

Challenges in Certification of Indonesian Smallholder Palm Oil Plantations

Khoirul Anam^{1*}, Akhmad Fauzi², Hamidah Hendrarini³, Indra Tjahaja Amir⁴
Program Doktor Agribisnis, Fakultas Pertanian UPN “Veteran” Jawa Timur

Corresponding Author: Khoirul Anam khairul.ak1967@gmail.com

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ABSTRACT

This study aims to recognize the issues emerging within the execution of RSPO and ISPO certification, as well as efforts to advance the usage of RSPO, ISPO and Anti-Deforestation certification in smallholder plantation to improve the worthiness of smallholder palm oil items within the worldwide advertise. The strategy utilized is clear subjective, involving a comprehensive information investigation of writing in the frame of documents and articles from national and international diaries, supported by interviews with parties at the Directorate General of Plantations, Ministry of Agriculture and IPOA. The results show two primary issues: legitimacy of land ownership and plantation licenses, and improvement of smallholder plantation management. Planters have not actualized Good Agriculture Practice (GAP) and sustainability due to restrictions like capital, techniques, and human resources. To speed up certification, the government must resolve plantation license conflicts and recognize indigenous rights. Support for farmers through institution strengthening is essential. ISPO worthiness can be improved by refining and harmonizing ISPO and RSPO regulations for global market acceptance. The EUDR policy has strict rules burdening planters; government efforts to reject it must be supported, while also considering incorporating EUDR provisions into ISPO.

INTRODUCTION

The agriculture sectors plays an critical part within the improvement of Indonesia's economy since a huge portion of the populace still depends on farming as their fundamental source of vocation. Based on the distribution by the Central Bureau of Statistics, the Agriculture Sector contributed 12.4% to the national economy in 2022, with the plantation subsector making the biggest commitment of 3.76% to the national GDP and 30.32% to the rural sector's GDP. One of the most commodities within the plantation sub-sector is palm oil. This commodity contributed 12.7% to the total non-oil and gas exports in 2022 and absorbed 16.2 million workers, including 4.2 million direct workers and 12 million indirect workers. The area of oil palm plantations in 2022 was recorded at 15.34 million hectares, with palm oil production amounting to 46.82 million tons and palm kernel oil production at 9.36 million tons. The volume of palm oil exports in 2022 reached 26.33 million tons or about 60% of the total production with a sales value of USD 29.75 billion (BPS, 2023).

European Union is one of the potential markets due to its expanding request for vegetable oils as crude materials for industry and biofuels. In 2016, add up to CPO imports within the European Union come to 7.2 million tons, taken after by 1.3 million tons of sunflower oil, 0.3 million tons of rapeseed oil, and 0.25 million tons of soybean oil. In any case, send out exercises to the European Union don't continuously go easily. The European Union issued the Renewable Vitality Orders (Ruddy) approach to energize the utilize of renewable vitality and diminish the rate of greenhouse gas emissions. The arrangements in the Ruddy altogether impelled the development of the biodiesel industry in different EU nations. In 2018, the biodiesel industry's generation capacity within the European Union reached 21 million kiloliters, making it the biggest biodiesel maker within the world. This activated an increment in request for crude materials from different sorts of vegetable oils such as rapeseed oil, soybean oil, sunflower oil, and palm oil (PASPI, 2019). In 2018, the European Union changed the Ruddy arrangement by receiving the Assigned Act direction, which incorporates the Indirect Land Use Change (ILUC) arrangement. Within the ILUC arrangements, palm oil is categorized as a vegetable oil item considered unsustainable since the arrive utilize for palm oil plantation is seen as not assembly maintainability standards, especially concerning natural harm, nursery gas outflows, and deforestation (Heilmayr et al., 2020; Searle et al., 2018).

