

## COMPLAINTS PANEL MINUTES OF MEETING

for Website

Date: 22 February @ 5.00pm - 7.30pm (Meeting No.02/2023)

Meeting location: *via Zoom Link*

<p><b>List of Complaints Panel Members</b></p>	<table border="1"> <tr> <td data-bbox="376 483 906 710"> <ol style="list-style-type: none"> <li>1. Henry Barlow (Chair - CCP)</li> <li>2. Lim Sian Choo ( Co Chair)</li> <li>3. Michelle Desilets</li> <li>4. Marieke Leegwater</li> <li>5. Lanash Thanda</li> </ol> </td> <td data-bbox="912 483 1441 710"> <ol style="list-style-type: none"> <li>6. Robert Kruger</li> <li>7. Nunik Maharani</li> <li>8. Florentine van den Eerenbeemt</li> <li>9. Laszlo Mathe</li> <li>10. Priya Gopalan</li> </ol> </td> </tr> </table>	<ol style="list-style-type: none"> <li>1. Henry Barlow (Chair - CCP)</li> <li>2. Lim Sian Choo ( Co Chair)</li> <li>3. Michelle Desilets</li> <li>4. Marieke Leegwater</li> <li>5. Lanash Thanda</li> </ol>	<ol style="list-style-type: none"> <li>6. Robert Kruger</li> <li>7. Nunik Maharani</li> <li>8. Florentine van den Eerenbeemt</li> <li>9. Laszlo Mathe</li> <li>10. Priya Gopalan</li> </ol>
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<p><b>Agenda</b></p>	<p style="text-align: center;"><b><u>General Agenda:- 5.00pm to 6.25pm</u></b></p> <ol style="list-style-type: none"> <li>1. Opening Remarks by Chairperson</li> <li>2. RSPO Antitrust Guidelines</li> <li>3. Declaration of Conflict of Interest</li> <li>4. To confirm and adopt the minutes of <b>25 January 2023</b> during the CP Meeting</li> <li>5. New Allegations</li> <li>6. Complaints Case Statistics</li> <li>7. Complaints Panel meeting Dates             <ol style="list-style-type: none"> <li>7.1 Dates for CP monthly Meetings - 2023</li> <li>7.2 Dates for CP Physical Meetings</li> <li>7.3 Expansion of the Complaints Panel</li> </ol> </li> <li>8. Post Complaints Monitoring</li> <li>9. Dispute Settlement Facility (DSF)</li> <li>10. Commitment of Financial Institutions.</li> <li>11. 1st Internal Voluntary Review of the Complaints and Appeals Procedures</li> <li>12. Any Other Matters</li> <li>13. Complaints for deliberation:-</li> </ol>		

**Group 1:- 7.20pm to 8.10pm**

1. PT. Mitra Austral Sejahtera (PT. MAS) - subsidiary of Sime Darby vs Transformasi untuk Keadilan (TuK-NGO)
2. Golden Veroleum Liberia (GVL) vs. Green Advocate for the Butaw Community & Forest Peoples Programme & SDI & SESDev & A-Bloteh
3. Pacific Inter-Link (Papuan Concessions) vs Environmental Investigation Agency (EIA) & Greenpeace
4. PT Wahana Prima Sejati (subsidiary of First Resources) vs *requested for confidentiality*
5. PT. Mitra Karya Sentosa (a subsidiary of First Resources Limited) vs *requested for confidentiality*
6. Papaso Estate & PT Damai Nusa Sekawan - Sosa & Bukit Udang Estate (a subsidiary of Permata Hijau Group) vs *requested for confidentiality*
7. PT. Nabatindo Karya Utama (subsidiary of Bumitama Agri Limited) vs *requested for confidentiality*
8. PT. Eagle High Plantations vs vs *requested for confidentiality*
9. Reforestadora de Palmas del Peten S.A. (REPSA) vs vs *requested for confidentiality*

**Group 2:- 6.25pm to 7.20pm**

1. Golden Agri Resources (GAR) vs Forest Peoples Programme & TuK - Indonesia
2. PT. Perkebunan Nusantara IV (PERSERO) vs Koalisi Organisasi Serikat Pekerja dan Lembaga Swadaya Masyarakat Kabupaten Labuhan Batu, FSMI. TIPAN-RI
3. PT. Perkebunan Nusantara IV (PERSERO) vs *requested for confidentiality*
4. PT. Perkebunan Nusantara IV (PERSERO) vs Federasi Serikat Pekerja Metal Indonesia (FSPMI)
5. PT Agrowiratama (a subsidiary of Musim Mas Holdings Pte. Ltd.) vs Tim Advokasi Dewan Pengurus Pusat Komite Nasional Pemuda Indonesia (DPP KNPI) on behalf of 4 Datuak (Batuah, Bonsu, Sati, and Malenggang) of customary community in Muara Kiawai, Pasaman Barat.
6. PT. Ramajaya Pramukti (subsidiary of Golden Agri Resources Ltd) vs Lembaga Adat Kenegerian Petapahan (Ninik Mamak Kenegerian Petapahan), Bahtera Alam & Sawit Watch
7. Mados's Holdings Sdn Bhd vs Mighty Earth Inc
8. PT. Perkebunan Nusantara V (PERSERO) vs *requested for confidentiality*
9. PT Farinda Bersaudara ( subsidiary of TSH Resources Berhad) vs RSPO Secretariat

**Group 3:- 8.10pm to 9.10pm**

1. PT. Kartika Prima Cipta (PT. KPC) - subsidiary of Golden Agri Resources (GAR) vs Forest Peoples Programme & TuK Indonesia
2. Goodhope Asia Holdings Ltd vs RSPO Secretariat
3. Golden Agri Resources (GAR) vs Forest Peoples Programme & Elk Hills Foundation
4. Aceites Y Derivados Sociedad Anonima (ACEYDESA) vs *requested for confidentiality*
5. IOI Plantation Mekassar Estate (subsidiary of IOI Corporation Berhad) vs *requested for confidentiality*
6. Palmas y Trabajo S.A.S; Progreso Palmero S.A.S and Oleaginosas de Yuma S.A.S (Daabon Group) vs Puerto Wilches Section Sintrainagro Deputy Director's Office
7. First Resources Limited vs *requested for confidentiality*
8. PT Inecda (a subsidiary of S&G Biofuel Pte. Ltd) vs *requested for confidentiality*
9. PT. Bumi Pratama Khatulistiwa (subsidiary of Wilmar International Limited) vs Teraju Foundation
10. Grasas Y Derivados S.A. Gradesa S.A vs *requested for confidentiality*

**DETAILS OF THE AGENDA:**

No.	Agenda
1.	Opening Remarks from Chairperson  Opening speech by CCP.
2.	RSPO Antitrust Guidelines  RSPO Antitrust Guidelines were read to the Complaints Panel.
3.	Declaration of “No Conflict of Interest”  No new conflict of interest declared by the CP members at this time of the meeting.
4.	To confirm and adopt the minutes of <b>25 January 2023</b> during the Complaints Panel Meeting.  Minutes of <b>25 January 2023</b> adopted unanimously.

