

Name scheme: MPSO

Reference sources

Malaysian Sustainable Palm Oil Standard Parts 1, 2, 3 and 4 (MS 2530-1, 2, 3, & 4:2013)

Note: MSPO standard does not does not prescribe specific performance criteria

The standard refers to six codes (issued by MPOB) as normative references indispensable for the application of the standard

Main questions

Subsidiary questions

Scheme requirements

Score

3	Strong
2	Good
1	Medium
0	Weak / non-compliant / non-existent / missing
n.a.	Not applicable / relevant

Process to ensure protection of Biodiversity

Requirements prior to significant intensification or expansion of cultivation, infrastructure or processing;

Does the standard require the identification of biodiversity values that would be potentially affected by operations, and the assessment of potential impacts on those biodiversity values?

Partly addressed - For industrial plantations and organized smallholders P3 4.5.6.1 of the standard requires that information be collated covering:

- a) Identification of high biodiversity value habitats, such as rare and threatened ecosystems, that could be significantly affected by the grower(s) activities.
- b) Conservation status (e.g. The International Union on Conservation of Nature and Natural Resources (IUCN) status on legal protection, population status and habitat requirements of rare, threatened, or endangered species), that could be significantly affected by the grower(s) activities.

New plantings in (industrial) plantations or by organised smallholders require a comprehensive and participatory social and environmental impact assessment (SEIA) P3 4.7.3.1 - 4.7.3.4.

For independent smallholders, the standards requires that they be aware of the environmental impact (of their operations) - P2 4.5.1.1 - but nothing more specific

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Does the standard reference HCV (High Conservation Values)?

Not specifically, but it does refer to 'high biodiversity value', which is defined as land that has one of the following status:

- a) Primary forest.
- b) Areas designated by law or by the relevant competent authority to serve the purpose of nature protection.
- c) Areas for the protection of rare, threatened or endangered ecosystems or species recognized by international agreements or included in lists drawn up by intergovernmental organizations

- P2 3.7 and P3 3.8

The standard requires that oil palm shall not be planted on primary forest or land designated for protection of nature, ecosystem services and social or cultural values. Oil palm shall not be planted on land with high biodiversity value unless it is carried out in compliance with the National Biodiversity Policy and/or State Biodiversity Legislation - P1 4.7.1

Malaysia's National Physical Plan states that no oil palm should be planted in any ESAs, but this is not explicitly referred to in the standard.

Requirement for HCV assessment prior to development?

No

Requirement that HCV assessment comply with HCVRN ALS quality control?

No

Does the standard require use of the HCSA (High Carbon Stock Approach) which provides a measure of protection for Biodiversity ?

No

Requirement for High Carbon Stock Approach (HCSA) assessment, or combined HCV/HCSA assessment prior to development?

n/a

Requirement that HCSA assessment be undertaken in compliance with the HCV/HCSA Assessment Manual or HCSA toolkit?

n/a

	Does the standard require other robust forms of assessment prior to development that have a biodiversity protection component e.g. EIA, land use baseline assessments or other studies?	Yes - New plantings in (industrial) plantations or by organised smallholders require a comprehensive and participatory social and environmental impact assessment (SEIA) P3 4.7.3.1 - 4.7.3.4. This SEIA shall include previous land use or history and involve independent consultation as per national and state regulations, via participatory methodology which includes external stakeholders. Results of the SEIA shall be incorporated into an appropriate management plan and operational procedures developed, implemented, monitored and reviewed. For Sabah and Sarawak, new planting or replanting of an area 500ha or more requires an EIA. For areas below 500ha but above 100ha, a Proposal for Mitigation Measures (PMM) is required - P3 4.7.1.2 There is no requirement for independent smallholders to conduct SEIA before planting - P2 4.5.1.1	
	If other forms of assessment are followed, do they require licensed experts, stakeholder consultation and public reporting?	Not clear in the standard. The legal EIA process requires assessors to be registered and accredited. However, it is not clear that the same requirement applies SEIAs in the context of MSPO. Also, there is no requirement for High Biodiversity Value assessors to be qualified.	
	Are these assessments and studies required to assess values and impacts both inside the management unit and beyond its boundaries?	Unclear	