The RED approach entirely builds up different supportability guidelines or criteria that must be met by creating nations that send out biofuel crude materials or biofuel items. Makers are required to meet the criteria set by the European Union through a arrangement of certification forms recognized by EU educate. The European mechanical community and other partners offer arrangements through the issuance of RSPO certification for palm oil items entering the European showcase (Degli, et al., 2020). At first, Indonesia joined as a part of the RSPO and utilized RSPO benchmarks to make strides the administration of palm oil plantations. But over time, Indonesia seen RSPO as not assembly desires and burdening Indonesian palm oil plantation

administrators, so Indonesia chosen to take off RSPO and build up the ISPO (Indonesia Sustainable Palm Oil) certification body. ISPO certification is required and must be actualized by all palm oil plantation administrators in Indonesia (Fahamsyah, et al., 2017). After actualizing the Ruddy approach, the European Union proceeded its endeavors by planning an anti-deforestation arrangement sketched out within the EUDR in December 2022. The EUDR arrangement is planning to guarantee that items entering the European Union showcase meet deforestation-free necessities, comply with the legitimate arrangements of their nation of root, and are traceable (Afandi et al., 2024). This approach is dreaded to gotten to be a modern non-tariff boundary for palm oil trades to the European Union. The usage of certification exercises on Indonesian palm oil plantations is considered still less than ideal, particularly on smallholder plantations. The government proceeds to advance certification exercises to upgrade the adequacy of palm oil items within the worldwide advertise (Kusumaningtyas, 2017).

This study aims to identify the issues emerging within the execution of RSPO and ISPO certification, as well as efforts to accelerate the usage of RSPO and ISPO certification in smallholder plantations to enhance the adequacy of smallholder palm oil items within the worldwide advertise. In expansion, the dialog too secured the steps that can be taken to expect the execution of the EUDR arrangement in palm oil plantations.

LITERATURE REVIEW

The development of large-scale plantation always faces various challenges, both from internal and external factors. In palm oil plantations, the most prominent issues are related to environmental damage, deforestation, and its impact on the socio-economic community. The rapid growth of palm oil plantations with a monoculture system is considered to be one of the driving factors for deforestation and environmental damage in Indonesia. The environmental impact of converting natural forests to palm oil plantations is very significant, including habitat destruction that triggers fragmentation for endemic species, which has the potential to lead to extinction. Deforestation has been linked to the threat of extinction for many species of plants, fish, reptiles, birds, and mammals. In addition, world attention is also focused on high carbon emissions due to the conversion of natural forests. These carbon emissions will increase if land conversion involves peat swamp forests. Research by Varkkey (2016) shows that around 80% of forest and peatland burning is related to palm oil plantation development, which are thought to contribute to national greenhouse gas emissions by 75%. Conversion of peatlands into palm oil plantations also has the potential to cause land subsidence, disrupt hydrological systems, and increase the risk of forest and land fires (Saputra et al., 2017; Turetsky et al., 2015).

The development of palm oil plantations in a monoculture system also has an impact on the social, economic, and cultural conditions of local communities on a varying scale. Plasma farmers involved in the Smallholders Core Plantation scheme and transmigration programs generally achieve better financial benefits than independent farmers. Plasma farmers have better access

to knowledge, technology, land, and credit schemes for palm oil plantation development, so their plantation productivity is higher. This difference in access creates a productivity gap among farmers in rural areas, which in the long term can lead to significant income inequality. On the other hand, local communities who still depend on forest resources and are accustomed to collecting forest products are often disadvantaged by the conversion of natural forests into monoculture oil palm plantations (Woittiez et al., 2017).

The Indonesian government has committed to developing sustainable palm oil plantations. The establishment of sustainable principles in the development of environmentally friendly palm oil plantations refers to four things, among others. First, the mandate of the 1945 Constitution through the fourth amendment in 2002 concerning the national economy is organized based on economic democracy with the principles of togetherness, efficiency, justice, environmental awareness, independence and by maintaining the balance of progress and unity of the national economy. Second, Constitution Number 39 of 2004 concerning Plantations concerning the principles of plantation management including the principles of sustainability and preservation of environmental functions. Third, international commitment through agenda 21 (Global Programme of Action on Sustainable Development) in the form of implementing sustainable development principles. Fourth, the demands of buyers and the commitment of producers and the demands of European countries that only buy sustainable palm oil, especially after the European Union issued a RED policy that prohibits the use of palm oil products in the biofuel industry. The government's commitment is shown by the agreement to implement the RSPO (Roundtable on Sustainable Palm Oil) in the palm oil plantation management system. In addition, the government also issued the Regulation of the Minister of Agriculture (Permentan) Number 11/Permentan/OT.140/3/2015 concerning the Indonesian Sustainable Palm Oil Certification System through ISPO (Indonesian Sustainable Palm Oil) certification. To continue to encourage the development of sustainable palm oil plantations, this was done by improving Permentan Number 11 of 2015 with Permentan Number 38 of 2020 concerning the Implementation of Indonesian Sustainable Palm Oil Plantation Certification. The Indonesian government also issued a regulatory basis regarding ISPO which is stated in Presidential Regulation (Perpres) Number 44 of 2020. This Perpres stipulates that palm oil plantation businesses must be certified. Submission for ISPO certification must be carried out by business actors, namely plantation companies and/or plantation owners, where plantation owners are required to do so 5 years after the Perpres is enacted (Rahutomo, et al., 2023).

