers and other stakeholders (e.g. government) of these commitments (e.g. sending emails, holding meetings, disseminating copies). Commitments must be in formats that are accessible and understandable to all (e.g. different languages, visual/audio formats).</p>	<p>Evidence can include for example:</p> <ul style="list-style-type: none"> publication of the policy on company website email communication of policy records of internal training on the policy inclusion of policy in supplier code of conduct copies of posters or notices on community message boards records of community meeting(s)/consultation(s) regarding the policy signature of community representatives on the policy acknowledging receipt 		<p>Landesa presentation on Why land matters: Communicating your new land commitment: http://ripl.stage.s3.amazonaws.com/uploads/support_link/file/2/IGB_SR_2_-_Why_Land_Matters_-_Communicating_Your_New_Land_Commitment.pptx</p>
<p>Has the mill conducted risk assessments on the potential</p>	<p>These assessments can be conducted internally or by an external consultant, and should identify:</p>	<p>Assessment full or summary report and relevant maps</p>		<ul style="list-style-type: none"> Accountability Framework OPERATIONAL GUIDANCE on:

	<p>impacts its operations and supply chain are having on land rights? (see guidance)</p>	<ol style="list-style-type: none"> 1. Areas in the mill's operations and supply chain where there are risks of land rights abuses and conflicts or disputes with local people (e.g. areas with customary land ownership overlapping with formal land ownership). 2. Existing, latent, or historical land issues or conflicts (if any). <p>Assessments can be a combination of desk based research with some field verification and stakeholder consultation.</p>		<p>Respecting the Rights of Indigenous Peoples and Local Communities - Annex 1: Land tenure study: https://s30882.pcdn.co/wp-content/uploads/2020/09/OG_Respecting_Rights_IPLC-2020-5.pdf</p> <ul style="list-style-type: none"> • Landesa Landassess tool: http://ripl.stage.s3.amazonaws.com/uploads/support_link/file/46/C2P_Land_Assess_Tool.xlsx
	<p>Does the mill have an action plan showing how it is addressing risks and achieving compliance with its land rights commitments in its operations and supply chain? (see guidance)</p>	<p>An action plan is needed to show how commitments made on respecting land rights will be implemented.</p> <p>The action should be informed and address the issues identified in risk assessments.</p> <p>This action plan must at a minimum:</p> <ol style="list-style-type: none"> 1. Be comprehensive (covering all sourcing, including own operations and third-party supply) 2. Have time-bound targets and Key Performance Indicators for measuring progress 3. Show a clear roadmap of actions required to ensure compliance with the land rights policy and mitigate and address all current and future non-compliance, including the resolution of existing land conflicts (if any have been identified) 4. Be regularly reviewed and updated as necessary <p>These actions may be included in a wider action plan the mill has on responsible production. Evidence should be available to show how actions are being implemented.</p>	<p>Documented action plan or a summary of the plan</p>	