**5. New allegation submitted**

<b>5.1</b>	<table border="1"> <tr> <td><b>RSPO/2022/17/LSL</b></td> <td><b>PT. Bumi Pratama Khatulistiwa ( subsidiary of Wilmar International Limited)</b></td> </tr> <tr> <td>Complainant</td> <td>Requested for confidentiality</td> </tr> <tr> <td>Complaint received</td> <td>26 December 2022</td> </tr> <tr> <td>Location</td> <td>Kalimantan Barat, Indonesia</td> </tr> <tr> <td>Allegations</td> <td> <ul style="list-style-type: none"> <li>The allegations are with respect to labour related issues and union busting.</li> </ul> </td> </tr> </table> <p><b>Discussion from 22 February 2023 (CP Meeting):-</b></p> <ol style="list-style-type: none"> <li>The Complainant submitted a revised Complaints form with additional documents after the meeting held on 20.01.2023.</li> <li>However, the allegations in the Complaints Form remain unclear.</li> <li>The Secretariat is still in the midst of seeking the necessary clarification before the Initial Diagnosis can be completed.</li> </ol>	<b>RSPO/2022/17/LSL</b>	<b>PT. Bumi Pratama Khatulistiwa ( subsidiary of Wilmar International Limited)</b>	Complainant	Requested for confidentiality	Complaint received	26 December 2022	Location	Kalimantan Barat, Indonesia	Allegations	<ul style="list-style-type: none"> <li>The allegations are with respect to labour related issues and union busting.</li> </ul>
<b>RSPO/2022/17/LSL</b>	<b>PT. Bumi Pratama Khatulistiwa ( subsidiary of Wilmar International Limited)</b>										
Complainant	Requested for confidentiality										
Complaint received	26 December 2022										
Location	Kalimantan Barat, Indonesia										
Allegations	<ul style="list-style-type: none"> <li>The allegations are with respect to labour related issues and union busting.</li> </ul>										

<b>5.2</b>	<table border="1"> <tr> <td><b>RSPO/2023/01/MAM</b></td> <td><b>Energy &amp; Palma S.A. (a subsidiary of HOLDING LA FABRIL S.A)</b></td> </tr> <tr> <td>Complainant</td> <td>Requested for confidentiality</td> </tr> <tr> <td>Complaint received</td> <td>05 January 2023</td> </tr> <tr> <td>Location</td> <td>Ecuador</td> </tr> <tr> <td>Allegations</td> <td> <ul style="list-style-type: none"> <li>Allegations made against the Respondent are in relation to the modification of property deeds to remove areas identified by the government as community lands and environmental protection zones.</li> <li>Lawsuit against community owners to intimidate the local people.</li> <li>Company's activities have a negative impact on the natural environment and lead to degradation and deforestation.</li> </ul> </td> </tr> </table> <p><b>Discussion from 22 February 2023 (CP Meeting):-</b></p> <ol style="list-style-type: none"> <li>The Initial Diagnosis has been furnished to the CP members.</li> <li>The CP endorsed the acceptance of the Initial Diagnosis.</li> </ol>	<b>RSPO/2023/01/MAM</b>	<b>Energy &amp; Palma S.A. (a subsidiary of HOLDING LA FABRIL S.A)</b>	Complainant	Requested for confidentiality	Complaint received	05 January 2023	Location	Ecuador	Allegations	<ul style="list-style-type: none"> <li>Allegations made against the Respondent are in relation to the modification of property deeds to remove areas identified by the government as community lands and environmental protection zones.</li> <li>Lawsuit against community owners to intimidate the local people.</li> <li>Company's activities have a negative impact on the natural environment and lead to degradation and deforestation.</li> </ul>
<b>RSPO/2023/01/MAM</b>	<b>Energy &amp; Palma S.A. (a subsidiary of HOLDING LA FABRIL S.A)</b>										
Complainant	Requested for confidentiality										
Complaint received	05 January 2023										
Location	Ecuador										
Allegations	<ul style="list-style-type: none"> <li>Allegations made against the Respondent are in relation to the modification of property deeds to remove areas identified by the government as community lands and environmental protection zones.</li> <li>Lawsuit against community owners to intimidate the local people.</li> <li>Company's activities have a negative impact on the natural environment and lead to degradation and deforestation.</li> </ul>										