Does the standard require identification of measures to maintain or minimize and mitigate negative impacts from operations on biodiversity values?	<p>Partly addressed - For industrial plantations and organized smallholders P3 4.5.6.2 of the standard requires that if rare, threatened or endangered species, or high biodiversity value, are present, appropriate measures for management planning and operations should include:</p> <ul style="list-style-type: none"> a) Ensuring that any legal requirements relating to the protection of the species are met. b) Discouraging any illegal or inappropriate hunting, fishing or collecting activities and developing responsible measures to resolve human-wildlife conflicts. <p>Independent smallholders are required show a basic understanding of any species or habitats of concern, together with their conservation needs - P2 4.5.5.1. The standard suggest they may obtain information on protected species and their habitat with high biodiversity value from relevant government agencies, such as the Forestry Department, Forest Research Institute of Malaysia and the Wildlife Department.</p>	1
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	Is there a requirement to develop Biodiversity Action Plan, Integrated Conservation and Land Use Plan (ICLUP) or equivalent management and monitoring plans?	Partly addressed - P1 4.5.6 establishes a general requirement to take appropriate measures for the protection of the species or habitat. Industrial plantations and organised smallholders are required to develop and implement environmental management and improvement plans to mitigate the negative impacts and to promote the positive ones - P3 4.5.1.2 & 4.5.1.3 For large smallholder schemes (>500ha) a plan to manage the impacts must be developed, implemented, monitored and reviewed - P3 4.7.3.4 Independent smallholders are expected to be aware of the environmental impact but are not expected to undertake any formal impact assessment unless there is a legal requirement - P2 4.5.1.1 For independent smallholders there is no such requirement.	
	Does the standard explicitly prohibit or at least mention "no excision of non productive/ conservation areas" from PO concessions to ensure concession holders do not avoid responsibility for actively managing and protecting HCV areas and to avoid reallocation of excised areas for development by uncertified producers?	No	

Does the standard specify any particular measures to be applied in given circumstances to minimize and mitigate negative impacts from operations on biodiversity values?		1
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	Does the standard have requirements on minimum areas to "set aside" as conservation areas?	Partly addressed - The standard requires that oil palm shall not be planted on primary forest or land designated for protection of nature, ecosystem services and social or cultural values. Oil palm shall not be planted on land with high biodiversity value unless it is carried out in compliance with the National Biodiversity Policy and/or State Biodiversity Legislation - P1 4.7.1	
	Does the standard have requirements on buffer zones (e.g. around sensitive sites including nesting & breeding sites, water courses, and steep slopes, etc.)?	Partly addressed - Requirement for buffer zones is limited to maintaining and restoring appropriate riparian buffer zones at or before planting or replanting, along all natural waterways within industrial plantation estates - P3 4.5.5.1.	

Requirements after expansion of cultivation or infrastructure - for existing plantations, infrastructure and processing operations;

Does the standard require regular monitoring and reporting on implementation of plans for biodiversity conservation?		Partly addressed - There is a general requirement to monitor environmental improvement plans for industrial plantations and organized smallholders - P3 4.5.1.3 and P3 4.7.3.4. There are no specific requirements on the form and frequency of monitoring. As there is no requirement for independent smallholders to develop environmental improvement plans this does not apply in their case.	1
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Does the standard include provisions to ensure transparency and stakeholder engagement on monitoring the implementation of plans for biodiversity conservation?	No		
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Does the standard require regular monitoring of actual impacts on biodiversity and adaptive management as necessary for improvement?			0
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Does the standard include provisions to ensure transparency and stakeholder engagement on biodiversity impact assessment ?	Unclear - It is not clear if the requirement to monitor environmental improvement plans for industrial plantations and organized smallholders covers both implementation and impact.		
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Habitat loss and degradation

