



## COMPLAINTS PANEL MINUTES OF MEETING for Website

Date: 28 February 2024 @ 5.00pm - 6.30pm

Meeting : via Zoom

MEMBERS OF THE COMPLAINTS PANEL	
	<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><li>6. Robert Kruger</li><li>7. Florentine van den Eerenbeemt</li><li>8. Laszlo Mathe</li><li>9. Priya Gopalan</li><li>10. Carl Dagenhart</li><li>11. Kartika Dewi</li><li>12. Irene Aycinena Abascal</li><li>13. Miguel Tejada Iraizoz</li></ol>
GENERAL AGENDA	
	<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>31 January 2024</b> 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</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></ol>



	<ol style="list-style-type: none"> <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. ASC-CP Joint Meeting</li> <li>13. Complaints for deliberation</li> </ol>
<b>Group 1 - COMPLAINTS FOR DELIBERATION</b>	
	<ol style="list-style-type: none"> <li>1. Pacific Inter-Link (Papuan Concessions) vs Environmental Investigation Agency (EIA) &amp; Greenpeace</li> <li>2. PT. Mitra Karya Sentosa (a subsidiary of First Resources Limited) vs Requested for Confidentiality</li> <li>3. Papaso Estate &amp; PT Damai Nusa Sekawan - Sosa &amp; Bukit Udang Estate (a subsidiary of Permata Hijau Group) vs Requested for Confidentiality</li> <li>4. Reforestadora de Palmas del Peten S.A. (a subsidiary of SEAHOLM CORP) vs Requested for Confidentiality</li> <li>5. PT. Sari Dumai Sejati (a subsidiary of AAA Oils and Fats Pte Ltd (APICAL Group) vs Mr. Hidayat Rasyid</li> <li>6. PT. Cipta Davia Mandiri (a subsidiary of R.E.A. Holdings Plc) vs Requested for Confidentiality</li> <li>7. PT Grahadura Leidong Prima (a subsidiary of PT. Bakrie Sumatera Plantations TBK) vs Requested for Confidentiality</li> <li>8. PT. Cipta Davia Mandiri (a subsidiary of R.E.A. Holdings Plc) vs Requested for Confidentiality</li> </ol>
<b>Group 2 - COMPLAINTS FOR DELIBERATION</b>	
	<ol style="list-style-type: none"> <li>1. PT. Perkebunan Nusantara IV (PERSERO) vs Koalisi Organisasi Serikat Pekerja dan Lembaga Swadaya Masyarakat Kabupaten Labuhan Batu, FSMI. TIPAN-RI</li> <li>2. PT. Perkebunan Nusantara IV (PERSERO) vs Requested for Confidentiality</li> <li>3. PT. Perkebunan Nusantara IV (PERSERO) vs Federasi Serikat Pekerja Metal Indonesia (FSPMI)</li> <li>4. PT. Ramajaya Pramukti (subsidiary of Golden Agri Resources Ltd) vs Lembaga Adat Kenegerian Petapahan (Ninik Mamak Kenegerian Petapahan), Bahtera Alam &amp; Sawit Watch</li> <li>5. PT. Perkebunan Nusantara V (PERSERO) vs Requested for Confidentiality</li> </ol>



	6. PT. Bumitama Gunajaya Agro (subsidiary of Bumitama Agri Ltd) vs Requested for Confidentiality
	<b>Group 3 - COMPLAINTS FOR DELIBERATION</b>
	<ol style="list-style-type: none"><li>1. PT. Kartika Prima Cipta (PT. KPC) - subsidiary of Golden Agri Resources (GAR) vs Forest Peoples Programme &amp; TuK Indonesia</li><li>2. Golden Agri Resources (GAR) vs Forest Peoples Programme &amp; Elk Hills Foundation</li><li>3. Aceites Y Derivados Sociedad Anonima (ACEYDESA) vs Requested for Confidentiality</li><li>4. First Resources Limited vs Requested for Confidentiality</li><li>5. PT Inecda (a subsidiary of S&amp;G Biofuel Pte. Ltd) vs Requested for Confidentiality</li><li>6. Grasas Y Derivados S.A. Gradesa S.A vs Requested for Confidentiality</li><li>7. Energy &amp; Palma S.A. (a subsidiary of HOLDING LA FABRIL S.A) vs Requested for Confidentiality</li><li>8. PT. Bumi Pratama Khatulistiwa ( subsidiary of Wilmar International Limited) vs Requested for Confidentiality</li><li>9. Energy &amp; Palma S.A. ( subsidiary of La Fabril Group) vs Requested for Confidentiality</li></ol>