<b>5.3</b>	<table border="1"> <tr> <td><b>RSPO/2023/02/LSL</b></td> <td><b>PT Laras Internusa (a subsidiary of TSH Resources Berhad)</b></td> </tr> <tr> <td>Complainant</td> <td>requested for confidentiality</td> </tr> <tr> <td>Complaint received</td> <td>25 January 2023</td> </tr> <tr> <td>Location</td> <td>West Sumatera, Indonesia</td> </tr> <tr> <td>Allegations</td> <td> <ul style="list-style-type: none"> <li>Allegations made against the Respondent are pertaining to land disputes. The Communities allege that they have never handed their customary land for development to the Respondent.</li> <li>The “Izin Perkebunan” and HGU obtained by the Respondent are allegedly in relation to another community’s customary land but the Respondent has developed its plantation in the Complainant’s customary land instead.</li> </ul> </td> </tr> </table> <p><b>Discussion from 22 February 2023 (CP Meeting):-</b></p> <p><b>1. The Initial Diagnosis is in progress.</b></p>	<b>RSPO/2023/02/LSL</b>	<b>PT Laras Internusa (a subsidiary of TSH Resources Berhad)</b>	Complainant	requested for confidentiality	Complaint received	25 January 2023	Location	West Sumatera, Indonesia	Allegations	<ul style="list-style-type: none"> <li>Allegations made against the Respondent are pertaining to land disputes. The Communities allege that they have never handed their customary land for development to the Respondent.</li> <li>The “Izin Perkebunan” and HGU obtained by the Respondent are allegedly in relation to another community’s customary land but the Respondent has developed its plantation in the Complainant’s customary land instead.</li> </ul>
<b>RSPO/2023/02/LSL</b>	<b>PT Laras Internusa (a subsidiary of TSH Resources Berhad)</b>										
Complainant	requested for confidentiality										
Complaint received	25 January 2023										
Location	West Sumatera, Indonesia										
Allegations	<ul style="list-style-type: none"> <li>Allegations made against the Respondent are pertaining to land disputes. The Communities allege that they have never handed their customary land for development to the Respondent.</li> <li>The “Izin Perkebunan” and HGU obtained by the Respondent are allegedly in relation to another community’s customary land but the Respondent has developed its plantation in the Complainant’s customary land instead.</li> </ul>										
<b>5.4</b>	<table border="1"> <tr> <td><b>RSPO/2023/03/RR</b></td> <td><b>PT Agro Masang Perkasa Plantation (subsidiary of Wilmar International Ltd)</b></td> </tr> <tr> <td>Complainant</td> <td>JONI PRANATA &amp; DAMIRUDIN</td> </tr> <tr> <td>Complaint received</td> <td>02 February 2023</td> </tr> <tr> <td>Location</td> <td>Indonesia</td> </tr> <tr> <td>Allegations</td> <td> <ul style="list-style-type: none"> <li>The complaint is pertaining to the Respondent’s use of the land against the principles of FPIC, and for obtaining HGU on the land without the community’s knowledge of the same.</li> <li>The Complainant claims that the land in question is an indigenous land, and wants the same to be returned to the community.</li> <li>The Complainant also claims that plasma was not provided to the community in accordance with the agreement entered into between the community and the Bupati.</li> </ul> </td> </tr> </table> <p><b>Discussion from 22 February 2023 (CP Meeting):-</b></p> <p><b>1. The Initial Diagnosis is in progress.</b></p>	<b>RSPO/2023/03/RR</b>	<b>PT Agro Masang Perkasa Plantation (subsidiary of Wilmar International Ltd)</b>	Complainant	JONI PRANATA & DAMIRUDIN	Complaint received	02 February 2023	Location	Indonesia	Allegations	<ul style="list-style-type: none"> <li>The complaint is pertaining to the Respondent’s use of the land against the principles of FPIC, and for obtaining HGU on the land without the community’s knowledge of the same.</li> <li>The Complainant claims that the land in question is an indigenous land, and wants the same to be returned to the community.</li> <li>The Complainant also claims that plasma was not provided to the community in accordance with the agreement entered into between the community and the Bupati.</li> </ul>
<b>RSPO/2023/03/RR</b>	<b>PT Agro Masang Perkasa Plantation (subsidiary of Wilmar International Ltd)</b>										
Complainant	JONI PRANATA & DAMIRUDIN										
Complaint received	02 February 2023										
Location	Indonesia										
Allegations	<ul style="list-style-type: none"> <li>The complaint is pertaining to the Respondent’s use of the land against the principles of FPIC, and for obtaining HGU on the land without the community’s knowledge of the same.</li> <li>The Complainant claims that the land in question is an indigenous land, and wants the same to be returned to the community.</li> <li>The Complainant also claims that plasma was not provided to the community in accordance with the agreement entered into between the community and the Bupati.</li> </ul>										

6. Complaints Cases Statistics				
<b>Total Cases in 2022</b>				
	Jan-2022	Feb-2022	Mar-2022	Apr-2022
<b>Complaints received</b>	0	1	3	0
<b>Status</b>	-	Open (0) Withdrawn(1)	Open (2) Rejected (1)	-
<b>Country</b>	-	Malaysia (1)	Indonesia (3)	-
<b>Case Category</b>	-	land clearing without prior HCV assessment	FPIC	-
	May-2022	Jun-2022	Jul-2022	Aug-2022
<b>Complaints received</b>	1	1	0	1
<b>Status</b>	Open (1)	Open (0) Rejected (1)	-	Open (0) Rejected (1)
<b>Country</b>	Malaysia	Indonesia	-	Singapore
<b>Case Category</b>	land clearing without prior HCV assessment	Pollution of river water	-	Breach of contract
	Sep-2022	Oct-2022	Nov-2022	Dec-2022
<b>Complaints received</b>	3	3	3	2
<b>Status</b>	Open (1) Rejected (2)	Open (1) Rejected (2)	Open (2) Rejected (1)	Open (1) Rejected (1)
<b>Country</b>	Indonesia	Malaysia Nigeria Guatemala	Colombia Indonesia	Indonesia
<b>Case Category</b>	workers wage Land compensation HCV	-Staff harassment -wrongful termination of employment -violation of labour rights	-working conditions and safety of workers -Land issues	-land abandoned by a previous company -illegal deforestation



**Total cases in 2023**

	Jan-2023	Feb-2023	Mar-2023	Apr-2023
<b>Complaints received</b>	2	1	0	0
<b>Status</b>	Open (2)	Open (1)	-	-
<b>Country</b>	Ecuador Indonesia	Indonesia	-	-
<b>Case Category</b>	-degradation & deforestation	-FPIC	-	-

**Total Active Cases by Country and Year (as of 20.02.2023)**

Country	Active Cases	Year	Active Cases
Indonesia	24	2012	1
Malaysia	2	2014	1
Colombia	2	2017	2
Liberia	1	2018	2
Honduras	1	2019	3
Guatemala	1	2020	5
Ecuador	1	2021	7
		2022	8
		2023	3
<b>TOTAL</b>	<b>32</b>	<b>TOTAL</b>	<b>32</b>

