

Roundtable on Sustainable Biofuels

An initiative of the EPFL Energy Center

Ensuring that biofuels deliver on their promise of sustainability



Terms of Reference for the RSB Standards Board

The Roundtable on Sustainable Biofuels, RSB, is an international initiative bringing together farmers, corporations, non-governmental organizations, experts, governments, and inter-governmental agencies concerned with ensuring the sustainability of biofuels' production and processing. By way of a multi-stakeholder consensus, the RSB has put forward a draft standard for sustainable biofuels consisting of principles and criteria; it now intends to maintain and further develop the standards by way of a number of related activities.

The RSB is organized under the auspices of the Energy Center of the Ecole Polytechnique Fédérale de Lausanne, EPFL (Swiss Federal Institute of Technology in Lausanne). The RSB operates under its own budget, based on resources provided by EPFL and third party organizations.

In January, 2009, the Energy Center will be inviting stakeholders to join a new Standards Board, which will be the highest decision-making body of the RSB and responsible for overseeing the content and implementation of the standards. The Standards Board will replace the current RSB Steering Board by June of 2009. This document outlines the Terms of Reference for the new RSB Standards Board.

Terms of Reference of the RSB Standards Board

Duties

The RSB Standards Board:

- Approves Version One of the RSB's sustainability standard for biofuels, together with the existing Steering Board and after completion of the public consultation;
- Maintains and updates the RSB standard. It considers any and all recommendations for changes in the generic standard, regional adaptations and/or crop specific indicators;
- Decides on RSB activities related to the standard proposed by the Secretariat. This includes pilot projects and workshops/conferences;
- Approves regional and/or feedstock-specific adaptations of the standard;
- Decides on the organization¹ and incorporation² of the results of public consultation processes, with the help of the RSB Secretariat and any Working Groups;

¹ Note : Organizing stakeholder consultation on Version Zero of the RSB standards will be overseen by the founding RSB Steering Board, as the Standards Board will not yet have been formed.

- Defines the criteria to be met for other standards to be recognized within the RSB meta-standard;
- Decides on the principles for verification options for the standard, including third party certification and/or accreditation;
- Decides on the acceptance of participants in the Standards Board and maintains governance over such participation, and
- Sets the participation fee within the RSB.

The SB will receive a yearly report, prepared by the RSB Secretariat, describing the activities of the RSB, including a financial summary of expenses and financial contributions.

Structure

Participants must belong to one of the following eleven constituencies:

1. Farmers and growers of biofuel feedstocks
2. Industrial biofuel producers
3. Retailers/blenders & the transportation industry
4. Banks/investors
5. Rights-based NGOs (including land, water, human, and labour rights)
6. Rural development and food security organisations
7. Environment and conservation organisations
8. Climate change and policy organisations
9. Trade unions
10. Smallholder farmer organizations and indigenous peoples' organisations/ community-based civil society organizations
11. Intergovernmental organizations (IGOs), governments, standard-setters, specialist advisory agencies, certification agencies, and consultant experts.

The Standards Board consists of:

- Eleven Chambers, one for each of the constituencies mentioned above, and
- An Executive Committee (described below)

Participants in each of the Chambers elect a Chair and a Vice-Chair, one from a developing country (defined as those listed on the OECD DAC list as eligible for overseas development assistance) and one from a developed country. The 3rd and 11th Chambers are not expected to make the same distinction regarding developed and developing countries; the 3rd Chamber might choose to have both the retailer/blender and transportation industry represented, for instance.

² Note : Incorporating the results of stakeholder consultation on Version Zero into Version One will be jointly undertaken via consensus amongst the members of the founding Steering Board and the first Standards Board.

The Chambers meet at least once yearly. Their sessions are called by and chaired by their elected Chairs and Vice-Chairs. The list of participants in the Chambers of the Standards Board is maintained and coordinated by the Secretariat.

Executive Committee

All Chairs and Vice-Chairs of the Chambers become members of the Executive Committee of the Standards Board. The participants in the Executive Committee do not defend their personal or organizational opinions, but are committed to representing the consensus reached in their respective Chambers and to upholding the overall RSB objectives. If the Chair or Vice-Chair is unable to attend a meeting to represent the Chamber, the Chair can nominate another representative from the Chamber, which will require ratification and acceptance by the Chamber.

The Executive Committee shall ensure that the SB follows its Terms of Reference. The Executive Committee is responsible for taking the final decisions regarding all aspects related to the Standard, as outlined above, based on previous discussions in the Chambers. The term of the appointees to the Executive Committee shall be three years, with staggered appointments.

The Executive Committee shall elect its own Chair and Vice-Chair for one-year renewable terms.

