

COMPLAINTS PANEL

MINUTES OF MEETING

For Website

29 January 2020 | 6.00pm - 8.25pm | Meeting No. 01/2020

Meeting location: *Jakarta Conference Room, RSPO Kuala Lumpur - Malaysia & Zoom Link*

<p>List of Complaints Panel Member</p>	<table border="1"> <tr> <td data-bbox="373 640 906 947"> <ol style="list-style-type: none"> 1. Henry Barlow (Chair - CCP) 2. Lim Sian Choo (LSC - Co Chair) 3. Michelle Desilets (MD) 4. Matthias Diemer (MDM) 5. Marieke Leegwater (ML) 6. Lanash Thanda (LT) </td> <td data-bbox="906 640 1436 947"> <ol style="list-style-type: none"> 7. Suzanne Hall (SH) 8. Peter van der Werf (PVDW) 9. José den Toom (JDT) 10. Pieter Van Dessel (PVD) </td> </tr> </table>	<ol style="list-style-type: none"> 1. Henry Barlow (Chair - CCP) 2. Lim Sian Choo (LSC - Co Chair) 3. Michelle Desilets (MD) 4. Matthias Diemer (MDM) 5. Marieke Leegwater (ML) 6. Lanash Thanda (LT) 	<ol style="list-style-type: none"> 7. Suzanne Hall (SH) 8. Peter van der Werf (PVDW) 9. José den Toom (JDT) 10. Pieter Van Dessel (PVD)
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<p>Agenda</p>	<p style="text-align: center;"><u>General Agenda: 6.00 pm to 6.05pm</u></p> <ol style="list-style-type: none"> 1. Opening Remarks by Chairperson 2. Declaration of Conflict of Interest 3. To confirm and adopt the minutes of 27 November 2019 during the CP Meeting 4. New Allegations:- <ol style="list-style-type: none"> a. RSPO/2019/22/LSL - Goldtree (S.L.) Ltd - (subsidiary of Goldtree Holdings) b. RSPO/2020/01/IR - Kwantas Corporation Berhad c. RSPO/2020/02/SW - PT Permata Hijau Sawit Kebun Papaso - (subsidiary of Permata Hijau Group) 5. Complaints Statistics 6. Any other matters:- <ol style="list-style-type: none"> a. Dates for Complaints Panel meetings in 2020 b. Expansion of the Complaints Panel c. Collaboration with the Investigation & Monitoring Unit (IMU) d. DSF Updates 7. Amnesty International report on Wilmar International - a media enquiry by Sydney Morning Herald. 8. Research Report, "Palming Off Responsibility: Labour rights violations in the Indonesian palm oil sector by SOMO and CNV International (PT Aneka Inti Persada - Sime Darby; and PT Murini Sam Sam – Wilmar). 9. Commitment of Financial Institutions. 10. GA Resolution - GA15-6d: Discouraging RSPO members subject to complaints from avoiding their obligations by divesting or withdrawing their membership. 		

11. Complaints for deliberation:-

Group 1: 6.05pm - 7.35 pm

1. FELDA vs Orang Dusun Lahad Datu (Desa Begahak/Robin Balud)
2. Agropalma S.A vs José Maria Tabaranã da Costa and Aida Raimunda Maia da Costa
3. Hap Seng Plantations Holdings Bhd vs Sia Yi Chin
4. PT. Pusaka Agro Lestari (PT. PAL) - subsidiary of Noble Plantation vs RSPO Secretariat
5. PT. Prima Mitra Jaya Mandiri (PT. PMJM) - subsidiary of MP Evans vs Serbundo
6. PT. Mitra Austral Sejahtera (PT. MAS) - subsidiary of Sime Darby vs Transformasi untuk Keadilan (TuK-NGO)
7. Golden Veroleum Liberia (GVL) vs. Green Advocate for the Butaw Community & Forest Peoples Programme & SDI & SESDev & A-Bloteh
8. PT. Harapan Sawit Lestari (PT. HSL) - subsidiary of Cargill vs Link-AR Borneo
9. AMP Plantation a subsidiary of Wilmar vs KUD Dasra (represented by lawyer)
10. HSA Group (Pacific Inter Link, Pacific Oils & Fats Industries Sdn Bhd, PT Pacific Indopalm Industries, PT. Pacific Medan Industri, PT. Pacific Palmindo Industri) vs Environmental Investigation Agency (EIA) & Greenpeace
11. Pacific Inter-Link (Papuan Concessions) vs Environmental Investigation Agency (EIA) & Greenpeace
12. PT. Berkat Sawit Sejati (subsidiary of Musim Mas) vs Hutan Kita Institute (HaKI)
13. Nacional Agro Industrial, S. A. (subsidiary of KH Regional Group Inc.) vs Consejo Nacional de Desplazados de Guatemala - CONDEG
14. PT Buana Wira Lestari vs *(requested for confidentiality)*