7. Complaints Panel Meeting Dates	
7.1	<b>Dates for Complaints Panel monthly meetings</b>
	<p>Discussion from 22 February 2023 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>1. CP meeting dates up to June 2023 have been finalised.</li> <li>2. The Secretariat is to identify new dates and issue calendar invites for the remaining half of 2023.</li> </ol>
7.2	<b>Dates for Complaints Panel Physical Meetings</b>
	<p>Discussion from 22 February 2023 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>1. The Secretariat is to identify potential dates for a virtual quarterly meeting in April 2023 and to communicate those dates to the CP for consideration.</li> </ol>
7.3	<b>Expansion of Complaints Panel</b>
	<p>Discussion from 22 February 2023 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>1. The Selection Committee to proceed with interviewing a potential candidate for the position of a CP member. Interview date to be scheduled accordingly.</li> </ol>
8. Post Complaints Monitoring	
8.1	<b>FELDA Global Venture - (Article by The Wall Street Journal)</b>
	<p>Discussion from 22 February 2023 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>1. Pending receipt of a further document from FGV.</li> </ol>
8.2	<b>Poligrow Colombia SAS</b>
	<p>Discussion from 22 February 2023 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>1. Pending receipt of a response from the Certification Unit about the findings in the audit report with respect to compliance with the CP's directive.</li> </ol>

<b>8.3</b>	<p><b>PT Permata Hijau Sawit Kebun Papaso (subsidiary of Permata Hijau Group)</b></p> <p>Discussion from 22 February 2023 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>1. The Secretariat is in the midst of finalising the CP’s directive letter.</li> </ol>
<b>8.4</b>	<p><b>Extractora de la Gloria SAS</b></p> <p>Discussion from 22 February 2023 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>1. The Secretariat has submitted the Briefing Note to the CP on 10.02.2023. Pending a response from the CP.</li> </ol>
<b>9. Dispute Settlement Facility (DSF)</b>	
	<p>Discussion from 22 February 2023 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>1. The recent DSF GoA online meeting was held on 16.02.2023.</li> <li>2. The Secretariat is currently in the midst of completing the minutes of the meeting.</li> </ol>
<b>10. Commitments of Financial Institution(s)</b>	
	<p>Discussion from 22 February 2023 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>1. No further updates.</li> </ol>
<b>11. 1st Internal Voluntary Review of the Complaints and Appeals Procedures</b>	
	<p>Discussion from 22 February 2023 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>1. The next Steering Group meeting will be a hybrid meeting in Kuala Lumpur, Malaysia on 17.03.2023.</li> </ol>
<b>12. Any Other Matters</b>	
	<p><b>ASC-CP MEETING</b></p> <p>Discussion from 22 February 2023 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>1. Pending fixing of the joint ASC-CP meeting which is tentatively to be fixed in June 2023.</li> </ol>

**COMPLAINTS FOR DELIBERATION:**

**GROUP 1**

<b>Complaint 1.1 PT. Mitra Austral Sejahtera (Sime Darby) vs NGO TuK</b>	
<b>Case Reference</b>	PreCAP/2012/06/PR
<b>Date Filed</b>	31 October 2012 (Under DSF) 9 June 2017 (Transferred to the CP)
<b>Respondent</b>	PT Mitra Austral Sejahtera (Sime Darby subsidiary)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Transformasi untuk Keadilan (TuK)
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>● The communities of Sanggau have alleged that the company PT Mitra Austral Sejahtera is operating without :               <ol style="list-style-type: none"> <li>1. Lack of Transparency on land status and partnership agreements;</li> <li>2. Lack of compliance to our customary land rights;</li> <li>3. The absence of (documented) compensation;</li> <li>4. Lack of compliance to local regulations;</li> </ol> </li> <li>● In acting so they are alleged to have breached RSPO Principles and Criteria specifically on:               <ol style="list-style-type: none"> <li>1. Principle 1 on Transparency,</li> <li>2. Principle 2 on Compliance with applicable laws and Principle 6 Responsible consideration of employees and individuals and communities affected by growers and mills.</li> </ol> </li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. Briefing note is ready to be submitted to the Complaints Panel for deliberations.</b>

<b>Complaint 1.2 Golden Veroleum Liberia (GVL) vs. Green Advocate for the Butaw Community; FPP; SDI; SESDev; A-Bloteh</b>	
<b>Case Reference</b>	PreCAP/2012/09/PR
<b>Date Filed</b>	3 October 2012
<b>Respondent</b>	Golden Veroleum Liberia (GVL)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Liberia
<b>Complainant</b>	Green Advocate for the Butaw Community; FPP; SDI; SESDev; A-Bloteh
<b>Complaint description</b>	<p>Golden Veroleum Liberia:</p> <ul style="list-style-type: none"> <li>● Has not provided public notification for a 30 day period consistent with the New Planting Procedures;</li> <li>● commencing land preparation new planting and infrastructure development prior to the expiry of the minimum 30-day period;</li> <li>● By not conducting a comprehensive and participatory independent social and environmental impact assessment(s) of the area concerned and incorporate the results into relevant action plans (see RSPO criteria 5.1, 6.1, 7.1 &amp; 7.4) including the identification of: (a) all primary forest, (b) any area required to maintain or enhance one or more High Conservation Values (HCVs), and (d) local peoples' land;</li> <li>● Clearing land without the free, prior and informed consent of the customary land owners as represented through representative organizations of their choice (P&amp;C 2.2, 2.3, 7.5 and 7.6).</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. Pending submission of further information to the CP from the Secretariat.</b>

<b>Complaint 1.3 Pacific Inter-Link (Papuan Concessions) vs Environmental Investigation Agency (EIA) &amp; Greenpeace</b>	
<b>Case Reference</b>	RSPO/2018/19/RB
<b>Date Filed</b>	15 October 2018
<b>Respondent</b>	Pacific Inter-Link (Papuan Concessions)
<b>Membership Category</b>	Processors and / or Traders
<b>Country</b>	Indonesia
<b>Complainant</b>	Environmental Investigation Agency (EIA) & Greenpeace
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• Violation of the RSPO Code of Conduct because of their alleged involvement in the control/ownership and operational development of four palm oil plantation companies in Papua.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>Pending receipt of submissions from candidates in response to the ToR (call for expression of interest) for an independent investigation.</b></li> </ol>

<b>Complaint 1.4 PT Wahana Prima Sejati (subsidiary of First Resources Limited) vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2020/12/EN
<b>Date Filed</b>	14 July 2020
<b>Respondent</b>	PT Wahana Prima Sejati (subsidiary of First Resources Limited)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Requested for confidentiality
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• Deforestation and land clearing including in the High Conservation Value Forest within the Respondent's concession for construction;</li> <li>• Development of road cutting across one of the major wildlife corridors connecting two river systems – Berenga and Tempadung Rivers; and</li> <li>• Development of a jetty, which includes reclamation of the sea floor as long as</li> </ul>