	<p>Does the mill have an operational grievance mechanism that can effectively receive and resolve issues or complaints raised by any individual or group impacted by the mill's operations and supply chain? (see guidance)</p>	<p>A grievance mechanism or complaints procedure ensures that there is a clear process for responding to stakeholder complaints or issues which is proportionate, fair and solution-oriented. The grievance mechanism must:</p> <ol style="list-style-type: none"> 1. Be comprehensive (covering all sourcing, including own operations and third-party supply) 2. Have a standard operating procedure that is written and available in local languages, designated personnel, and sufficient resources to address grievances 3. Be trusted by, accessible to, and known by all affected parties, including groups vulnerable to social and economic exclusion (such as women, youth, migrants, and ethnic minorities) 4. Ensure the security of environmental and human rights defenders, whistle-blowers, complainants, and community spokespersons and protect their confidentiality and (when requested and lawful) their anonymity 5. Have processes, timelines and outcomes that are transparent, while reasonably allowing for anonymity of complainants when requested. 6. Provide for recording of grievances made and responses to these grievances. 	<p>Evidence can include for example:</p> <ul style="list-style-type: none"> • standard operating procedure of the grievance management system • a grievance tracker/log • summary report of number and type of grievances logged and status of response • job descriptions identifying position responsibilities of staff related to the grievance system • copies of posters or notices on community message boards about the grievance procedure • records of community meeting(s)/consultation(s) regarding the procedure • signature of community representatives on the procedure acknowledging receipt 	<ul style="list-style-type: none"> • United Nations Guiding Principles on Business and Human Rights (UNGPs) at page 33: https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr_en.pdf • Accountability Framework OPERATIONAL GUIDANCE on: Remediation and Access to Remedy – Annex 1 Criteria and indicators of an effective company grievance mechanism: https://accountability-framework.org/operational-guidance/remediation-and-access-to-remedy/
	<p>Does the mill have an operational due diligence process/procedure that enables it to effectively identify, prevent, mitigate and address land rights issues in its operations and supply chain on an ongoing basis? (see guidance)</p>	<p>Due diligence is a process to identify, address and mitigate risks and impacts on people affected by a company's operations and supply chain. This should include:</p> <ol style="list-style-type: none"> 1. Procedures for acquiring, leasing, and utilizing land - these should follow FPIC principles and include activities such as land mapping, community consultation, etc. 2. Screening criteria for on-boarding of new suppliers 3. Process for verifying and monitoring/tracking mill operations and suppliers' compliance with the land policy <p>The due diligence process should be iterative and implemented on ongoing basis. Evidence should be available to show how processes are being implemented.</p>	<p>Evidence must include:</p> <ul style="list-style-type: none"> • Documented procedures for acquiring, leasing, and utilizing land - Stakeholder mapping and consultation and engagement with affected land rights holders and users, Land Tenure and Use Study, Participatory mapping with affected Indigenous Peoples and Local Communities, Social Impact Assessment (SIA), Fair Valuation and Compensation Procedures • Documented screening criteria for on-boarding of new suppliers 	<ul style="list-style-type: none"> • Guidance on procedures for acquiring, leasing, and utilizing land: Accountability Framework Core Principle 7. Land acquisition, land use planning, and site development: https://accountability-framework.org/core-principles/7-land-acquisition-land-use-planning-and-site-development/

			<ul style="list-style-type: none"> • Documented processes for verifying and monitoring/tracking mill operations and suppliers' compliance with the land policy <p>Evidence of implementation can include for example:</p> <ul style="list-style-type: none"> • Supplier meetings and site visits • Supplier evaluations and self assessment questionnaires • Supply base assessments • Regular community meeting records 	<p>Accountability Framework OPERATIONAL GUIDANCE on: Respecting the Rights of Indigenous Peoples and Local Communities https://s30882.pcdn.co/wp-content/uploads/2020/09/OG_Respecting_Rights_IPLC-2020-5.pdf</p> <p>Landesa Guidebook for Business Enterprises: https://ripl.landesa.org/model_guidesbooks/1</p> <ul style="list-style-type: none"> • United Nations Guiding Principles on Business and Human Rights (UNGPs): https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr_en.pdf • Doing Business with Respect for Human Rights: A Guidance Tool for Companies: https://shiftproject.org/resource/doing-business-with-respect-for-human-rights/
	<p>Does the mill have qualified staff and resources assigned to managing land rights issues and company-community engagement?</p>	<p>The mill should have staff and adequate resources assigned to managing land rights issues and company-community engagement. Tasks may be split over different roles and staff members and depending on size of the mill's operations and supply chain, more personnel and resources will be required. This should also ensure the proper management of the due diligence process and grievance mechanism</p>	<p>Evidence can include for example:</p> <ul style="list-style-type: none"> • Staff contracts • List staff responsibilities • Records of allocated resources 	

