

## Transforming the Roundtable on Sustainable Palm Oil for greater gender equality and women's empowerment

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### Key messages

- Gender issues are relegated to the periphery in current debates and approaches concerning the sustainable governance of oil palm in Indonesia. However, ongoing research by the Center for International Forestry Research (CIFOR) points to the critical roles that women play as workers, smallholders and members of affected local communities. Gender inequities follow as oil palm expansion displaces local women from land on which they cultivate food crops. Women workers' contributions to large and smallholder oil palm production are either less visible, rendering them as shadow workers, or women are over-represented in the 'casual worker' category, with limited entitlement to decent working conditions. Women's ability to exercise their voice and agency are restricted by structures and norms that route decision-making processes through male community leaders and household heads.
- The Roundtable on Sustainable Palm Oil (RSPO) could serve as a powerful conduit for raising awareness about gender issues, developing mechanisms for addressing gender inequities in oil palm and offering lessons for other certification standards such as Indonesian Sustainable Palm Oil (ISPO). However, the RSPO principles and criteria (P&C), guidance and auditing mechanisms are not sufficiently gender specific. Gender is often grouped in with other forms of discrimination, or alternatively, gender issues are viewed as a household or communal matter and hence beyond the boundaries of the certification standard.
- Smallholder dynamics, in which work and employment arrangements are less formalized, present new challenges for auditors. Greater specificity in the P&C guidance and clarity over what should be monitored in auditor assessments are needed. Guidance on the evaluation and selection of social auditors and their training is critical, particularly on gender sensitivity and gender disaggregated data collection. It is also important for the RSPO to look toward other certification standards for good practices on adopting gender equality and women's empowerment as a principle in its own right, and developing and implementing clearer criteria and guidance for auditing and evaluation.

### Introduction

Indonesia is the world's largest producer of crude palm oil (33 million tons estimated for 2016) and has set ambitious growth targets for the sector, aiming for 40 million tons by 2020 (Kompas 2015). These increases will drive expansion in frontier regions, particularly among smallholders (Potter 2015). The palm oil industry, directly and indirectly, affects the livelihoods of millions; in 2011, oil palm plantations were estimated to directly support 1.46 million households in Indonesia (BPS 2013). Government policies aim to revitalize smallholder oil palm plantations by enhancing the efficiency of smallholder producers, reducing the currently large productivity gaps between small and large-scale producers (plantations) and improving smallholders' incomes. These targets are in line with broader agendas to reduce rural poverty and improve equality. However,

widespread concerns about the social effects of plantation agriculture remain. Gender issues are often relegated to the periphery of the debate around sustainable oil palm, even though women play a critical role in the sector (as plantation workers, smallholders and/or members of local communities) and gender inequalities are rampant. Emerging research undertaken by CIFOR, documents women's dispossession from land that they use for family-food provisioning and cash income, the rendering of women as shadow and peripheral workers in oil palm, and the asymmetries women smallholders face in accessing credit and extension services to benefit from oil palm.

As the dominant international standard for sustainable palm oil, the RSPO provides an important means for addressing some of the underlying gender inequities

in oil palm agriculture, which has implications for other standards that seek to govern oil palm sustainably, such as the ISPO. However, the current RSPO P&C and accompanying guidance contain considerable gaps (RSPO 2013). This brief draws on ongoing research being carried out by CIFOR on gender and oil palm in Indonesia, and on collaboration between Oxfam and the RSPO Human Rights Working Group and the RSPO smallholder working group, to evaluate and recommend actions for enhancing the gender responsiveness of the RSPO and its social auditing mechanism. The findings of this Oxfam-commissioned study are useful for further refining the design of the RSPO certification and auditing mechanisms and implementation of P&C and accompanying guidance, as well as those of the ISPO and future (certification) initiatives in the oil palm sector.

The methods of this study included a review of the sparse academic and grey literature on gender and oil palm in Indonesia (which includes ongoing CIFOR research on gender and oil palm in Berau, East Kalimantan and Silat Hilir, West Kalimantan — a study in collaboration with the University of Brighton, University of Indonesia and the Rights and Resources Initiative), as well as gender and large-scale land acquisition, and gender issues in certification. This was coupled with interviews with key stakeholders representing RSPO working groups, the corporate sector, accredited social auditors and certification bodies, and nongovernmental organizations advocating for improved rights and delivering services to local people. In addition, a field visit was conducted to the first RSPO certified smallholder association in Indonesia. This included semi-structured interviews with four members of the smallholder association, two focus group discussions with the association members and representatives from Asian Agri (the main corporation working in partnership with the smallholder association) and semi-structured interviews with five women and men who were members of the association.