	590 meters
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. Pending completion of review of the draft decision letter.</b>

<b>Complaint 1.5 PT Mitra Karya Sentosa ( subsidiary of First Resources Limited) vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2021/07/SW
<b>Date Filed</b>	19 March 2021
<b>Respondent</b>	PT. Mitra Karya Sentosa (a subsidiary of First Resources Limited)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Requested for confidentiality
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>● The Respondent did not pay the full land compensation to the six (6) individuals;</li> <li>● The Respondent unilaterally marking up the cost of plasma development and did not refer to the relevant regulations in deciding the cost of plasma development;</li> <li>● The Respondent did not pay the land compensation for the land identified as HCV and HCS area; and</li> <li>● The Respondent did not provide the complete map along with its coordinates for the land that has been handed over by the six (6) individuals.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. The Complainant has sent their final feedback on 20.02.2023 and the Secretariat is in the midst of compiling all the feedback from both Parties before it can be sent to the CP for deliberations.</b>

<b>Complaint 1.6 Papaso Estate &amp; PT Damai Nusa Sekawan - Soso &amp; Bukit Udang Estate (a subsidiary of Permata Hijau Group) vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2021/05/SW
<b>Date Filed</b>	19 March 2021
<b>Respondent</b>	Papaso Estate & PT Damai Nusa Sekawan - Sosa & Bukit Udang Estate (a subsidiary of Permata Hijau Group)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Requested for confidentiality
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>Complainant alleged that the Respondent prohibits the workers to conduct union activities (protest with regards to the Omnibus Law);</li> <li>Complainant alleged that the Respondent has conducted a unilateral termination of employment for the 2 (two) PT Permata Hijau Sawit workers; and</li> <li>Complainant alleged that the Respondent did not socialize the Company Regulations (<i>Peraturan Perusahaan</i>) to the workers in PT Damai Nusa Sekawan.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. The finalisation of the Briefing Note and the annexures are still ongoing.</b>

<b>Complaint 1.7 PT. Nabatindo Karya Utama (subsidiary of Bumitama Agri Limited) vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2021/10/LSL
<b>Date Filed</b>	1 July 2021
<b>Respondent</b>	PT. Nabatindo Karya Utama (subsidiary of Bumitama Agri Limited)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia



<b>Complainant</b>	Requested for confidentiality
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>It is alleged that the Respondent and Koperasi Koling Hapakat did not use the plasma area in accordance with the permission allocated.</li> <li>It is alleged that there is a transfer of ownership of community-owned SHM (“Sertifikat Hak Milik”) by Koperasi Koling Hapakat to the Respondent.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li><b>The Complainant has provided a response with supporting documents but indicated for the supporting documents not to be shared with the Respondent.</b></li> <li><b>The Secretariat is in the midst of seeking a directive from the CP.</b></li> </ol>

<b>Complaint 1.8 PT. Eagle High Plantations vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2022/15/RR
<b>Date Filed</b>	08 November 2022
<b>Respondent</b>	PT. Eagle High Plantations
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Requested for confidentiality
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>Allegations made against the Respondent are pertaining to rights of workers, working conditions, and safety concerns.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation - (Bilateral Engagement)
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li><b>Bilateral Engagement is in progress.</b></li> </ol>

<b>Complaint 1.9 Reforestadora de Palmas del Peten S.A. (REPSA) vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2022/13/MAM
<b>Date Filed</b>	21 October 2022
<b>Respondent</b>	Reforestadora de Palmas del Peten S.A. (REPSA)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Guatemala
<b>Complainant</b>	Requested for confidentiality
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• The Complainant alleged that the Respondent violates the fundamental and labour rights of employees, because there are bad work conditions, unjustified dismissals, mistreatment, and false and unfounded suspicions;</li> <li>• The Respondent uses retaliation against farm workers and human rights defenders;</li> <li>• The Respondent uses the figure of the blacklist to designate employees who will not be rehired;</li> <li>• The Respondent uses organic fertilizer that generates pestilent odour and flies affecting communities.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. The Respondent has requested for the protection of confidential information based on Guatemalan law.</li> <li>2. The CP has agreed to grant confidentiality.</li> </ol>

**GROUP 2**

<b>Complaint 2.1 Golden Agri Resources vs Forest Peoples Programme (FPP) &amp; TuK</b>	
<b>Case Reference</b>	RSPO/2018/14/IR
<b>Date Filed</b>	22 August 2018
<b>Respondent</b>	Golden Agri Resources
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Forest Peoples Programme (FPP) and Tuk- Indonesia
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• GAR’s shadow companies are actively clearing lands.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. The CP held a meeting with the independent investigator to seek clarification on the findings of the independent investigation report. Deliberations are ongoing.</li> </ol>

### Complaint 2.2 PT Perkebunan Nusantara IV (PERSERO) vs Koalisi Organisasi Serikat Pekerja dan Lembaga Swadaya Masyarakat Kabupaten Labuhan Batu, FSMI. TIPAN-RIPT

Case Reference	RSPO/2019/07/IR
Date Filed	10 April 2019
Respondent	PT Perkebunan Nusantara IV (PERSERO)
Membership Category	Oil Palm Grower
Country	North Sumatera, Indonesia
Complainant	Koalisi Organisasi Serikat Pekerja dan Lembaga Swadaya Masyarakat Kabupaten Labuhan Batu, FSMI. TIPAN-RI
Complaint description	<ul style="list-style-type: none"> <li>• Lack of adequate health and safety equipment;</li> <li>• Worker died due to lack of safety equipment; and</li> <li>• No festive holidays for temporary workers.</li> </ul>
Status	(D) Investigation/Deliberation
Decision / Justification	<ol style="list-style-type: none"> <li>1. <b>The Secretariat has reviewed the annual surveillance audit report and has written to the Certification Unit for clarification from the CB.</b></li> <li>2. <b>Pending updates from the Certification Unit.</b></li> </ol>

### Complaint 2.3 PT Perkebunan Nusantara IV (PERSERO) vs requested for confidentiality

Case Reference	RSPO/2019/11/IR
Date Filed	23 April 2019
Respondent	PT Perkebunan Nusantara IV (PERSERO)
Membership Category	Oil Palm Grower
Country	North Sumatera, Indonesia
Complainant	<i>requested for confidentiality</i>
Complaint description	<ul style="list-style-type: none"> <li>• Temporary workers contract and wages issues;</li> <li>• Intimidation of workers</li> </ul>
Status	(D) Investigation/Deliberation