	<p>Does the mill and its estates have evidence of a legitimate right to use the land? (see guidance)</p>	<p>A right to use the land can be related either to legal ownership or lease of the land or to customary rights. Ultimately, the type of documentation demonstrating use rights of land may vary by context and may include title deeds, certificates of use rights, legally binding land tenure agreements, and/or accepted customary rights.</p>	<p>Evidence can include for example:</p> <ul style="list-style-type: none"> • title deeds • certificates of use rights • legally binding land tenure agreements • accepted customary rights 	<ul style="list-style-type: none"> • Accountability Framework Core Principle 7. Land acquisition, land use planning, and site development: https://accountability-framework.org/core-principles/7-land-acquisition-land-use-planning-and-site-development/ • Accountability Framework OPERATIONAL GUIDANCE on: Respecting the Rights of Indigenous Peoples and Local Communities https://s30882.pcdn.co/wp-content/uploads/2020/09/OG_Respecting_Rights_IPLC-2020-5.pdf
<p>Progress on own estates (including schemed smallholders)</p>	<p>Does the mill and its estates have evidence that Indigenous Peoples and/or Local Communities affected by their operations have been adequately consulted following the principles of FPIC? (see guidance)</p>	<p>The mill must have evidence that Indigenous Peoples and/or Local Communities who's rights have been affected by the development and operation of the mill's estates have been adequately consulted. For Indigenous Peoples and/or Local Communities who's lands and resources have been directly affected, there must be evidence that shows they are giving their Free, Prior, Informed Consent (FPIC) to the project and are being fairly compensated</p>	<p>Evidence can include for example:</p> <ul style="list-style-type: none"> • land tenure and land use study • documented reports of FPIC and consultation processes • consultation and negotiation meeting minutes • participatory maps • written agreement signed by all parties • video confirmation • FPIC implementation plans • community project and engagement plans • regular community meeting minutes 	<ul style="list-style-type: none"> • HCSA Social Requirements Implementation Guide: http://highcarbonstock.org/hcsa-social-requirements-documents/ • Accountability Framework OPERATIONAL GUIDANCE on: Respecting the Rights of Indigenous Peoples and Local Communities: https://accountability-framework.org/operational-guidance/respecting-the-rights-of-indigenous-peoples-and-local-communities/ • Accountability Framework OPERATIONAL GUIDANCE on Free, Prior and Informed Consent: https://accountability-

				framework.org/operational-guidance/free-prior-and-informed-consent/
	In the case where adequate processes were not conducted prior to land use change, has the mill and its estates assessed, remediated and resolved grievances related to the land use change (if any)? (see guidance)	If proper processes to obtain FPIC were not conducted prior to land use change, the mill shall facilitate an assessment of the process involved in acquiring the land rights and identify if there are any grievances related to that process. If there are grievances related to the infringement of legitimate land and resource rights, the mill will fully resolve and remediate those grievances through appropriate processes, maintaining documentation of the assessment and resolution processes.		
	Does the mill and its estates have evidence that an SIA was conducted prior to any land use change land clearing or preparation conducted by or on behalf of the mill? (see guidance)	Mill must have evidence that it conducted an Social Impact Assessment (SIA) prior to any land use change. The assessment should involve key stakeholders and consider potential effects on all affected parties, including groups vulnerable to social and economic exclusion (such as women, youth, migrants, and ethnic minorities). Written plans and procedures for avoiding, minimizing, and mitigating any negative impacts and enhancing positive impacts should be developed and integrated into planning, management, and operations	Full or summary SIA report and written risk mitigation plan	<ul style="list-style-type: none"> • IFC, (2013), Good Practice Handbook, Cumulative Impact Assessment and Management: Guidance for the Private Sector in Emerging Markets. • World Bank, (2017), The Environmental and Social Framework. • Frank Vanclay, (June 2015), Social Impact Assessment: Guidance for assessing and managing the social impacts of projects.
	If an SIA was not conducted prior to land use change, is the mill and its estates implementing a remediation and mitigation plan for past and current environmental and	For mills that did not conduct a satisfactory social assessment prior to land use change conducted , they should assess social impacts of past land use change (e.g. through consultation and historic grievances) and current operations and develop and implement a remediation and mitigation plan		