Is the standard explicit in requiring the protection of all natural ecosystems that are important for species survival?			1
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Does the standard specify which types of ecosystems might be important for species survival? e.g. <i>Primary forest, Biodiverse secondary forests, Wetlands, Riparian zones, Savannah woodlands and natural grasslands, Natural water bodies</i>	Partly addressed - The standard precludes planting of (industrial) plantations or by organised (plasma) smallholders on land with high biodiversity value unless it is carried out in compliance with the National and/or State Biodiversity Legislation - P3 4.7.1.1. The standard does not permit planting by (industrial) plantations or organised smallholders in Environmentally Sensitive Areas (ESAs) - P3 4.7.1.2 The standard requires that independent smallholders shall not plant oil palm on land with high biodiversity value as identified by local, state and national legislation - P2 4.7.1.1 However, apart from stating that oil palm shall not be planted on primary forest - P1 4.7.1 - there is no guidance on what other types of natural ecosystem would fall under the category of land with high biodiversity value or ESAs.		
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Does the standard require that such areas appropriately defined by organization(s) with specialist expertise?	Unclear - ESAs are designated under Peninsular Malaysia's National Physical Plan (NPP) and the Sabah Forest Management Unit under the Sabah Forest Management License Agreement. ESAs are identified in very broad terms and there is still no national process for identifying critical ecosystems.		
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Does the standard require a consistent and complete identification of such areas on the ground prior to development of the management unit?			
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Does the standard allow for distinguishing between different types of secondary forests according to their value for biodiversity protection?	Not clear from the standard how such distinctions might be handled in the designation of ESAs		
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Does the standard preclude the conversion of natural ecosystems that are important for species survival i.e. rare, threatened or endangered ecosystems to palm oil production?	Unclear - Depends on the strength of National and/or State Biodiversity Legislation (but existing legislation is weak) - P2 4.7.1.1 & P3 4.7.1.1		
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	What historic cut-off dates apply for conversion of such ecosystems to be eligible for certification?	None	
	Does the standard require protection of ecosystems that are identified as rare, threatened or endangered, but have not necessarily been recognised as important for the survival of particular species?	Unclear - Depends on the strength of National and/or State Biodiversity Legislation (but existing legislation is weak) - P2 4.7.1.1 & P3 4.7.1.1	

Does the standard require protection of ecosystems providing services critical for off site biodiversity conservation?		No	0
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Does the standard exclude any palm oil development in protected areas?			1
	How are protected areas defined in the standard?	Partly addressed - ESAs, as defined Peninsular Malaysia's National Physical Plan (NPP) and the Sabah Forest Management Unit under the Sabah Forest Management License Agreement, are protected from new industrial or plasma scheme planting - P3 4.7.1.2 Protected areas are not otherwise defined in the standard. While protected areas are not well defined in the laws, there are government policies and reports that deal specifically with protected areas. One key document is the Master List of Protected Areas which has been under development for more than 10 years and may be published soon. Even in its draft form, it had been used as a reference by conservationists and land use planners.	
	Any distinction between areas protected under national legislation and those covered by an international designation?	Partly addressed - The standard's definition of High Biodiversity Value - P1 3.7 c) - recognises areas for the protection of rare, threatened or endangered ecosystems or species recognized by international agreements or included in lists drawn up by intergovernmental organizations. P3 4.5.6.1 also indicates recognition of internationally designated conservation status as an element of information that would inform environmental improvement plans.	

Does the standard require the maintenance of buffer zones around protected areas?		No - ref 1.3 above	0
	Is the requirement limited to buffer zones around areas protected under national legislation?	n/a	

Does the standard require that representative areas of native ecosystems in the management unit be actively conserved?		Partly addressed - Depends on definition of high biodiversity areas and ESAs and on the strength of National and/or State Biodiversity Legislation - P2 4.7.1.1 & P3 4.7.1.1	1
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Does the standard incorporate P&Cs that provide positive encouragement to direct socio-economic pressure for PO expansion within a given landscape towards degraded lands that are not critical for species survival?		No	0
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Habitat fragmentation and connectivity loss

Does the standard require protection of corridors of natural vegetation where these are critical for connectivity between habitats, to avoid fragmentation of ecosystems (e.g. large landscape-level ecosystems/HCV 2 areas)?		No specific requirements, but P3 4.5.6.1 (re industrial and plasma plantations) does state that information collated for the protection of the species or habitat should include both the planted area itself and relevant wider landscape-level considerations (such as wildlife corridors). P3 4.5.6.3 requires management plan to comply with this information be established and effectively implemented, if required.	1
	Does the standard specify or recognise particular methodologies to evaluate ecosystem connectivity and identify critical corridors of natural vegetation?	No	

Direct mortality (of RTE species)

Does the standard include explicit requirements for the protection of rare, threatened or endangered species?