## DETAILS OF THE AGENDA:

No.	Agenda																																	
1.	<p><b>Opening Remarks from Chairperson</b></p> <p>Opening speech by CCP.</p>																																	
2.	<p><b>RSPO Antitrust Guidelines</b></p> <p>RSPO Antitrust Guidelines were read to the CP.</p>																																	
3.	<p><b>Declaration of “No Conflict of Interest”</b></p> <p>No further Conflict of Interest declared at this time of the meeting.</p>																																	
4.	<p><b>To confirm and adopt the minutes of 31 January 2024 during the Complaints Panel Meeting</b></p> <p>Minutes of 31 January 2024 were adopted unanimously.</p>																																	
5.	<p><b>New allegation submitted</b></p> <p>NIL</p>																																	
6.	<p><b>Complaints Cases Statistics</b></p> <p><b>Total cases in 2024</b></p> <table border="1"> <thead> <tr> <th>Month</th> <th>Complaints received</th> <th>Country</th> <th>Open</th> <th>Closed</th> <th>Rejected</th> <th>Withdrawn</th> </tr> </thead> <tbody> <tr> <td>January</td> <td>1</td> <td>Indonesia</td> <td>1</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>February</td> <td>0</td> <td>-</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> </tbody> </table> <p><b>Total Active Cases by Country and Year (as of 26.02.2024)</b></p> <table border="1"> <thead> <tr> <th>Country</th> <th>Active Cases</th> <th>Year</th> <th>Active Cases</th> </tr> </thead> <tbody> <tr> <td>Indonesia</td> <td>18</td> <td>2014</td> <td>1</td> </tr> <tr> <td>Colombia</td> <td>1</td> <td>2018</td> <td>1</td> </tr> </tbody> </table>	Month	Complaints received	Country	Open	Closed	Rejected	Withdrawn	January	1	Indonesia	1	0	0	0	February	0	-	0	0	0	0	Country	Active Cases	Year	Active Cases	Indonesia	18	2014	1	Colombia	1	2018	1
Month	Complaints received	Country	Open	Closed	Rejected	Withdrawn																												
January	1	Indonesia	1	0	0	0																												
February	0	-	0	0	0	0																												
Country	Active Cases	Year	Active Cases																															
Indonesia	18	2014	1																															
Colombia	1	2018	1																															



	<table border="1"> <tr> <td>Honduras</td> <td>1</td> </tr> <tr> <td>Guatemala</td> <td>1</td> </tr> <tr> <td>Ecuador</td> <td>2</td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td><b>TOTAL</b></td> <td><b>23</b></td> </tr> </table>	Honduras	1	Guatemala	1	Ecuador	2							<b>TOTAL</b>	<b>23</b>	<table border="1"> <tr> <td>2019</td> <td>3</td> </tr> <tr> <td>2020</td> <td>2</td> </tr> <tr> <td>2021</td> <td>5</td> </tr> <tr> <td>2022</td> <td>4</td> </tr> <tr> <td>2023</td> <td>6</td> </tr> <tr> <td>2024</td> <td>1</td> </tr> <tr> <td><b>TOTAL</b></td> <td><b>23</b></td> </tr> </table>	2019	3	2020	2	2021	5	2022	4	2023	6	2024	1	<b>TOTAL</b>	<b>23</b>
Honduras	1																													
Guatemala	1																													
Ecuador	2																													
<b>TOTAL</b>	<b>23</b>																													
2019	3																													
2020	2																													
2021	5																													
2022	4																													
2023	6																													
2024	1																													
<b>TOTAL</b>	<b>23</b>																													

**7. Complaints Panel**

**7.1 Dates for Complaints Panel monthly meetings**

Discussion on 28 February 2024:-

- CP meeting dates for the next 6 months from July 2024 to December 2024 have been fixed.