	social impacts (if any)? (see guidance)			
Progress on 3rd party supply	Is the mill requiring the third-party suppliers it sources from (independent estates, smallholders, dealers, traders) to comply with its policy requirements on ensuring the respect of land rights? (see guidance)	As part of implementing the commitments it has made on respecting land rights the mill should require all third party suppliers (independent estates, smallholders, dealers, traders) it sources to comply its policy requirements on ensuring the respect of land rights. This should be included in contracts with suppliers and the mill should regularly engage suppliers to ensure they understand the requirements they have to meet.	Evidence can include for example: <ul style="list-style-type: none"> • Contract clauses • Records of communications and meetings with suppliers on land rights requirements • Supplier capacity building records 	
	If the mill sources from third party estates, does it have evidence that these estates have legitimate right to use the land? (see guidance)	The mill should require evidence from the third party estates it sources from that they have legitimate right to use the land they operate on. A right to use the land can be related either to legal ownership or lease of the land or to customary rights. Ultimately, documentation should demonstrate the estate has a legal right (e.g. title deeds, certificates of use rights, legally binding land tenure agreements) as well as permission from customary land rights holders, if present (e.g. FPIC records, community statement, signed agreements). This should be part of the implementation of the mill's due diligence procedure.	Evidence can include for example: <ul style="list-style-type: none"> • Title deeds, certificates of use rights, legally binding land tenure agreements, accepted customary rights agreements from the third party estate • Evidence from third party estate that they have consulted communities 	
	If the mill sources from third party estates, does it verify that these estates are implementing the mill's policy requirements on respect of land rights? (see guidance)	The mill should regularly check that the third party estates it sources from are adequately implementing the land rights requirements the mill has shared with them. This will include verifying that the third party estate are conducting similar activities that the mill has to implement in its own operations - procedure for new land acquisition and development, ensuring FPIC and conducting SIAs. The third party estate must also have their own operational grievance mechanism. If the third		

		<p>party estate is not complying with requirements, the mill should encourage them to meet requirements or reconsider the commercial relationship if no progress is being made.</p> <p>This should be part of the implementation of the mill's due diligence procedure and the mill should, where appropriate and possible, provide support to third party estates in implementing these requirements.</p>		
	<p>If the mill sources from independent smallholders, has it verified that there are no conflicts or disputes associated with the land used by these independent smallholders or, if conflicts/disputes are present, that these are under a resolution process? (see guidance)</p>	<p>The mill should verify if there are any conflicts or disputes over the land used by the independent smallholders it sources from, including with other smallholders or Indigenous Peoples and local communities. If any conflicts are identified, the mill should support all parties to address these through a mutually agreed negotiation process.</p> <p>Conflicts or disputes over the land may be linked to smallholders not consulting local communities and/or not having permission from customary land holders. Smallholders may also have encroached on land owned by other smallholders, Indigenous Peoples or local communities, or protected land.</p>		
	<p>If the mill sources from independent smallholders, are these smallholders part of an engagement programme which includes a land rights component? (see guidance)</p>	<p>Given the limited resources and capacity of independent smallholders, if the mill sources from smallholders it should have an engagement programme in place to support them in meeting the mill's requirements on land rights. This can include providing capacity building on land rights laws and processes, and supporting efforts to secure smallholder tenure.</p>		
	<p>If the mill sources from dealers or traders or collectors, is it verifying that FFB it receives</p>	<p>The mill should regularly check that the FFB it sources from dealers are compliant with its land rights commitments. This can include asking the dealers for</p>		