<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. The Secretariat has reviewed the annual surveillance audit report and has written to the Certification Unit for clarification from the CB.</li> <li>2. Pending updates from the Certification Unit.</li> </ol>
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<b>Complaint 2.4 PT Perkebunan Nusantara IV (PERSERO) vs Federasi Serikat Pekerja Metal Indonesia (FSPMI)</b>	
<b>Case Reference</b>	RSPO/2019/12/IR
<b>Date Filed</b>	6 May 2019
<b>Respondent</b>	PT Perkebunan Nusantara IV (PERSERO)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	North Sumatra, Indonesia
<b>Complainant</b>	Federasi Serikat Pekerja Metal Indonesia (FSPMI)
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>● Alleged fraud of wages for 7 workers,</li> <li>● No festive holidays and bonus for temporary workers</li> </ul>
<b>Status</b>	(D) Investigation/Deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. The Secretariat has reviewed the annual surveillance audit report and has written to the Certification Unit for clarification from the CB.</li> <li>2. Pending updates from the Certification Unit.</li> </ol>

<b>Complaint 2.5 PT Agrowiratama ( a subsidiary of Musim Mas Holdings Pte. Ltd) vs Tim Advokasi DPPKNPI</b>	
<b>Case Reference</b>	RSPO/2021/02/SW
<b>Date Filed</b>	27 January 2021
<b>Respondent</b>	PT Agrowiratama (a subsidiary of Musim Mas Holdings Pte. Ltd.)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Tim Advokasi Dewan Pengurus Pusat Komite Nasional Pemuda Indonesia (DPP KNPI) on behalf of 4 Datuak (Batuah, Bonsu, Sati, and Malenggang) of customary community in Muara Kiawai, Pasaman Barat.
<b>Complaint Description</b>	<ul style="list-style-type: none"> <li>• Operating in the protected forest area without having a license from the Ministry of Forestry;</li> <li>• Operating without having a HGU; and</li> <li>• Did not develop plasma plantations for the community as agreed</li> </ul>
<b>Status</b>	(D) Investigation/Deliberation
<b>Decision / Justification</b>	<b>1. The Briefing Note is being drafted.</b>

<b>Complaint 2.6 PT Ramajaya Pramukti (subsidiary of Golden Agri Resources Ltd) vs Lembaga Adat Kenegerian Petapahan (Ninik Mamak Kenegerian Petapahan), Bahtera Alam &amp; Sawit Watch</b>	
<b>Case Reference</b>	RSPO/2021/12/CRP
<b>Date Filed</b>	08 November 2021
<b>Respondent</b>	PT. Ramajaya Pramukti (subsidiary of Golden Agri Resources Ltd)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Lembaga Adat Kenegerian Petapahan (Ninik Mamak Kenegerian Petapahan), Bahtera Alam & Sawit Watch
<b>Complaint Description</b>	<ul style="list-style-type: none"> <li>● that the Respondent conducted land expansion to about 167 hectares into the Imbo Putui Customary Forest;</li> <li>● that the Respondent's used their operational truck passing through the Customary Forest and disturbing the community with the noise and dust pollution, disturbing the growth of trees along the road, cutting off animal paths (bear, deer, pangolin, snake, monitor lizard, monkey), and cutting off water paths;</li> <li>● that the Respondent's action of planting oil palm up to the riverbank, even in the middle of the river (the company changed the waterway, then planted oil palm on the former river that was stockpiled);</li> <li>● that the Respondent is not taking the responsibility for the social, economic, and ecological damage that occurred in the Imbo Putui Customary Forest and Petapahan Village;</li> <li>● that the Respondent changed the natural shape of the rivers and made them straight;</li> <li>● that the Respondent is destroying the downstream river ecosystem in the Imbo Putui customary forest with fertilizers and pesticides; and</li> <li>● that the Respondent claimed the Imbo Putui Customary Forest as their conservation area (HCV).</li> </ul>
<b>Status</b>	(D) Investigation/Deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>Pending receipt of finalised Special Audit Report following feedback from Parties.</b></li> </ol>

<b>Complaint 2.7 Mados's Holdings Sdn Bhd vs Mighty Earth Inc - Malaysia</b>	
<b>Case Reference</b>	RSPO/2022/05/HN
<b>Date Filed</b>	09 May 2022
<b>Respondent</b>	Mados's Holdings Sdn Bhd
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Johor, Malaysia
<b>Complainant</b>	Mighty Earth Inc
<b>Complaint Description</b>	<ul style="list-style-type: none"> <li>● Mados's Holdings Sdn Bhd has not disclosed all potential non-compliant land development within the Company's own concessions and Related Entities' concessions (controlled and influenced by Mados's Holdings Sdn Bhd).</li> <li>● The potential RaCP liabilities associated with Mados's Holdings Sdn Bhd's RSPO membership (i.e. the 1 Management Unit referenced in the RaCP Tracker) does not currently extend to all non-compliant land clearing of HCVs/HCS within the company's own concessions and Related Entities' concessions: -               <ul style="list-style-type: none"> <li>○ Mados' Holdings Sdn Bhd</li> <li>○ Ibzi Holdings Sdn Bhd and its subsidiary, AA Sawit Sdn Bhd</li> <li>○ Nadi Mesra Sdn Bhd</li> </ul> </li> </ul>
<b>Status</b>	(D) Investigation/Deliberation
<b>Decision / Justification</b>	<b>1. The Secretariat is to proceed with the Briefing Note for submission and for facilitation of deliberations.</b>

<b>Complaint 2.8 PT. Perkebunan Nusantara V (PERSERO) vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2022/03/CRP
<b>Date Filed</b>	04 March 2022
<b>Respondent</b>	PT. Perkebunan Nusantara V (PERSERO)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Riau Province, Indonesia



<b>Complainant</b>	Requested for confidentiality
<b>Complaint Description</b>	<ul style="list-style-type: none"> <li>• The Respondent is alleged of illegally controlling some of the KKPA (Primary Member Cooperative Credit) objects, as well as violating the KKPA agreement.</li> <li>• The Respondent is alleged of embezzling funds and fraud in the development of oil palm plantations.</li> <li>• The Respondent is alleged of violating the agreement related to the sale of the farmers' fruits which should have been disbursed to the Complainant to be distributed to its members and illegal bailout funds.</li> </ul>
<b>Status</b>	(D) Investigation/Deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>The Secretariat is to schedule a meeting with the CB to seek clarification on the contents of the Special Audit Report.</b></li> </ol>