Based on findings from several previous studies, it is known that the certification process for Indonesian oil palm plantations is very slow, especially for smallholder oil palm plantations. During the period of the birth of ISPO from 2011 to early 2020, where ISPO certification was still voluntary, the ISPO commission has issued 621 ISPO certificates with an area of 5.45 million hectares. The certificates that have been issued are dominated by large private companies with 557 certificates for plantations covering an area of 5.25 million

hectares, large state plantations with 50 certificates for plantations covering an area of 286,590 hectares and smallholder plantations with 14 certificates for plantations covering an area of 12,270 hectares (Rismansyah, 2021).

Another very prominent issue is the issuance of an anti-deforestation law by the European Union called the EUDR (European Union Deforestation Regulation). Through this regulation, the European Union prohibits the entry of palm oil and its derivative products into the European Union area because it is considered related to the conversion of forests to non-forests (deforestation). The implementation for business actors (operators/traders) is given a grace period of 18 months, where all operators/traders are required to comply with the regulation by the end of December 2024. Meanwhile, Smallholder plantations are given a transition period with a longer period of 24 months or are required to comply with the regulation starting from the end of June 2025. The EUDR regulation requires business actors to submit supply chain information (traceability) including geolocation, follow due diligence for risk assessment and risk mitigation; and deforestation-free certification following EU standards issued by the EU authorities (PASPI Monitor, 2024). This provision will certainly be an additional burden for oil palm plantation business actors, especially smallholders that still manage their palm oil plantation traditionally.

METHODOLOGY

The methodology used in this study is descriptive qualitative, involving a comprehensive data analysis of various literature in the form of documents and articles from both international and domestic journals. The results of this literature study are also reinforced with information obtained from interviews with relevant parties at the Directorate General of Estates of the Ministry of Agriculture and the Indonesian Palm Oil Association (IPOA). References from national and international journals are needed to understand the standards and implementation of RSPO and ISPO certification, EUDR regulations, obstacles encountered in the certification process, and efforts to accelerate certification in smallholder palm oil plantations.

RESEARCH RESULT AND DISCUSSION

Issues in RSPO and ISPO Certification

The RSPO certification body was built up in 2004 by universal private organizations, counting AarhusKarlshamn (AAK), Migros, Malaysian Palm Oil Affiliation (MPOA), Unilever, and World Natural life Finance (WWF), with the point of observing and overseeing the palm oil supply chain exercises economically (Colchester, et al., 2005). RSPO could be a worldwide maintainable standard serving as a parameter for items inferred from palm oil (RSPO, 2012). The RSPO standard has eight Standards, 37 Criteria, and 72 Pointers that must be met by palm oil items to enter the universal advertise. The Roundtable advances palm oil generation hones that offer assistance diminish deforestation, protect biodiversity, and regard the jobs of rustic communities in creating nations. This guarantees that no unused essential timberlands or other tall preservation esteem ranges are yielded for palm oil plantations, that plantations implement

acknowledged best honours, which the essential rights and living conditions of millions of plantation specialists, smallholder agriculturists, and inborn communities are completely regarded. The Roundtable has built up two certification frameworks based on the RSPO P&C, to be specific: (1) to guarantee that palm oil is created reasonably; and (2) to guarantee the judgment of maintainable palm oil exchange, meaning that palm oil sold as economical palm oil is in fact the oil delivered on certified plantations. Both frameworks include third-party certification bodies. Much obliged to the strict certification framework, oil processors and customers can be certain that their items in fact contain or back maintainable palm oil. A few major companies in Europe have committed that beginning in 2015, they will as it were buy and utilize palm oil items that have been RSPO certified.