Group 2: 7.35pm to 7.55pm

1. Extractora La Gloria S.A.S. vs ASOCOL & ASOCADAR
2. PT. Bumitama Gunajaya Abadi (PT. BGA) - subsidiary of Bumitama vs Sawit Watch
3. PT. Hati Prima Agro (PT. HPA) - subsidiary of Bumitama vs Sawit Watch
4. Palmas Del Espino S.A. vs FREDEIALBA
5. FELDA Global Ventures Holding Berhad (FGV) vs RSPO Secretariat (on the basis of an article by Chain Reaction Research)
6. Golden Agri Resources (GAR) vs Forest Peoples Programme & TuK - Indonesia
7. Presco PLC Nigeria (SIAT SA) vs Indigenous People of Oruarivie-Abraka Kingdom
8. PT. Perkebunan Nusantara IV (PERSERO) vs Koalisi Organisasi Serikat Pekerja dan Lembaga Swadaya Masyarakat Kabupaten Labuhan Batu, FSMI. TIPAN-RI
9. PT. Perkebunan Nusantara IV (PERSERO) vs *requested for confidentiality*
10. PT. Perkebunan Nusantara IV (PERSERO) vs Federasi Serikat Pekerja Metal Indonesia (FSPMI)
11. PT. Bilah Platindo (MP Evans) vs Federasi Serikat Pekerja Metal Indonesia (FSPMI)
12. PRESCO PLC (a subsidiary of SIAT SA) vs Delta Agricultural Stakeholders Farmers Union
13. PT Socfin Indonesia (subsidiary of Socfin SA) vs Lembaga Swadaya Masyarakat Team Investigation Penyelamat Asset Negara Republik Indonesia
14. Presco Plc vs Ovre Eku Community

Group 3: 7.55pm to 8.25pm

1. PT. Kartika Prima Cipta (PT. KPC) - subsidiary of Golden Agri Resources (GAR) vs Forest Peoples Programme & TuK Indonesia
2. Poligrow vs Video by Environmental Investigation Agency (EIA)
3. Goodhope Asia Holdings Ltd vs RSPO Secretariat
4. IOI Pelita - subsidiary of IOI Group vs Community of Long Teran Kanan
5. Primatama Mulia Jaya vs Masyarakat Adat Luhak Saparampek Simpang Tigo
6. PT. Agro Lestari Mandiri (PT. ALM) - subsidiary of Sinarmas vs Serikat Buruh Sejahtera Indonesia Kabupaten Ketapang
7. PT. Perkebunan Nusantara III (PT. PN) vs Pemimpinan Cabang Federasi Serikat Pekerja Metal Indonesia
8. PT. SMART Tbk - subsidiary of Golden Agri Resources (GAR) vs Masyarakat Dusun I/II/III Belongkut
9. Oleaginosas Del Peru S.A. (OLPESA) vs Community of Santa Clara de Uchunya
10. PT. Smart Tbk (subsidiary of GAR) vs Konsulat Cabang Federasi Serikat Pekerja Metal Indonesia.
11. Unico Desa Palm Oil Mill (IOI Corporation Berhad) vs Leap Spiral on behalf of Kampung Sri Ganda
12. PT. PHP/AMP Plantation (subsidiary of Wilmar) vs Represented by Lawyer on behalf local community
13. Boustead Rimba Nilai (subsidiary of Boustead Plantations Berhad) vs Mr Sauddin Che Lamin
14. Norpalm Ghana Limited vs Landowners of Ewusiejoe



DETAILS OF THE AGENDA:

No.	Agenda
1.	Opening Remarks from Chairperson Opening speech by CCP.
2.	Declaration of “No Conflict of Interest” No conflict of interest declared
3.	To confirm and adopt the minutes of 27 November 2019 during the Complaints Panel Meeting. Minutes of 27 November adopted unanimously.