## Gender-related concerns in oil palm production systems in Indonesia

Oil palm agriculture is still expanding in a variety of contexts in Indonesia. Gender inequalities in oil palm systems are in many ways rooted in structures and norms that predate oil palm. However, the way in which oil palm is expanding in Indonesia, both in large-scale plantations and increasingly through smallholders, risks exacerbating pre-existing inequalities and introducing new ones. CIFOR's ongoing research tracing the impact of oil palm expansion, points to gender inequalities manifesting in terms of women's dispossession from land (private and communal), lack of access to decent employment as oil palm workers and indirect contributors to oil palm production, and

inability to exercise their voice and agency to define their own future. While the impacts on oil palm are context-specific, we are also witnessing broad patterns of gender inequalities attributed to oil palm across different production systems.

### Land rights

The broader literature on gender dimensions of large-scale land acquisition worldwide points out that the strength and distribution of land rights is one of the most important factors in determining who gets a seat in negotiations over land acquisition and subsequent claims to benefit streams. When women's land rights in customary and formal tenure systems are insecure and/or mediated by men, they are more likely to be excluded from these decision-making processes and associated distribution of benefits. In such situations, even when land deals involve support to small-scale farmers, distribution of benefits can be uneven within the household (Behrman et al. 2012; Daley and Pallas 2014; Doss et al. 2014b; Tsikata and Yaro 2014). Furthermore, inequalities also emanate from external investors, who view land rights and gender roles in agriculture through their own lens. Such investors often only recognize titled land ownership and fail to recognize the wide range of property rights that exist, and the complexity of men and women's rights and responsibilities (Doss et al. 2014a). CIFOR's ongoing research in East and West Kalimantan, Indonesia has documented the fact that even women from relatively egalitarian communities (such as among the Kenyah Dayaks) are exposed to a second layering of dispossession that arises due to their lack of voice in oil palm decision-making and benefit distribution processes, and through gender norms of bureaucracy that serve to exclude women from these processes.

In a study on the gender dimensions of oil palm expansion in Melinau, West Kalimantan, Li (2015) finds that both women and men were involved in all aspects of the smallholder economy prior to the arrival of large-scale oil palm plantations. However, the smallholder oil palm plots allocated under the Pir-Bun Trans Scheme<sup>1</sup> were registered in the name of the male head of household, undermining women's rights to shared ownership and control. Women were not represented in the smallholder cooperative, and the monthly income from sale of the oil palm fruit was paid to men. Women were also denied independent access to agricultural inputs, training and credit. As oil palm replaces other forms of livelihood, both the lack of secure access to land and the lack of information about production processes has reduced women's fallback options in the instances of marital breakdown or the death of the male head of the household.

<sup>1</sup> This refers to state sponsored, transmigration linked tied smallholder scheme.

In situations where women rely on common lands for key household resources, food provision and care (e.g. collecting firewood, water and medicinal plants), the effects of oil palm conversion on such women is even more insidious. Moreover, common land often has cultural importance that differs for men and women, resulting in more negative impacts for women if use is restricted (Behrman et al. 2012). Julia and White (2012) report that in a Hibun Dayak community in West Kalimantan, land acquisition for large-scale oil palm production has dispossessed communities of their swiddens and forestlands. Swiddens are crucial for rice-based food security and are important domains for women, both in material terms and for reinforcing Dayak norms. Moreover, forestlands are a crucial resource in which women source their forest vegetables and materials for handicrafts.

## Labour

It is estimated that in Indonesia roughly 1.5 million women work in the oil palm sector, either as plantation workers on large plantations or in households of small-scale producers. A limited number of these small-scale oil palm producers are women entrepreneurs. 'Smallholders', 'workers', 'employees' and landowners are not sufficiently distinguished from each other in policy discussions. Oil palm production is considered a 'masculine domain' and women's contributions are rendered invisible or marginal, with considerable implications for who is able to benefit from the value of oil palm at different points along the chain.