In practice, a few RSPO members accept that the organization's endeavors to fulfill its vision, mission, and objectives have not favored the businesses included within the palm oil industry. In addition, a few arrangements within the RSPO certification are considered burdensome for the Indonesian palm oil industry, inciting the Indonesian government to choose to take off the RSPO organization and set up its possess certification body, specifically the ISPO. The objective of ISPO certification is to enhance the competitiveness of Indonesian palm oil within the worldwide showcase, decrease nursery gas outflows, and address natural issues. ISPO moreover points to secure and advance palm oil plantations overseen reasonably, in line with worldwide showcase requests (Woodland Watch Indonesia, 2017). This certification is obligatory and required for all exercises within the palm oil supply chain in Indonesia, counting smallholder plantations, and must be actualized inside a most extreme of 5 a long time after the issuance of the presidential direction (Hutabarat, S., 2022).

In any case, the advance of actualizing RSPO and ISPO certification is still moderate. Palm oil plantations that have completed RSPO certification by Eminent 2022 are recorded at as it were 16.6% or identical to 2.42 million hectares of palm oil arrive. In the interim, palm oil plantations that have experienced ISPO certification sum to 25% or comparable to 3.65 million hectares of palm oil arrive (Pareira, 2023). Based on data from the Directorate Common of Bequests up to April 2023, the number of ISPO certificates issued was 823, nitty gritty as takes after: 726 certificates for huge private plantations (3.67 million hectares), 65 certificates for state-owned plantations (240.59 thousand hectares), and 32 certificates for smallholder plantations (20.91 thousand hectares) (Ditjenbun, 2023).

The most issues within the certification exercises of oil palm plantations incorporate angles of arrive possession legitimacy and the change of smallholder plantation management practices. The issue of palm oil arrive legitimacy is basically caused by numerous smallholder plantations being found inside woodland regions. It is evaluated that the region of oil palm plantations inside timberland zones covers 3.37 million hectares. The administration of smallholder palm oil plantations for the most part has not however actualized Good Agriculture Practice (GAP) and maintainability due to different impediments confronted by free agriculturists, such as capital capacity,

development specialized aptitudes, and generally moo human assets, among others (Azizah, et al., 2020). A few of the most challenges confronted in executing maintainability certification in smallholder palm oil plantations incorporate: (1) Low planter knowledge about the concept of sustainability, especially in good agricultural practices; (2) Weak institutional capacity or organization of oil palm planters to disseminate information about the certification program; (3) High certification costs, leading planters to feel that certification is only accessible to wealthy planters; and (4) Lack of government monitoring and evaluation in the field regarding the implementation of sustainability certification principles and criteria (Liana, et al., 2023).

Efforts to Accelerate RSPO and ISPO Certification

The exertion to speed up certification can start with settling arrive lawfulness. One of the challenges is the sign of palm oil grants and palm oil plantations found in woodland zones. In expansion, there are still numerous clashes and residency claims from innate and neighborhood communities related to palm oil plantation lands. The government has issued a few arrangements as an exertion to control the allotment of plantation arrive beginning from timberland zones and to address cases of palm oil plantation infringement, whether controlled by companies or communities, that are found inside timberland zones. A few determination choices include the release of forest areas, exchange of forest areas, social forestry, agrarian reform, and law enforcement (Wibowo, et al., 2019).

Fortifying the certification framework through the issuance of the Presidential Control in 2020 gives openings for the utilize of the State Budget (APBN), Regional Budget (APBD), and other subsidizing sources to energize certification exercises. Thus, complaints about the high cost of certification can be overcome. Another effort in accelerating the process of certification of sustainable palm oil is the establishment and strengthening of smallholder institutions. Planters institutions play an important role in preparing the documents needed in the certification process. Certification requires the fulfillment of various key documents ranging from legal documents to SOPs and work instructions that planters cannot prepare themselves (Sabinus, et al., 2021). Besides that, planter institutions are also a prerequisite for being able to access various forms of financial assistance, technology assistance and counseling (Hadi, et al., 2023).