Does the standard require that particular threats be considered and mitigated in palm oil production, i.e.

Over exploitation			1
	Does the standard require that measures be taken against any illegal or inappropriate logging, hunting, fishing or collecting in the management unit?	P3 4.5.6.2 b) requires that industrial plantations and scheme smallholders discourage any illegal or inappropriate hunting, fishing or collecting activities.	
	Does the standard cover the use of natural resources at a renewable rate? This could be relevant where there is; - Community use of biodiversity reserves - Current irrigated production of palm oil - Potential future climate change pressures driving producers to consider use of irrigation	In the case of irrigation of oil palm plantations P3 4.5.5.1 would be applicable. This requires that industrial plantations and scheme smallholders assess any water usage and sources of supply and if bore wells were being used for water supply, the level of the ground water table should be measured at least annually.	
Pollution			1
	Does the standard provide sufficient controls to prevent pollution from effluent and emissions, through control/minimisation of agro-chemical and pesticide use or requirements for maintenance of buffer zones?	For (industrial) plantations and organized (scheme) smallholders P3 4.5.3.1 requires that all waste products and sources of pollution shall be identified and documented. P3 4.5.3.2 a) then requires a waste management plan that includes monitoring for sources of waste and pollution. P3 4.5.3.3 requires establishment of Standard Operating Procedure for handling of used chemicals classified under Environment Quality Regulations (Scheduled Waste) 2005, Environmental Quality Act, 1974. P3 4.5.3.4 sets out requirements for handling of empty pesticide containers. P3 4.5.4 requires an assessment of all polluting activities, including scheduled wastes, solid wastes and effluent. P3 4.5.5 requires that an action plan to reduce identified significant pollutants and emissions be established and implemented. Requirements for independent smallholders are much less specific. P2 4.5.3.1 requires that they identify all waste products and sources of pollution, while P2 4.5.3.2 requires that waste from smallholdings be disposed of appropriately and that they adopt local and national legislation to dispose of hazardous chemicals and their containers. P2 4.3.1.1 requires that independent smallholders 'show awareness of compliance with all applicable local, state, national and ratified international laws and regulations'. This would include: - OCCUPATIONAL SAFETY AND HEALTH ACT 1994 [ACT 514] P.U. (A) 131/2000 - OCCUPATIONAL SAFETY AND HEALTH (USE AND STANDARDS OF EXPOSURE OF CHEMICALS HAZARDOUS TO HEALTH) REGULATIONS 2000	
Invasive species		No requirements in the standard. The Code of Good Agricultural Practice for Oil Palm Estates and Smallholdings, which is cited as a normative reference, does not provide any guidance on use of alien species as bio-control agents and cover crops.	0
	Does the standard control for the introduction or use of alien species in the management unit that might adversely affect habitats and bioregions?	No	
	In this regard, does the standard require assessment of the risk that bio-control agents may negatively impact rare or endangered species?	No	
	Does the standard have requirements on the use of genetically modified organisms (GMO)?	No	

Anthropogenic introduced disease		No requirements in the standard. Best practice proposed in Code of Good Agricultural Practice for Oil Palm, which is cited as a normative reference, does require that all seedling planting materials be sourced from suppliers certified to MS 157 or nurseries with Oil Palm Nursery Competency Certification (OPNCC), and that Records of planting materials, variety name, variety purity, batch number and seed vendor shall be kept. Adherence to these measures will provide some safeguards, but this will be difficult for an auditor to verify directly.	1
	Does the standard require bio-security measures to control the risk that pests and diseases introduced as a result of palm oil operations negatively impact RTE species?	No	
	In this regard, does the standard require assessment of the risk that bio-control agents may negatively impact RTE species?	n/a	