The extent and nature of women's involvement in oil palm varies considerably depending on ethnicity, livelihood strategies and other social differences. For instance, ethnographic research carried out by Elmhirst et al. (2015) points to important ethnic dimensions to the work that women and men do in oil palm production. Among the Uma Jalan in East Kalimantan, even if plantation work is considered to be important, women in this community tend to prioritize rice cultivation in order to fulfill their roles as providers of household food and preserve their gendered identities within their community. Hence, companies choose to recruit women and men laborers from outside of the area to fill labor needs and have a controllable pool of workers contributing steadily across the year (Li 2016). Nevertheless, external contractual relations between outgrower and company demand that labor allocation and work obligations be distributed, and resolved, within the family. The high targets for the collection of fresh fruit bunches (FFB) can often only be achieved if small-scale producers and male contracted FFB collectors can rely on the labor contribution of their wives and other members of the household. For that reason, women often play a role as 'shadow workers' with limited entitlements to wages and benefits of formal employment.

Even when women are formally employed in oil palm, they face a number of disadvantages with regard to the terms and conditions of their employment. Primary research being carried out by CIFOR in East and West Kalimantan is finding that responsibilities and tasks are divided by gender. Women are often in charge of weeding and spraying pesticides, applying fertilizer and collecting loose fruits, whereas men are responsible for harvesting and clearing the land for new plantings. While the demand for 'women's' jobs is steadier, those roles traditionally assigned to men are in higher demand during the initial stages, when land is being cleared and oil palm plantations are being set up. Men's jobs are much better remunerated financially. Women are mostly employed as casual workers with very limited secondary-labor benefits such as health insurance, pensions, maternity leave and child care. Opportunities to transition into a 'permanent worker' category are very limited. Some studies have found that women are often paid less than the provincial minimum wage, and health risks are borne disproportionately by women and children, due to the use of agrochemicals in the plantations and lack of compliance with health and safety standards (Colchester and Chao 2011; UNICEF 2016).

Those who choose to add oil palm to a diversified household portfolio, as is being documented by ongoing CIFOR research among the Dayak Kantuk Sebaruk of Silat Hilir, West Kalimantan, often find that women's work burden increases substantially, with women left to balance household food provision, child and elderly care and oil palm production-related work. Women's work continues to be uncompensated or undercompensated, despite the long working hours. The physical burden of such work can affect women's health and reduces the time that they are able to devote to other tasks.

Policies and behavioral changes to compensate women and/or redistribute care within the family, are unlikely to materialize if women's work continues to be rendered marginal or invisible in the production of oil palm.

## Decision making

Participation in decision-making processes is critical for women to defend their claims with regard to others (e.g. husbands, other household members, sharecroppers), especially when these claims overlap, and to ensure that benefits are distributed equitably. Ethnographic literature on gender relations in Indonesia often points to the coexistence of seemingly gender-equitable social norms and practices at the household level and women's lack of presence in decision making at the communal and broader levels (Li 1998; Colfer et al. 2015). The ways in which oil palm production has been expanding in Indonesia have further reinforced women's exclusion from public decision making, while lowering women's voice and agency at the household level too.

In their study on the gender dimensions of oil palm expansion in five communities in East Kalimantan, Elmhirst et al. (2015) found that in the *sosialisasi* (a process whereby people are informed of and persuaded to accept policies already made by the government and companies) conducted by oil palm companies in conjunction with district and subdistrict officials and the local military, there was no normative restriction on women attending the meetings. However, in line with local conventions, households tended to send a representative, usually a man. If women were present, they were expected to be quiet, effectively rendering women as 'audience' rather than active participants. This further set the precedence for women's exclusion from compensation for acquired land and the determination of which land was to be leased to the company, as well as from membership of the smallholder groups, and distribution of benefits from oil palm harvests and sale.

Evaluation of the first RSPO-certified independent smallholder association in Riau, Indonesia (as part of CIFOR's Oxfam-commissioned study) found that women in smallholder households were rarely present in public interfaces with the company and with nongovernmental organizations that were working with the smallholders association. Low or passive participation of women also led to the assumption that oil palm is a 'male crop' and that information from public interfaces will eventually trickle down to everyone in the household. The information that women did have was provided by their husbands and depended on what male relatives chose to share with them. The association's management structure did not provide much room for women to take part in decision making. Furthermore, the misconception among companies, governmental officials and other service providers that information and training would eventually trickle down to all household members, served to limit women's access to credit, agricultural inputs, training and extension services. For instance, all of the extension services that were offered by the state or by Asian Agri to boost smallholder production were directed at men and not at women. This suggests that even seemingly inclusive smallholder associations tend to exclude women.