The Executive Committee meets at least once yearly. It may conduct its meetings by way of conference calls. Meetings of the Executive Committee may be called:

- By its Chair,
- By 60% of its participants, or
- At the suggestion of the RSB Secretariat.

The Executive Committee meeting shall be validly constituted if more than 60% of the registered participants are present or represented. The Head of the RSB Secretariat serves as a non-voting *ex-officio* member of the SB. The Director of the Energy Center is invited to the SB meetings as a guest.

On occasion, the RSB Secretariat may partially or fully reimburse travel expenses for Executive Committee members for activities directly related to RSB; such travel reimbursements are normally not provided for individuals from the private sector.

The Chair of the Executive Committee will also serve on the Energy Center's Bioenergy Coordinating Committee, which advises on the final budget for all Energy Center bioenergy activities (including those of the RSB) and hiring of Energy Center staff working on bioenergy (including those working for the RSB).

Decision-making

Decisions are taken by consensus within each Chamber and within the Executive Committee, with consensus being defined as the lack of sustained opposition. Chambers 1-10 will be decision-making chambers. The 11th Chamber, which includes IGOs, governments, standards-setters, and special advisory groups, will be a non-decision-making chamber. Participants in this Chamber will be able to participate fully in discussions, provide advice and guidance, and react to proposals, but they will not be able to block consensus.

Participation

Participation in the Chambers is not limited in number, but participants must be recognized as performing an activity directly relevant to the particular constituency. Participation is open but conditional on relevant expertise, active engagement, and commitment to the objectives of the RSB. Any person or organization seeking formal participation in the RSB Standards Board shall:

- Accept and comply with the Terms of Reference of the Standards Board and any and all other documents decided, approved, adopted, enacted and implemented by the RSB;
- Demonstrate support for the vision, mission, objectives, and systems of the RSB;
- Conduct its affairs in a manner suitable to support and further the vision, mission, objectives, and systems of the RSB;
- Be directly involved in working with the issues or practicalities of biofuels;
- Allocate sufficient time, resources and effort necessary to meet the requirements for formal participation in the RSB Standards Board to be able to: 1) react to discussion papers and 2) participate in teleconferences and/or in-person meetings;
- Apply for formal participation in the RSB Standards Board. The application for formal participation shall contain:
 - a formal application letter clearly stating support for the vision, mission, objectives, and systems of the RSB and accepting without prejudice any and all provisions related to formal participation in the RSB Standards Board;
 - a declaration of interests, which shall be evaluated for any conflict of interest;

Applications or nominations must be submitted to the Secretariat, which will then make a recommendation to the Executive Committee as to whether or not the applicant should be accepted. The Executive Committee will have two weeks to query any suggestions of the Secretariat regarding acceptance of a candidate. Any Secretariat recommendation questioned by any member of the Executive Committee will be discussed in the next Executive Committee meeting for a final decision. Participation shall not be unduly denied to any organization.

If a Chamber or the Executive Committee wishes to expel a participant, this will be decided by a two-thirds majority of the Executive Committee and will be based on a detailed report provided by the Secretariat providing sound reason(s) for expulsion.

Fees for participation

A participation fee will be required by all organizations participating in the Standards Board. The fee structure is below, based on the economic size of the organization. Upon recommendation by the Secretariat, the Executive Committee may decide to waive or reduce the fee according to the needs of the organization wishing to participate. The fee structure has been developed based on ability to pay and is not intended as a way to exclude participants.

Public sector and not-for-profit organizations

	<i>Annual Operating Budget</i>	<i>Fee (USD)</i>
small	<15 million	250
medium	15-30 million	500
large	30-150 million	1000
very large	>150 million	2000

All other organizations

	<i>Turnover</i>	<i>Fee (USD)</i>
small	<40 million	1000
medium	40-200 million	2000
large	200 million - 2 billion	5000
very large	>2 billion	10,000

Working Groups

As occasionally suggested by the Standards Board, the RSB Secretariat may create Working Groups (WGs) to address topics of specific interest. The Standards Board may also suggest structure and characteristics of the WGs, and individuals to serve in them. Participation in a WG is on an “ad persona” basis and does not require or imply membership in the Standards Board of the organization employing the individual.

A WG is active as long as required to complete its agreed-upon task. Upon completion of the agreed-upon task, the WG is dissolved. Participation in a WG does not involve any financial compensation. On occasion, the RSB Secretariat may partially or fully reimburse travel expenses for Working Group members for activities directly related to RSB; such travel reimbursements are normally not provided for individuals from the private sector.

Review

These Terms of Reference of the RSB Standards Board will be reviewed each year of operation of the Standards Board, for the first three years of its existence. Thereafter review will be done if requested by a Chamber or recommended by the RSB Secretariat.