Fire			1
	Does the standard control for the use of fire in the management unit?	P1 4.5.7 Establishes a general requirement that that fire for waste disposal and for preparing land for oil palm cultivation and replanting shall be avoided except in specific situations, as identified in regional best practice.	
	Does the standard require absolute exclusion of fire in the management unit, or does it impose limitations on its use as a management tool?	P2 4.5.6.1 and P3 4.5.7.1-4.5.7.4 provide for controlled use of fire, indicating it should be avoided except in specific situations, as identified in regional best	
	Does the standard require that a certificate holder mitigate the risk of wildfire in the wider landscape?	For (industrial) plantations and organized (scheme) smallholders, P3 4.7.5.2 requires that plans be developed to minimize fire risk in areas outside the plantation.	

Anthropogenic climate change (with indirect impacts on biodiversity)

Does the standard reference HCS (High Carbon Stock) forest?			0
	Requirement for High Carbon Stock Approach (HCSA) assessment, or combined HCV/HCSA assessment prior to development? <i>Ref 1.1</i>	No	
	Requirement that HCSA assessment be undertaken in compliance with the HCV/HCSA Assessment Manual or HCSA toolkit? <i>Ref 1.1</i>	n/a	
	Does the standard require any other robust methodology for the assessment of existing carbon stocks?	No	

Does the standard require the protection of significant carbon stocks?		No	0
	Does the standard define what constitutes a 'significant' carbon stock?	n/a	
	Does the standard recognise and distinguish between above ground and below ground carbon stock?	n/a	

Does the standard preclude the conversion of peatland to palm oil production?		No. P1 4.7.2 requires that where planting on peat land is proposed, mitigation plans shall be developed and implemented to protect them without incurring adverse impacts. P3 4.7.2.1 Indicates that new planting and replanting in industrial plantations and plasma schemes may be developed and implemented on peat land as per MPOB guidelines on peat land development or industry best practice. No restrictions are indicated for independent smallholders.	0
	Does the clearly standard define peat soils?	Yes. Ref P1 3.9	

Does the standard require measures to limit CO2 emissions from peatlands already planted with oil palm?		No requirements in the standard. Best practice may be proposed in the MPOB Code of Good Agricultural Practice for Oil Palm Estates and Smallholdings, which is cited as a normative reference	0
	Does the standard require adherence to best management practices to limit drying of peat in the current rotation?	n/a	
	Does the standard require a time-bound plan to retire PO on peat?	n/a	

Does the standard require monitoring and control of GHG emissions from land use change?	No. There is a requirement that plantations and organized smallholders assess greenhouse gas emissions under indicator P3 4.5.4.1, but no detail is provided on how this should be undertaken.	0
Does the standard explicitly require measurements of green house gas emissions and calculation of net GHG balance at management unit level as a result of land use change when palm oil plantations are established?	n/a	

Does the standard require monitoring and control of GHG emissions from production operations after planting?	No	0
Does the standard explicitly require measurements of green house gas emissions and calculation of net GHG balance at management unit level for ongoing production in existing plantations, taking into account any sequestration by woody vegetation and soils within the management unit?	n/a	
Does the standard anticipate GHG accounting to take account of both - CO ₂ , including recycling of woody carbon? - Methane emissions from processing/waste disposal?	n/a	
Does the standard set out a hierarchy of measures to mitigate GHG emissions from existing PO plantations?	n/a	
Does the standard allow for the use of financial instruments to offset residual GHG emissions from plantation operations (beyond any measures to mitigate emissions through good management practice)?	n/a	

Does the standard allow for linking of emissions reductions to national targets?	No	0
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Does the standard require measures to mitigate the risk of GHG emissions as a result of fire? *Ref 4.1e*

Legality

Does the standard include requirements to comply with relevant international conventions? (e.g. RAMSAR, CITES)	No explicit requirements, but P1 3.7 does recognize that areas for the protection of rare, threatened or endangered ecosystems or species recognized by international agreements or included in lists drawn up by intergovernmental organizations may have high biodiversity value	1
Does the standard list international conventions considered relevant?	No	
If so, is this list comprehensive?	n/a	
Does it include regional as well as global agreements and treaties?	n/a	