In summary, the literature suggests that oil palm production is neither necessarily beneficial to women nor always harmful to them. Rather, the terms and conditions under which people are engaged (McCarthy 2010) in oil palm production risk undermining women's rights to have a say over the land that they own or use, their rights to decent employment and their opportunities for realizing gains from oil palm as women smallholder entrepreneurs. In order to safeguard women's rights and empower them through oil palm, it is critical to ensure: gender-responsive 'free, prior and informed consent' (FPIC); grievance mechanisms to channel discontent and seek redress; the

implementation of decent employment and working conditions for formal workers, including the improvement of secondary working conditions for workers with casual contracts; the recognition of rights for informal workers; gender-responsive extension services; and the provision of support to smallholders, in particular organizational and leadership strengthening of women.

## Gender responsiveness of the RSPO principles and criteria and guidance

This study evaluated the RSPO P&C and accompanying guidance (RSPO 2013, 2015) to determine the extent to which they safeguard women's rights (as workers, smallholders and members of the community), and move beyond the 'do no harm' principle to provide opportunities for empowering women (by giving them a voice and access to productive resources).

Gender is most explicitly mentioned under Principle 6 relating to 'responsible consideration of employees, individuals and communities affected by growers and millers'. 'Women' and 'gender' feature in indicators related to the rights of workers and communities affected by oil palm production, health and safety standards of workers, and development of new holdings. Overall, however, the RSPO standards have not been made gender specific. It is assumed that both women and men will be targeted equally and benefit equally. Where gender is explicitly mentioned, it is listed along with other forms of discrimination. Throughout the RSPO standards, gender issues are considered to be a household and communal matter and thus beyond the scope of the RSPO.

With regards to principles that relate to land rights, Principle 2 (on compliance with local and customary systems), Principle 6 (on responsible consideration of individuals and communities affected by growers and millers), and Principle 7 (on responsive development of new plantations) relate to FPIC. However, indicators and guidance on FPIC use gender-neutral language and do not explicitly mention that women need to be included in negotiations during and after land acquisition of new plantings. Furthermore, compliance with customary laws and systems is mentioned, but any potential conflict between women's land ownership and access rights and customary rights is not alluded to. The indicators and guidance on grievance mechanisms (Principle 6.3) are more gender sensitive than those on FPIC. Women's representation is encouraged in joint consultative committees, as is women's right to fair compensation (Principle 6.4.2). However, gender-equal participation is not mandatory, and there is no further guidance on implementation of fair compensation. The potential impacts of oil palm on surrounding communities, including

women, are mentioned (Principle 7), albeit with no guidance on how such impacts should be assessed.

On labor, women’s rights as plantation employees are stressed, although only limited guidance is provided to auditors. The guidance provided is very process oriented (documentation and consultations are stressed), but the parameters to be assessed are not mentioned (such as the number of women and men employed, permanent or temporary positions, parity in pay and benefits etc.). Guidance is clearer on safeguarding women employees against harassment and abuse, and health and safety risks in the work place are mentioned. However, it is unclear whether and how the standards ensure pregnant and nursing women are provided compensatory paid work in other tasks to ensure this certification requirement does not become a de facto mechanism for gender discrimination in paid work.

The P&C do not contain anything on promoting women’s access to credit, agricultural inputs and other productive resources. Arguably this is not because gender is excluded but because the RSPO P&C are more safeguard oriented rather than empowerment and productivity driven. The only criterion that one would assume deals with productivity increase is Principle 3 — ‘commitment to long-term economic and financial viability’. However, its two indicators only relate to the business plan and replanting. There are no indicators on access to market, credit, agricultural inputs etc. Non-discrimination of employees and contract workers is mentioned, but the language used lacks gender specificity, despite the concentration of women in the ‘contract workers’ and ‘informal workers’ category (as part of households).