**7.2 Dates for Complaints Panel Physical Meetings**

Discussion on 28 February 2024:-

- The 1st Quarterly CP meeting is to proceed on 20 March 2024 (virtually) from 4.00pm to 7.00pm (MYT).

**7.3 Expansion of Complaints Panel**

Discussion on 28 February 2024:-

- Selection interviews proceeded as scheduled on 16.02.2024.

**8. Post Complaint's Monitoring**

**8.1 FELDA Global Venture - (Article by The Wall Street Journal)**

Discussion on 28 February 2024:-

- Pending receipt of a further document from the Respondent.



<b>8.2</b>	<b>Extractor de la Gloria SAS</b>
	<p>Discussion on 28 February 2024:-</p> <ol style="list-style-type: none"> <li>1. The Secretariat has received the monthly update for January 2024 and the matter is pending receipt of a monthly update for February 2024.</li> <li>2. The Secretariat held a meeting with the Respondent in order to clarify the information received on 30.01.2024 and the Respondent furnished further documents and the Secretariat is in the midst of reviewing the same.</li> </ol>
<b>8.3</b>	<b>Golden Veroleum Liberia (GVL)</b>
	<p>Discussion on 28 February 2024:-</p> <ol style="list-style-type: none"> <li>1. Pending submission of an Interim Briefing Note to the CP setting out the latest developments.</li> </ol>
<b>9.</b>	<b>Dispute Settlement Facility (DSF)</b>
	<p>Discussion on 28 February 2024:-</p> <ol style="list-style-type: none"> <li>1. The Secretariat is in the midst of shortlisting mediators for interviews.</li> </ol>
<b>10.</b>	<b>Commitments of Financial Institution(s)</b>
	<p>Discussion on 28 February 2024:-</p> <ol style="list-style-type: none"> <li>1. No further updates at this juncture.</li> </ol>
<b>11.</b>	<b>1st Internal Voluntary Review of the Complaints and Appeals Procedures</b>
	<p>Discussion on 28 February 2024:-</p> <ol style="list-style-type: none"> <li>1. The 3<sup>rd</sup> Steering Group meeting is scheduled for 13 March 2024 in Kuala Lumpur and is to be held virtually.</li> <li>2. The Steering Group members will be reviewing the draft Report on Recommendations with the Independent Consultant and the Secretariat.</li> </ol>
<b>12.</b>	<b>ASC - CP JOINT MEETING</b>
	<p>Discussion on 28 February 2024:-</p> <ol style="list-style-type: none"> <li>1. Pending the scheduling of the next ASC-CP joint meeting.</li> </ol>



## COMPLAINTS FOR DELIBERATION:-

### GROUP 1

<b>Complaint 1.1 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>	Appeals Panel Constituted
<b>Decision / Justification</b>	<b>1. The Appeal process is in progress.</b>

<b>Complaint 1.2 PT Mitra Karya Sentosa (a 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> </ul>



	<ul style="list-style-type: none"> <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>	Investigation / deliberation
<b>Decision / Justification</b>	<b>1. Pending finalisation of the Decision Letter before release to parties.</b>

<b>Complaint 1.3 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>	Decision delivered with period to appeal (60 WD)
<b>Decision / Justification</b>	<b>1. Decision delivered. Pending expiry of appeals period.</b>





<b>Complaint 1.4 Reforestadora de Palmas del Peten S.A. (a subsidiary of SEAHOLM CORP) 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. (a subsidiary of SEAHOLM CORP)
<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>	Decision delivered with period to appeal (60 WD)
<b>Decision / Justification</b>	<b>1. Decision delivered. Pending expiry of appeals period.</b>