Does the standard explicitly require compliance with national legislation on protection of biodiversity (where these requirements are more rigorous or restrictive than those of the voluntary standard)?	Yes, see P3 4.3.1.1 which requires that all operations are in compliance with the applicable local, state, national and ratified international laws and regulations	3
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Does the standard require respect for local and customary laws providing for protection of biodiversity (where these requirements are more rigorous or restrictive than those of the voluntary standard)?	No. P1 3.10 indicates that identified customary lands are not considered as primary forest The standard speaks to respecting customary rights in terms of long standing community land and resource usage but it is not clear that this would encompass respect for customary laws that protect biodiversity.	0
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Restoration

Does the standard require restoration of natural habitats where their past conversion for palm oil production contravenes the requirements of the standard and/or national legislation?	No, with the exception of riparian areas in industrial plantations (ref P3 4.5.5.1 e)		1
	Does the standard require on-site restoration of natural habitats?	n/a	
	Does the standard set a cut-off date after which any critical habitat destroyed by palm oil planting must be restored?	n/a	
	Does the standard set a deadline for undertaking restoration of critical habitat destroyed after the cut-off date?	n/a	
	Does the standard have requirements on restoration of water bodies to a natural function?	n/a	
	Does the standard allow for off-site restoration or biodiversity off-set as an alternative to on-site restoration?	n/a	
	Does the standard provide an option for payment of financial compensation as a substitute for restoration of natural habitats?	n/a	
	Does the standard treat payment of financial compensation as a complement to on-site restoration, to remediate for damage to biodiversity where remediation through ecosystem restoration is not technically feasible?	n/a	
	OR Does the standard allow developers to use payment of financial compensation as an alternative to on site restoration, which might reduce or dilute the strength of the standard with respect to this criterion?	n/a	
Does the standard require restoration of peatlands, natural water bodies or riparian vegetation damaged as a result of palm oil production in contravention of the requirements of the standard and/or national legislation?	Only with regards to riparian areas: P3 4.5.5.1 (e) Where natural vegetation in riparian areas has been removed, a plan with a timetable for restoration shall be established and implemented.		1

Community engagement for biodiversity protection

Does the standard include requirements for raising the awareness of workers, smallholders and local communities on biodiversity protection?		P3 4.5.1.5 requires (industrial) plantations and organized (plasma) smallholders to run awareness and training programmes to ensure that all employees understand the policy and objectives of the environmental management and improvement plans and are working towards achieving the objectives. P3 4.5.1.6 requires that management organize regular meetings with employees where their concerns about environmental quality are discussed. There are no requirements for companies to extend awareness raising to local communities and there are no requirements in this regard for independent smallholders.	1
Does the standard make special provision for disadvantaged small producers, enabling them to overcome barriers to certification and participate in certified supply chains, thereby engendering their support for biodiversity protection?		Yes. The Part 2 of the standard sets out separate P&Cs on environment, natural resources, biodiversity and ecosystem services and on new planting safeguards relating to biodiversity that are tailored to the capacities of independent smallholders.	1
Does the standard require palm oil project developers to engage with local communities on biodiversity protection?		P3 4.7.3.1 requires that SEIA's be conducted prior to establishing new (industrial/plasma) plantings or operations. These shall involve independent consultation, via participatory methodology which includes external stakeholders. This may be taken to imply that there should be community engagement on biodiversity protection, prior to large scale oil palm plantation development. However there is no requirement for community engagement on monitoring of environmental improvement plans.	1
	Does the standard recognise/endorse local agreements/compacts that secure community level support for biodiversity protection in return for;	No	

	a. Technical assistance to develop alternative livelihoods that relieve pressure on RTE species and ecosystems?	n/a	
	b. Securing community land tenure?	n/a	
	c. Direct Payments for Ecological Services?	n/a	
	Does the standard require monitoring and evaluation of such agreements/compacts to facilitate their continuous improvement and scale up?	n/a	
Does the standard include a requirement to identify and manage potential conflicts between social/community needs/livelihoods and biodiversity conservation?		P3 4.5.6.2 b) requires that industrial plantations and scheme smallholders develop responsible measures to resolve human-wildlife conflicts	1