## Social auditing mechanism and monitoring of gender inclusivity

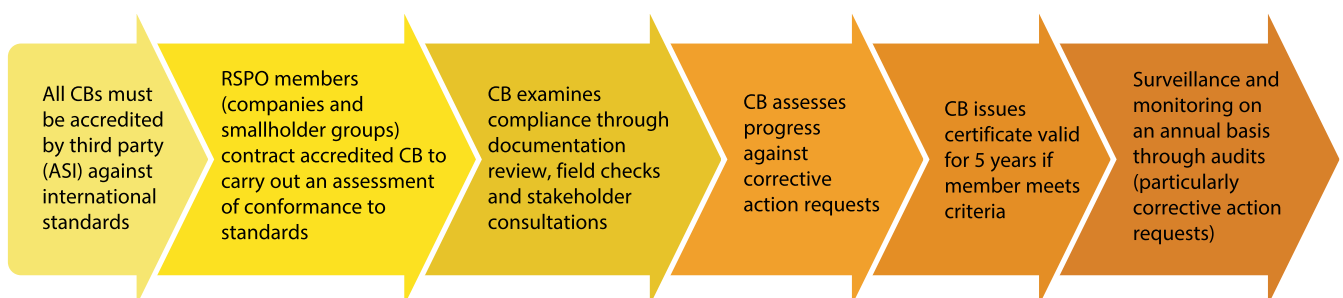
The major objective of social auditing within the RSPO certification scheme is to ensure that sustainable palm oil production is comprised of legal, economically viable, environmentally efficient and socially beneficial management and operations (ISEAL 2013; Verite 2015). Social auditing is characterized by the following core elements: the

independent assessment of mill and supply base; the commitment to standards for socially beneficial management and operations; third party accreditation of certification bodies; and payment arranged between certification bodies and companies and/or between certification bodies and smallholder associations. In order to ensure that auditing is objective, independent, fact-based and accurate, auditors are required to use the following methodology: pre-assessment, field surveillance, documentation review, field checks and interviews. Figure 1 outlines the certification process followed.

There is growing concern that social auditing is failing to measure and monitor against the social goals set out by the RSPO. A recent report by Accreditation Services International, found that rampant abuses of the RSPO P&C social principles were going undetected by auditors (Zudrags et al. 2015). In practice, social auditors are not always embedded in certification body teams, they are contracted on a per-project basis and there is no specific accreditation process for social auditors (Verite 2015). This is likely to affect how much voice and influence social auditors have in flagging gender-related noncompliance, and the extent to which this may result in certification being withheld.

The minimum criteria for selecting social auditors and evaluating their competence are not explicit, implying that selection may vary from one certification body to another. Currently there are insufficient women auditors, which limits the ability of auditors to reach out to women workers, women providing their labor to the smallholder unit and women smallholders.

External oversight and guidance on social environmental impact assessment and FPIC is lacking. The certification bodies often rely on on existing records of social environmental impact assessment and do not have sufficient time to verify results (Verite 2015). Minimal or no guidance is offered to auditors on interpretation, and there is no consistency in the grading of non-conformance or recommendations on the minimum set of gender-specific issues to monitor.



**Figure 1. The certification process**

ASI = Accreditation Services International; CB = certification bodies; RSPO = Roundtable on Sustainable Palm Oil.

Smallholder production systems, in which work and employment arrangements are less formalized, offer new challenges for auditors in monitoring enhancement of the rights and livelihoods of women. The continued evolution of the certification process for smallholders can create both opportunities for improvement and generate complications. When trying to ensure the meaningful inclusion of smallholders in certification, the auditing norm of using random sampling to identify key stakeholders for engagement, risks omitting social strata (including women) and gender-relevant issues from the auditing process. In addition, there is an overall lack of guidance on methods and procedures for data disaggregation, evidence gathering and analysis. The current system of auditing also fails to make interviews private and confidential and offers no guidance for storing confidential information. Opportunities for stakeholder feedback and involvement in corrective processes are lacking, and the manner of corrective action is not clear.

When comparing the RSPO with other certification standards, gender issues are considered more seriously in the RSPO P&C than in the ISPO. Although the ISPO includes P&C related to communities and participation of smallholders (such as Principle 5 on social responsibility and community empowerment, and Principle 6.2 on empowerment of customary communities/indigenous peoples), it does not include much explicitly on women or gender equity. The only explicit mention is found in Principle 5.3 on the use of child labor and discrimination against workers on the basis of ethnicity, race, gender and religion. However, important lessons and good practices emerge when comparing the RSPO to standards related to other commodities that involve a large number of smallholders. The United Nations Global Compact, the world's largest corporate sector sustainability initiative, has launched its own seven Women's Empowerment Principles (WEPs). The WEPs offer guidance to corporations for the empowerment of women in the workplace, marketplace and community. The Forest Stewardship Council (FSC) specifies that any person or entity holding or applying for certification needs to promote gender equality in employment practices, training opportunities, awarding of contracts, processes of engagement and management activities. Also a much broader definition of 'worker' is used by the FSC than by the RSPO, comprising employees and self-employed people (ILO 1981). The Sustainable Agriculture Network (SAN), has put in place an auditor training policy that requires certification bodies to ensure that women are on their staff, as a means to make sure that female workers or community members impacted by certification have more inputs into the audits. The 4C Code of Conduct (which serves as a reference code for baseline sustainability practices in the coffee sector) points to the importance of guaranteeing the same opportunities to

women and men, and empowering women (Smaller et al. 2016).