<b>Complaint 1.5 PT. Sari Dumai Sejati ( a subsidiary of AAA Oil and Fats Pte Ltd (APICAL Group) vs Mr. Hidayat Rasyid</b>	
<b>Case Reference</b>	RSPO/2023/12/RR
<b>Date Filed</b>	03 August 2023
<b>Respondent</b>	PT. Sari Dumai Sejati (a subsidiary of AAA Oils and Fats Pte Ltd (APICAL Group)
<b>Membership Category</b>	Processors and / or Traders
<b>Country</b>	Indonesia
<b>Complainant</b>	Mr. Hidayat Rasyid
<b>Complaint Description</b>	<ul style="list-style-type: none"> <li>• The Complainant is a representative of a community, and the Respondent is a Crude Palm Oil producer.</li> <li>• Allegations are with regards to unsustainable operations at the Respondent’s plant, causing severe air and noise pollution, disrupting and affecting the daily lives of the community.</li> </ul>
<b>Status</b>	Investigation / Deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. The Complaints Panel has been briefed by the Secretariat on the responses provided by both parties on the allegations raised in this Complaint.</li> <li>2. The Complaints Panel has directed the Secretariat to request for further documentation and explanation from the Respondent pertaining to the allegations.</li> </ol>

<b>Complaint 1.6 PT Cipta Davia Mandiri (a subsidiary of R.E.A. Holdings Plc) vs Requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2023/14/HN
<b>Date Filed</b>	14 November 2023
<b>Respondent</b>	PT Cipta Davia Mandiri (a subsidiary of R.E.A. Holdings Plc)
<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 Complainant alleges that the Respondent's plasma allocation and development is not in accordance with the MoU or agreement between the Respondent and the community of Kelinjau Ulu Village.</li> </ul>
<b>Status</b>	Investigation / Deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>The formal response to the allegations was furnished by the Respondent and the same was furnished to the Complainant with a deadline to respond on 27 February 2024. No response received from the Complainant.</li> <li>Upon reviewing the Respondent's formal response, the Secretariat is to seek further clarification from the Respondent.</li> </ol>

<b>Complaint 1.7 PT Grahadura Leidong Prima (a subsidiary of PT Bakrie Sumatera Plantations TBK) vs Requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2023/15/HN
<b>Date Filed</b>	23 November 2023
<b>Respondent</b>	PT Grahadura Leidong Prima (a subsidiary of PT Bakrie Sumatera Plantations TBK)
<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 Complainant alleges that the Respondent has yet to fulfil the commitment to allocate plasma land to the community.</li> </ul>
<b>Status</b>	Investigation / Deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>Pending receipt of a formal response to the allegations from the Respondent. Follow-up emails on the request were sent on 15.02.2024, 19.02.2024, and 26.02.2024 respectively.</li> </ol>



<b>Complaint 1.8 PT Cipta Davia Mandiri (a subsidiary of R.E.A.Holdings Plc) vs Requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2024/01/LSL
<b>Date Filed</b>	8 January 2024
<b>Respondent</b>	PT Cipta Davia Mandiri (a subsidiary of R.E.A. Holdings Plc)
<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 allegation is pertaining to the plasma allocation with the ratio of 80:20 based on the plasma agreement.</li> <li>• The affected parties have not received the 20% share of the revenue generated from the plasma land since 2010 till date.</li> </ul>
<b>Status</b>	Investigation / Deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>The Secretariat is currently in the midst of seeking confirmation from the Complainant on if there is anything in the Complaints Form that requires confidentiality before the same is furnished to the Respondent for a formal response.</b></li> </ol>

## GROUP 2

<b>Complaint 2.1 PT Perkebunan Nusantara IV (PERSERO) vs Koalisi Organisasi Serikat Pekerja dan Lembaga Swadaya Masyarakat Kabupaten Labuhan Batu, FSMI. TIPAN-RIPT</b>	
<b>Case Reference</b>	RSPO/2019/07/IR
<b>Date Filed</b>	10 April 2019
<b>Respondent</b>	PT Perkebunan Nusantara IV (PERSERO)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Koalisi Organisasi Serikat Pekerja dan Lembaga Swadaya Masyarakat Kabupaten