<b>Complaint 2.9 PT. Farinda Bersaudara (subsidiary of TSH Resources Berhad vs RSPO Secretariat - Indonesia</b>	
<b>Case Reference</b>	RSPO/2022/10/HN
<b>Date Filed</b>	26 September 2022
<b>Respondent</b>	PT Farinda Bersaudara ( subsidiary of TSH Resources Berhad)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Kalimantan Barat, Indonesia

<b>Complainant</b>	RSPO Secretariat
<b>Complaint Description</b>	<ul style="list-style-type: none"> <li>● The Respondent cleared High Conservation Value (HCV) areas in one of its subsidiaries, PT Farinda Bersaudara (PT FDB): -             <ol style="list-style-type: none"> <li>a. TSH Resources Berhad submitted a self-declaration on 25 September 2020 to the RSPO Secretariat to declare its liability for unintentional clearing of HCV areas in PT FDB and undertake responsibility for the liability; and</li> <li>b. The Secretariat responded by initiating an independent ground verification conducted by independent assessors (Pramitama Bayu Saputro and Nurul Iman Suansa) in July 2021 to verify the self-declaration made by the Respondent. The independent verification results are as follows: -                 <ol style="list-style-type: none"> <li>i. there was clearance of HCV areas before (69.87ha) and after (256.92ha) the Respondent became an RSPO member;</li> <li>ii. some of the land clearance were caused by community encroachment;</li> <li>iii. implementation of established SOPs in the field was not as effective as intended by the Respondent; and</li> <li>iv. local communities encroached the HCV areas as they were not well aware of where the boundary of Hak Guna Usaha (HGU) is located.</li> </ol> </li> </ol> <p><b>Note:</b> The Complaint is lodged by the RSPO Secretariat in line with section 1.4 of the Remediation &amp; Compensation Procedure (2015).</p> </li> </ul>
<b>Status</b>	(G) Decision delivered with period to appeal (60 WD)
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>The CP's decision letter has been furnished to the Parties to the Complaint on 13-Feb-2023.</b></li> <li>2. <b>The expiry of the submission of Appeal is on 08-May-2023.</b></li> </ol>

### GROUP 3

<b>Complaint 3.1 PT. Kartika Prima Cipta (GAR) vs Forest Peoples Programme &amp; TuK</b>	
<b>Case Reference</b>	PreCAP/2014/03/IR
<b>Date Filed</b>	13 October 2014
<b>Respondent</b>	PT. Kartika Prima Cipta (PT.KPC) - Golden Agri Resources (GAR)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia – Kapuas Hulu, West Kalimantan
<b>Complainant</b>	Forest Peoples Programme (FPP) and (Transformasi untuk Keadilan) TuK Indonesia

<b>Complaint description</b>	<p><b>Points raised:-</b></p> <ul style="list-style-type: none"> <li>● PT KPC is in persistent violation of the RSPO P&amp;C pertaining HCV assessment, the recognition of customary land rights and free, prior, and informed consent (FPIC). Lack of FPIC of the local Dayak and Malay people in the process of land take over.</li> <li>● Land takeover was done without land tenure study and participatory mapping.</li> <li>● Late HCV assessment which was done by IPB, final consultation was in May 2014.</li> <li>● Dissatisfaction by smallholders and resentment because of reduced post facto set aside for HCV rather than getting plasma scheme (20%).</li> <li>● Set aside land as HCS area that made no provision for customary land uses and tenure and local people livelihood.</li> <li>● GAR as the parent company of all 18 subsidiaries listed in acting in violation of the New Planting Procedure (NPP) by submitting information which is known as false. No HGU in 16 of 18 NPP.</li> <li>● The assessors which have endorsed GAR's HCV assessment, ESIA's and social engagement actions, are in violation of their responsibility to provide impartial assessment of company compliance with RSPO P&amp;C.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<p><b>1. Preparation of Briefing Notes for phases 3, 4 and 5 are still ongoing.</b></p>

<b>Complaint 3.2 Goodhope Asia Holdings vs RSPO Secretariat</b>	
<b>Case Reference</b>	PreCAP/2017/06/SW
<b>Date Filed</b>	19 April 2017
<b>Respondent</b>	Goodhope Asia Holdings
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	RSPO Secretariat (Following Joint Comment by FPP, Greenpeace, EIA and PUSAKA on the NPP Posting of PT Nabire Baru / Goodhope)

<b>Complaint description</b>	<ul style="list-style-type: none"> <li>Note: FPP and the other NGOs also sent a complaint to the BoG on the fact that Goodhope had insisted that their NPP be posted for public consultation despite the Secretariat’s finding that the HCV Assessment was not satisfactory. They had also questioned the role of the Secretariat in acting in accordance to GA 12 Resolution 6(H).</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li><b>The decision letter is being drafted.</b></li> </ol>

<b>Complaint 3.3 Golden Agri Resources (GAR) vs Forest Peoples Programme &amp; Elk Hills Foundation</b>	
<b>Case Reference</b>	RSPO/2020/04/IR
<b>Date Filed</b>	2 March 2020
<b>Respondent</b>	Golden Agri Resource (GAR)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Forest Peoples Programme & Elk Hills Foundation
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>The Respondent, through its subsidiaries located in Central Kalimantan, operate its plantations with permits which never had the force of law;</li> <li>The Respondent, through its employees have been involved in the payment of bribes to provincial officials in Central Kalimantan.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li><b>The Secretariat has submitted the feedback from Parties to the draft ToR and the revised draft ToR to the CP. Pending a response from the CP.</b></li> </ol>

<b>Complaint 3.4 Aceites Y Derivados Sociedad Anonima (ACEYDESA) vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2020/07/LSL
<b>Date Filed</b>	6 April 2020
<b>Respondent</b>	Aceites Y Derivados Sociedad Anonima (ACEYDESA)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Honduras
<b>Complainant</b>	Requested for confidentiality
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• Modification of property deeds to remove areas identified by the government as environmental protection zone;</li> <li>• Employees not paid minimum wage; not provided with equipment; and not given workers' benefits;</li> <li>• Non-compliance with labour laws;</li> <li>• Threatening of workers to suppress information from auditors;</li> <li>• Bribing workers and government agencies;</li> <li>• Manipulation of scale systems; Falsification of data;</li> <li>• Operating without an environmental license.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<p><b>1. The Secretariat requested a meeting with the Certification Unit in order to review the compliance audit report presented by the Accreditation Body. Pending scheduling of a meeting with the Certification Unit.</b></p>