Together, these certification initiatives highlight the importance of adopting gender equality and women's empowerment as a principle in its own right for guiding certification. By adopting a broader definition of 'workers' (so that women's work as part of households is recognized), offering opportunities for enhancing inclusion and productivity of women smallholders and women in smallholder households, and by prioritizing the recruitment and training of women auditors (as a way of assuring greater gender sensitivity in the auditing process), they offer useful measures for embedding gender equality and women's empowerment in the auditing process.

## Conclusions and recommendations

Taking into account the momentum for implementation of the standards, and the increased attention on human rights in the oil palm sector, the RSPO can provide various opportunities and an enabling environment for women and men to exercise their rights, and participate actively in the sector, if they choose to do so. This is particularly important given the growing evidence that oil palm expansion leads to women's dispossession from land, their lack of access to decent employment as oil palm workers and indirect contributors to oil palm production, and their lack of voice and influence in decision making and management of oil palm production.

Future revisions to the RSPO P&C need to adopt gender equality and women's empowerment as a principle in its own right. Clearer guidance must be included on assessing the differential effect of new plantings on women as compared to men (in general and disaggregated by ethnicity); on migrants compared to long-term residents; and on whether compensation offered is considered to be fair to women and men (in general, and disaggregated by ethnicity and migration status). There is a need to ensure that both women and men have equal access to training and extension services. The P&C guidance should encourage financial planning as part of training; a key part of this may be financial literacy training for women smallholders and women in smallholder units. It is advisable to include guidelines on forming novel associations or linking with existing ones, in order to ensure representation of women across different societal groups. Softer and more informal routes to empower women and shift gender-related imbalances need to be considered. This may involve recommendations to publicize and actively communicate on successful female-led initiatives, mandating more balanced representation in training programs as well as the development of specific women's training courses.

The RSPO needs to offer guidance on minimum criteria for the recruitment of social auditors, assessing their competence and equipping them to undertake social audits. This includes identifying and recruiting female auditors, developing more female friendly work plans for audits, ensuring that 25–30% of an auditing team comprises women, and increasing gender awareness and knowledge in the team. To ensure that women and men have an equal voice in the social auditing process, the RSPO needs to replace the random sampling method with cluster, or stratified sampling, to represent diverse voices (e.g. ethnic groups, permanent and seasonal workers, women-managed smallholdings), and identify multiple spaces where women can be congregated beyond village level meetings so as to elicit maximum input from a diversity of women. During the auditing process, women and men should be consulted, both in mixed-gender groups and separately; gender-relevant questions related to land, labor, decision making and access to productive resources need to be routinely included during the consultations and evaluations. Training of auditors needs to include awareness of key gender issues in palm oil, gender disaggregated data collection, enhancing gender equitable participation in the auditing process and eliciting stakeholder feedback.

The RSPO needs to look beyond certification and work on additional interventions to improve women's rights and empower them. Institutions and structures that may limit such opportunities need to be revised where possible, such as in governance of cooperatives and smallholder associations. The RSPO should collect specific disaggregated data on its certified plantations and among smallholders to enable the secretariat, member companies seeking certification, group managers and auditors to identify gaps and areas for improvement.

Improved data collection is needed in several key areas: basic demographics such as the number of women and men working in oil palm (large scale and small scale), communities affected by oil palm and compensation offered; the extent of gender parity in access to credit, training, extension services and markets; women's roles and contribution to the production of oil palm as household members, workers and small scale producers; women's voice, participation and influence in decision making about land acquisition, compensation and management at household level and in small-scale producer associations; and the implications of oil palm for gender equality (such as access to land and productive resources; division of labor and the care burden; key human development indicators such as income, education and health; and decent employment).

The RSPO cannot be a panacea for addressing gender issues in the oil palm sector given the numerous

challenges it faces: a time consuming and cumbersome decision-making process contingent on multistakeholder consensus, difficulties in the implementation of its standards by its members, challenges to generate the market to support production of certified sustainable palm oil and the fact that it is one among several certification standards in the sector. In addition, it must find a way to certify a rapidly expanding and diverse group of producers. Nevertheless, by embedding gender equality in its P&C and guidance along with its auditing mechanisms, it has the potential to contribute tremendously to transforming the sector for greater gender equality and women's empowerment.

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