	Labuhan Batu, FSMI. TIPAN-RI
<b>Complaint Description</b>	<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>
<b>Status</b>	Decision delivered with period to appeal (60 WD)
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>Decision delivered. Pending expiry of appeals period.</b></li> </ol>

<b>Complaint 2.2 PT Perkebunan Nusantara IV (PERSERO) vs Requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2019/11/IR
<b>Date Filed</b>	23 April 2019
<b>Respondent</b>	PT Perkebunan Nusantara IV (PERSERO)
<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>● Temporary workers contract and wages issues;</li> <li>● Intimidation of workers</li> </ul>
<b>Status</b>	Decision delivered with period to appeal (60 WD)
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>Decision delivered. Pending expiry of appeals period.</b></li> </ol>



### Complaint 2.3 PT Perkebunan Nusantara IV (PERSERO) vs Federasi Serikat Pekerja Metal Indonesia (FSPMI)

<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>	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>	Decision delivered with period to appeal (60 WD)
<b>Decision / Justification</b>	<b>1. Decision delivered. Pending expiry of appeals period.</b>

### Complaint 2.4 PT Ramajaya Pramukti (subsidiary of Golden Agri Resources Ltd) vs Lembaga Adat Kenegerian Petapahan (Ninik Mamak Kenegerian Petapahan), Bahtera Alam & Sawit Watch

<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</li> </ul>



	<p>paths (bear, deer, pangolin, snake, monitor lizard, monkey), and cutting off water paths;</p> <ul style="list-style-type: none"> <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>	Decision delivered with period to appeal (60 WD)
<b>Decision / Justification</b>	<b>1. Decision delivered. Pending expiry of appeals period.</b>

<b>Complaint 2.5 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>	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>	Investigation/Deliberation



<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. Briefing Note submitted for deliberations.</li> <li>2. An ad-hoc CP meeting is to be fixed for deliberations.</li> </ol>
---------------------------------	--

<b>Complaint 2.6 PT. Bumitama Gunajaya Agro (subsidiary of Bumitama Agri Ltd) vs Requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2023/04/RH
<b>Date Filed</b>	10 April 2023
<b>Respondent</b>	PT. Bumitama Gunajaya Agro (subsidiary of Bumitama Agri 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>• The Respondent is alleged to have conducted land clearing outside of the boundaries of their <i>Hak Guna Usaha</i> (HGU) land into the affected individuals' land for the purpose of the development of a palm oil plantation.</li> <li>• The Respondent is alleged to have filed a police report against the affected individuals which led to them obtaining the status as suspects by the police force, as a result of the individuals protesting against the Respondent's alleged land clearing activities.</li> </ul>
<b>Status</b>	Investigation / Deliberation (Bilateral Engagement process)
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. The parties have concluded the Bilateral Engagement process on 16.02.2024 and the CP's decision letter is being prepared.</li> </ol>





## GROUP 3

Complaint 3.1 PT. Kartika Prima Cipta (GAR) vs Forest Peoples Programme & TuK	
<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><u>Points raised:-</u></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>	<ol style="list-style-type: none"> <li>1. The CP is still in the midst of deliberating on the Briefing Notes for Phase 3 (Plasma Smallholder), Phase 5 (FPIC), and Phase 4 (HCV Assessment).</li> <li>2. An ad-hoc CP meeting is to be fixed for deliberations.</li> </ol>



**Complaint 3.2 Golden Agri Resources (GAR) vs Forest Peoples Programme & Elk Hills Foundation**

<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>	Investigation / Deliberation
<b>Decision / Justification</b>	<p><b>1. The Secretariat has received the draft legal opinion from the Independent Investigator and is in the midst of reviewing the same.</b></p>

**Complaint 3.3 Aceites Y Derivados Sociedad Anonima (ACEYDESA) vs Requested for confidentiality**

<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</li> </ul>



	<p>given workers' benefits;</p> <ul style="list-style-type: none"> <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>	Investigation / Deliberation
<b>Decision / Justification</b>	<b>1. Review of the draft decision letter ongoing.</b>