	<p>from these suppliers is compliant with its land rights policy commitments? (see guidance)</p>	<p>proof or engaging directly with the producers to ensure they are adequately implementing the land rights requirements shared with the dealers. This will include the same activities the mill has to implement in its own operations: procedure for new land acquisition and development, ensuring FPIC and conducting SEIAs, and having an operational grievance mechanism.</p> <p>If the producers are independent smallholders they must just have evidence that there are no conflicts or disputes associated with the land used by these independent smallholders or, if conflicts/disputes are present, that these are under a resolution process. If the dealer is not complying with requirements, the mill should support them in meeting requirements or reconsider the commercial relationship if no progress is being made.</p> <p>This should be part of the implementation of the mill's due diligence procedure and the mill should, where appropriate and possible, provide support to producers in implementing these requirements.</p>		
<p>Grievance management</p>	<p>Does the mill have any land rights related grievances against its own operations?</p>	<p>A grievance in the context of the palm oil sector is usually defined as a complaint or allegation of a practice that goes against a company's policies and commitments. In the context of land rights, this could include: issues over the illegal and/or improper acquisition of land and/or resources; effects on the lands, livelihoods and/or resources of neighbouring communities; legacy land issues; land encroachment.</p>		
	<p>Is the mill linked to any land rights related grievances through its supply chain</p>	<p>A grievance in the context of the palm oil sector is usually defined as a complaint or allegation of a practice that goes against a company's policies and commitments. In the context of land rights, this could include: issues over the illegal and/or improper acquisition of land and/or</p>		

	(grievances against its third party suppliers)?	resources; effects on the lands, livelihoods and/or resources of neighbouring communities; legacy land issues; land encroachment. A mill may be linked to a grievance through its supply chain when there is a grievance against one or more of its third party suppliers.		
	If present, is the mill recording and investigating all land rights related grievances against its own operations or its supply chain?	The mill should record and investigate any land rights grievances raised against its operations	Evidence can include for example: <ul style="list-style-type: none"> grievance tracker/log or summary report of number and type of grievances logged and status of response 	
	If present, is the mill recording and investigating all land rights related grievances in its supply chain (grievances against its third party suppliers)?	The mill should identify, record and investigate any land rights grievances raised against one or more of its suppliers	Evidence can include for example: <ul style="list-style-type: none"> grievance tracker/log or summary report of number and type of grievances logged and status of response 	
	Are all land rights related grievances against the mill's own operations following a comprehensive resolution process agreed by all involved parties and verified by an independent third party? (see guidance)	As part of the implementation of its grievance mechanism the mill should have a comprehensive remediation plan for resolving all land rights related grievances against its own operations. Each plan for each grievance should be developed and agreed on by all parties involved, with a focus on protecting the safety and rights of the affected parties. These plans and their progress should be recorded. The security of environmental and human rights defenders, whistle-blowers, complainants, and community spokespersons as well as their confidentiality and (when requested and lawful) their anonymity must also be protected	Evidence can include for example: <ul style="list-style-type: none"> grievance tracker/log or summary report of number and type of grievances logged and status of response resolution process documents – community meeting notes, draft remediation plans resolution and remediation agreement documents 	

		<p>See Accountability Framework OPERATIONAL GUIDANCE on: Remediation and Access to Remedy for details on adequate remediation plans</p>		
	<p>Are all land rights related grievances within the mill's supply chain (i.e. against their 3rd party supply) following a comprehensive resolution process agreed by all involved parties and verified by an independent third party? (see guidance)</p>	<p>As part of the implementation of its grievance mechanism the mill should have a comprehensive remediation plan for resolving all land rights related grievances against its own operations as well as remediation plans for ensuring the resolution of grievances raised against actors in its supply chain. Each plan for each grievance should be developed and agreed on by all parties involved, with a focus on protecting the safety and rights of the affected parties. These plans and their progress should be recorded.</p> <p>The security of environmental and human rights defenders, whistle-blowers, complainants, and community spokespersons as well as their confidentiality and (when requested and lawful) their anonymity must also be protected</p> <p>See Accountability Framework OPERATIONAL GUIDANCE on: Remediation and Access to Remedy for details on adequate remediation plans</p>	<p>Evidence can include for example:</p> <ul style="list-style-type: none"> • grievance tracker/log or summary report of number and type of grievances logged and status of response • resolution process documents – community meeting notes, draft remediation plans • resolution and remediation agreement documents 	