Initiation of the formation of planter groups, independent oil palm smallholders is carried out according to local conditions to initiate smallholders in ISPO certification. Institutional strengthening of planter groups can be encouraged through structuring institutional capacity, capacity building of institutional resources, increasing service capacity, and expanding the network of cooperation or partnership (Anam, et al., 2022; Yuniati, et al., 2011).

Harmonization of RSPO and ISPO Certification

RSPO and ISPO certifications have distinctive levels of worthiness. Palm oil items that have been RSPO certified have a tall level of adequacy within the worldwide showcase. In the interim, ISPO certification is still less acknowledged since ISPO certification is considered not however executing great administration

standards, which incorporate straightforwardness, responsibility, and freedom. To upgrade the acceptability of ISPO certification within the worldwide showcase, advancements are required, counting its controls, the organization components for actualizing ISPO certification, as well as the substance of its principles, criteria, and markers. Similarly vital, the government, along side other partners, must advance and make efforts to improve the acknowledgment of ISPO certification within the worldwide showcase (Fahamsyah, et al., 2017).

ISPO incorporates a diverse approach from RSPO within the application of certification standards and criteria. The harmonization of these two certification plans will give comprehensive and strong supply chain traceability that will advantage all industry partners (government, companies, smallholders, and NGOs) in guaranteeing the maintainability and worthiness of Indonesian palm oil items within the worldwide showcase. The rules in ISPO must be adjusted with the rules of RSPO. To begin with, totally disallow the transformation of peatland into palm oil plantations. Moment, certification measures got to be more versatile to nearby conditions so that more smallholder planters are willing to urge certified (Pareira, 2023).

Issuance of the EUDR Anti-Deforestation Policy

After issuing and enforcing the Renewable Energy Directives, the European Union continued its efforts by publishing the anti-deforestation policy outlined in the European Union Deforestation Regulation (EUDR) in December 2022. The Deforestation Free policy has been adopted by several countries and regions, including the European Union (EU), the United Kingdom (UK), and the United States (US), to ensure that products entering the EU market meet deforestation-free requirements, comply with the legal provisions of their country of origin, and are traceable (Afandi et al., 2024). The main objective of this policy is to protect forests and prevent deforestation worldwide, with the hope of reducing negative impacts on the environment, biodiversity, and climate change. In addition, this policy also aims to encourage more sustainable agricultural and industrial practices, as well as promote fair and responsible trade. EUDR is expected to stop or reduce the trade of commodities whose production is linked to deforestation and forest degradation, thereby curbing, or even halting, the phenomenon of global deforestation and forest degradation (PASPI Monitor, 2024).

The EUDR policy prohibits companies from exporting products related to deforestation and degradation to the European Union market. The issues of climate change and biodiversity loss, which are current environmental concerns, are largely driven by deforestation and degradation. The European Union believes that the EUDR can contribute to reducing greenhouse gas emissions caused by deforestation and help address the global loss of biodiversity by promoting the consumption of products that do not involve deforestation, as well as reducing the impact on forests worldwide (Pendriil et al., 2019; Yazici, 2023). This new regulation establishes due diligence obligations for operators, which are organizations that export goods to the EU market or import from the EU related to deforestation and forest degradation. This regulation covers more

commodities compared to the previous timber regulation. In this regulation, the European Union establishes seven main commodities, including rubber, soy, cattle, palm oil, cocoa, coffee, and wood (Goldman et al., 2020; Laroche et al., 2022). Article 28 of the EUDR Regulation classifies commodities based on deforestation risk into three categories: Low Risk, Standard Risk, and High Risk. This classification aims to identify and manage appropriate treatment for commodities with deforestation risk (The European Parliament and of the Council, 2023).

The EUDR policy has very strict rules, which have caused some producers to be unable to meet those requirements. The fulfillment of EUDR provisions for several commodities in Indonesia is still far from satisfactory, because until now, Indonesia does not have explicit regulations or legal frameworks that prohibit deforestation in the production process of agricultural or plantation commodities. Many plantation companies face the risk of non-compliance with the EUDR, especially those with land obtained from the conversion of natural forests after December 31, 2020. This is particularly relevant for palm oil plantations. From a legal standpoint, the main challenge is the fact that 20% of oil palm plantations are located in forest areas, where most do not yet have Business Use Rights (HGU), many farmers do not have Cultivation Registration Certificates (STD-B) and land legality, as well as ISPO certificates (Permatasari, et al., 2024).