<b>Complaint 3.4 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> <li>● The Complainants alleged that the Respondent has control and influence over a group of companies known as New Borneo Agri ("the Sulaidy</li> </ul>



	companies”), a non-RSPO member who was not declared in Respondent’s RSPO Group Membership.
<b>Status</b>	Investigation / Deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li><b>The CP has accepted the new allegations submitted by the Complainant as part of the ongoing Complaint.</b></li> <li><b>The CP is still in the midst of reviewing the revised TOR for the independent investigation to accommodate the new allegations accepted.</b></li> </ol>

<b>Complaint 3.5 PT Inecda (a subsidiary of S&amp;G Biofuel Pte. Ltd) vs Requested for confidentiality</b>	
<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>	Investigation / Deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li><b>The Secretariat will facilitate social dialogue between the parties between 4-5 March 2024 in an attempt to have this Complaint resolved amicably.</b></li> </ol>

<b>Complaint 3.6 Grasas Y Derivados S.A. Gradesa S.A. vs Requested for confidentiality Adjourned</b>	
<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>	Processors and / or Traders
<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>	Investigation / Deliberation - (Adjourned)
<b>Decision / Justification</b>	<p><b>1. This Complaint is still adjourned pending the outcome of the proceedings before the Ministry of Labour.</b></p>

<b>Complaint 3.7 Energy &amp; Palma S.A. ( subsidiary of HOLDING LA FABRIL S.A) vs Requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2023/01/MAM
<b>Date Filed</b>	05 January 2023
<b>Respondent</b>	Energy & Palma S.A. (a subsidiary of HOLDING LA FABRIL S.A)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Ecuador
<b>Complainant</b>	Requested for confidentiality
<b>Complaint Description</b>	<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>Status</b>	Investigation / Deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. The Secretariat is in the midst of working on the Call for Expression of Interest for the independent investigation to be published on the RSPO website.</li> </ol>

<b>Complaint 3.8 PT. Bumi Pratama Khatulistiwa ( subsidiary of Wilmar International Limited) vs Requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2022/17/LSL
<b>Date Filed</b>	26 December 2022
<b>Respondent</b>	PT. Bumi Pratama Khatulistiwa ( subsidiary of Wilmar International 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>● Pertaining to labour related issues such as wages, no optimal health services and safety, (BPJS) is not registered, unilateral termination, the rights of the workers are not honoured, intimidation and expanded job scopes of workers (harvesters)</li> <li>● It is further alleged that the workers who have been working for a period of more than 5 years are not converted to permanent workers, instead their working days were reduced,</li> <li>● The Respondent is allegedly not transparent in determining Lembaga Kerjasama (LKS) bipartite and the amount of FFB delivered to the factory/mill.</li> </ul>
<b>Status</b>	Investigation / Deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. The CP has directed for a special audit to be conducted and the same has been conveyed to the Certification Unit.</li> <li>2. The Certification Unit will consult internally before confirming if the relevant CB can still perform the special audit as the CB is no longer accredited for RSPO P&amp;C accreditation.</li> </ol>



<b>Complaint 3.9 Energy &amp; Palma S.A. ( subsidiary of La Fabril Group) vs Requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2023/09/MAM
<b>Date Filed</b>	16 May 2023
<b>Respondent</b>	Energy & Palma S.A. ( subsidiary of La Fabril Group)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Ecuador
<b>Complainant</b>	Requested for confidentiality
<b>Complaint Description</b>	<ul style="list-style-type: none"> <li>● Decrease of the number of workers in a union due to actions of the Respondent.</li> <li>● Preventing the Union from conducting its activity.</li> <li>● Wrongful dismissal or termination of employment.</li> <li>● Bad working conditions.</li> <li>● No supply of work equipment ( such as tools).</li> </ul>
<b>Status</b>	Investigation / Deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>The Secretariat furnished the Respondent the answer presented by the Complainant (subject to confidentiality and protection of identity where applicable).</b></li> <li>2. <b>The Respondent has requested for an extension of time in order to provide their response, which has been granted.</b></li> </ol>