<b>Complaint 3.5 IOI Plantation Mekassar Estate (subsidiary of IOI Corporation Berhad) vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2020/19/IR
<b>Date Filed</b>	5 October 2020
<b>Respondent</b>	IOI Plantation Mekassar Estate (subsidiary of IOI Corporation Berhad)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Malaysia

<b>Complainant</b>	Requested for confidentiality
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• Unilateral pay cut by the Respondent</li> <li>• Poor living conditions for the labourers</li> <li>• Intimidation of workers</li> <li>• Forced labour</li> <li>• Lack of transparent grievance system</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>The Secretariat contacted the Complainant by way of mobile on 03-Feb-2023 and had requested the Complainant to respond to the Secretariat’s email with his available dates for a meeting to discuss the Complaint.</b></li> <li>2. <b>The Complainant responded on 08-Feb-2023 stating that he will reach out to the Secretariat with available dates for the meeting. However, until today, the Complainant is yet to reach out to the Secretariat with his available dates for the meeting.</b></li> <li>3. <b>During the February 2023 CP meeting, the CP directed the Secretariat to proceed with the preparation of the Briefing Note for the CP’s deliberation.</b></li> </ol>

<b>Complaint 3.6 Palmas y Trabajo S.A.S; Progreso Palmero S.A.S and Oleaginosas de Yuma S.A.S (Subsidiary of Daabon Group) - (Adjourned)</b>	
<b>Case Reference</b>	RSPO/2020/16/LSL
<b>Date Filed</b>	10 September 2020
<b>Respondent</b>	Palmas y Trabajo S.A.S; Progreso Palmero S.A.S and Oleaginosas de Yuma S.A.S (subsidiary of Daabon Group)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Colombia
<b>Complainant</b>	Puerto Wilches Section Sintrainagro Deputy Director’s Office
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• Non-compliance with labour rights/laws;</li> <li>• Anti-union practices; and</li> <li>• Employees not provided sufficient protection equipment.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation (adjourned)
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>Briefing Note submitted to the CP for deliberations.</b></li> </ol>

<b>Complaint 3.7 First Resources Limited vs Requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2021/04/EN
<b>Date Filed</b>	8 March 2021
<b>Respondent</b>	First Resources Limited
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Requested for confidentiality
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• The Respondent allegedly has ownership, control and influence over a company called Fangiono Agro Plantation (FAP) Agri, a non-RSPO member who was not declared in the Respondent’s RSPO Group Membership.</li> <li>• The Respondent also allegedly has ownership, control and influence of an Indonesian company, Ciliandry Anky Abadi (CAA) who is a subsidiary of a British Virgin Islands registered company by the name of Sima Capital. This company too was not declared to be a part of the Respondent’s RSPO Group Membership.</li> <li>• The Respondent, via FAP or by FAP’s 11 subsidiaries have violated the RSPO Principles and Criteria by deforestation, peatland degradation, using lands for plantation without FPIC, river pollution, and unilateral layoffs of workers.</li> <li>• The Respondent, via CAA, have violated the RSPO Principles and Criteria by deforestation, peatland degradation, using lands for plantation without FPIC, and river pollution.</li> <li>• The Respondent is violating its NDPE Commitments, the RSPO Principle and Criteria, the RSPO Code of Conduct, and RSPO membership rules.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>The Secretariat is in the midst of preparing the clarification from Parties with respect to the finalisation of the draft ToR and the same will be furnished to the CP members in due course.</b></li> </ol>

**Complaint 3.8 PT Inecda ( a subsidiary of S&G Biofuel Pte. Ltd) vs requested for confidentiality**

<b>Case Reference</b>	RSPO/2021/06/SW
<b>Date Filed</b>	19 March 2021
<b>Respondent</b>	PT Inecda (a subsidiary of S&G Biofuel Pte. Ltd)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Requested for confidentiality
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>Respondent is operating in the area own by the Luak Talang Parit Community without obtaining prior consent from the community;</li> <li>Respondent did not develop the plasma plantations for the community; and</li> <li>Respondent did not have an internal grievance mechanism that the stakeholders can access</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. The CP has appointed the independent investigator and the Secretariat is in the midst of finalising the Service Agreement.</b>

### Complaint 3.9 PT Bumi Pratama Khatulistiwa (subsidiary of Wilmar International Limited vs Teraju Foundation

<b>Case Reference</b>	RSPO/2022/02/HN
<b>Date Filed</b>	4 March 2022
<b>Respondent</b>	PT. Bumi Pratama Khatulistiwa (subsidiary of Wilmar International Limited)
<b>Membership Category</b>	Processors and / or Traders
<b>Country</b>	Kalimantan Barat, Indonesia
<b>Complainant</b>	Teraju Foundation
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>The Respondent forced a community to give up the rights to their land in order to develop the land into an oil palm plantation.</li> </ul>



	<ul style="list-style-type: none"> <li>The company then refused to return the land to the community by involving the police.</li> </ul>
<b>Status</b>	(D) Investigation / Deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>The CB furnished the Special Audit report to the Secretariat and the same was furnished to the Parties for factual verification. Comments received from Parties have been submitted to the CB for their consideration. Pending receipt of the finalised Special Audit report.</li> </ol>

**Complaint 3.10 Grasas Y Derivados S.A. Gradesa S.A. vs requested for confidentiality**

<b>Case Reference</b>	RSPO/2022/14/MAM
<b>Date Filed</b>	03 November 2022
<b>Respondent</b>	Grasas Y Derivados S.A. Gradesa S.A.
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Colombia
<b>Complainant</b>	Requested for confidentiality
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>Prosecution of union workers in order to lay off them and weaken the union.</li> <li>Infringement of constitutional rights, because the company is affecting the right of union association.</li> <li>Dismissals of labour contracts without a fair cause.</li> </ul>
<b>Status</b>	(D) Investigation / Deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>The Secretariat has sent the redacted Complaints Form to the Complainant to protect the identity of the Complainant for their approval. Reminders have been issued.</li> <li>Pending a response from the Complainant.</li> </ol>