The implementation of the EUDR is highly complex and has the potential to disrupt business processes and global palm oil trade. The EUDR regulations require steps for digital geolocation monitoring, digitization of legality, compilation of supply chain information from upstream to downstream, and due diligence processes throughout the supply chain. All of that poses a significant challenge, especially with the relatively short deadline until December 2024. The implementation of the EUDR requires significant time, effort, and costs, which in turn will increase the costs of palm oil supply from upstream to downstream (Hadi, 2023). This cannot be overlooked, as it implies an increase in production costs in the global supply of palm oil.

Integration of ISPO Provisions with EUDR

Based on the review of the provisions in the EUDR, many countries reject the EUDR regulations, including Indonesia. The government's efforts to reject the implementation of the EUDR through diplomatic channels need to be continuously strengthened. However, on the other hand, the EUDR regulations can actually encourage palm oil entrepreneurs to adopt good agricultural practices. Various requirements in the EUDR essentially demand improvements in governance, which can ultimately enhance productivity, quality, and the implementation of sustainable development principles (Afandi et al., 2024). The Indonesian government has established palm oil plantation management standards through ISPO, where many of the provisions in ISPO align with EUDR regulations. Through strict revisions, ISPO certification is expected to meet the requirements of RED II and EUDR (Hasan et al., 2023).

terms of ISPO's compliance with EUDR regulations, ISPO has the potential to meet various requirements, especially those related to human rights, environmental, and social aspects. However, several areas still need to be strengthened to align more closely with EUDR standards, such as differences in forest definitions, indigenous people's rights, the implementation of new systems and infrastructure, and labor issues (Hasan et al., 2023). In an effort to respond to the country's obligations under the EUDR, the ISPO regulations are currently being revised to mandate ISPO compliance from plantation to factory level, with a target implementation date of November 2025 (JPIK, 2024). Regarding land use rights, the recognized commodities are those originating from land with guaranteed ownership rights. There is a potential gap between EUDR and ISPO regarding land use.

In the context of geolocation provisions, the regulations in ISPO do not include polygon-based traceability requirements, as specified by the name or address of the plantation (JPIK, 2024). One of the fundamental issues faced by oil palm plantations, especially for independent smallholders, is land overlap. The land owned by independent planters often experiences overlap, both with forest areas and with concession permits held by companies. By using geolocation maps, the overlapping land positions can be clearly identified (Permatasari et al., 2024).

CONCLUSIONS AND RECOMMENDATIONS

The most issues emerging within the certification of smallholder palm oil plantations are the legality of land ownership and plantation permits, as well as the transformation of smallholder plantation management practices. Farmers have not yet implemented GAP and sustainable principles due to various limitations they face, including capital capacity, cultivation techniques, and human resources. To expedite the certification process, the government must encourage the resolution of conflicts in palm oil plantation permits and the recognition of indigenous people's rights. In addition, it is necessary to provide support to farmers through strengthening farmer institutions. The acceptability of ISPO can be improved by refining and harmonizing ISPO and RSPO regulations so that they can be accepted in the global market.

The new policy issued by the European Union in the form of the EUDR (European Union Deforestation Regulation) has very strict rules, making it likely that many palm oil plantations will not be able to meet the established requirements. The implementation of the EUDR is very complex and has the potential to disrupt business processes and global palm oil trade. The Indonesian government's efforts to reject the EUDR policy need to be supported. But on the other hand, the government can compromise by incorporating EUDR provisions into ISPO, so that the implementation of ISPO certification can simultaneously meet the provisions and requirements of EUDR.

ADVANCED RESEARCH

This study has limitations in terms of limited field data collection until early 2024, so it cannot analyze the latest developments regarding the

implementation of RED regulations in the 2024-2025 period. This needs to be studied further because the Indonesian government has filed a lawsuit through the WTO against the RED regulation which is considered discriminatory against palm oil products. How the results of the lawsuit impact the implementation of palm oil plantation certification, especially RSPO certification and anti-deforestation certification, is quite interesting to study.

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