4. New allegation submitted

a. RSPO/2019/22/LSL Goldtree (S.L) Ltd - (subsidiary of Goldtree Holdings)
 Complainant :- Emmanuel T Koroma
 Complaint received :- 4 December 2019
 Location :- Sierra Leone
 Allegations :- Alleged breach of the initial employment contract.
 The renewal contract was rewritten without any recourse to the best practice.
 Alleged refusal to pay the end of service benefits despite being advised to make such payment.
 Failure to provide the records of past payments made to the Complainant to the Ministry of Labour, Legal Aid Board, and the Human Rights Commission of Sierra Leone; and
 As a result of the above, the Complainant alleges that he has now in legal arbitration in a competent Court of Law.

29 January 2020 (CP Meeting):-

- 1. This Complaint has been rejected and both parties have been informed of the rejection and the Complaint will be removed from the Agenda moving forward.**

b. RSPO/2020/01/IR Kwantas Corporation Berhad
 Complainant :- Boustead Emastulin Sdn Bhd (subsidiary of Boustead Plantations Berhad)
 Complaint received :- 9 January 2020
 Location :- Lahad Datu, Sabah
 Allegations :- Invasion of Boustead Plantations Berhad’s main access road by Kwantas Corporation Berhad.

29 January 2020 (CP Meeting):-

- 1. The Initial Diagnosis is in progress.**

c. RSPO/2020/02/SW PT Permata Hijau Sawit Kebun Papaso

(subsidiary of Permata Hijau Group)

Complainant :-*(requested for confidentiality)*

Complaint received :- 14 January 2020

Location :- North Sumatera, Indonesia

Allegations :- The workers were not issued payslips;
No adequate health facilities and no adequate housing facilities provided for the workers;
The workers were not given the freedom to join the unions;
workers are Imposed working hours that are not in accordance with the provisions;
Contract workers were employed for the main job;
The Respondent does not have the company regulations as required by law.

29 January 2020 (CP Meeting):-

- 1. The Initial Diagnosis is in progress.**

5. Complaints Cases Statistics

Total Cases in 2018:

	May-2018	June-2018	July-2018	Aug-2018
Complaints received	4	0	1	3
Status	Open (1) Closed (3)	-	Open (1)	Open (2) Closed (1)
Certified	-	-	-	-
Country	Indonesia (4)	-	Indonesia (1)	Indonesia (2) Singapore (1)
Case Category	-FPIC (2) -HCV (2)	-	-FPIC (1)	-Breach of Code of Conduct (2) -Minimum Wage (1)

	Sept-2018	Oct-2018	Nov-2018	Dec-2018
Complaints received	2	6	0	0
Status	Open (1) Closed (1)	Open (2) Closed (4)	-	-
Certified	-	-	-	-
Country	Indonesia (1) Nigeria (1)	Indonesia (3) Nigeria (1) Liberia (1) Others (1)	-	-
Case Category	-Occupational Hazard (1) -FPIC (1)	-Breach of Code of Conduct (2) -FPIC (2) -Compensation (1) -Wage (1)	-	-

Total Cases in 2019:

	Jan-2019	Feb-2019	Mar-2019	Apr-2019
Complaints received	2	1	3	4
Status	Open (1) Closed (1)	Rejected (1)	Open (2) Rejected (1)	Open (3) Rejected (1)
Certified	-	-	-	-
Country	Indonesia (2)	Malaysia(1)	Indonesia (1) Peru (2)	Indonesia (3) Nigeria (1)
Case Category	-Occupational Hazard (1) -FPIC (1)	- FPIC (1)	-Deforestation (3) - FPIC (2)	-Occupational Hazard (1) -No Festive Holidays (3) - Infringement of copyright (1)

	May 2019	Jun 2019	July 2019	Aug 2019
Complaints received	2	3	1	1
Status	Open (2)	Open (3)	Open (1)	Open (1)
Certified	-		-	
Country	Indonesia (1) Malaysia (1)	Indonesia (1) Guatemala (1) Nigeria (1)	Indonesia (1)	Malaysia(1)
Case Category	- Wages (1) -No Festive Holidays (1) -conservation area for water (1)	-Workers unjustifiably dismissed (1) - Social Benefits (1) -Customary rights (1)	-Customary rights (1)	Terminated based on mental health discrimination (1)

	Sept-2019	Oct-2019	Nov-2019	Dec-2019
Complaints received	0	3	0	1
Status	-	Open (3)	-	Open (1)
Certified	-	-	-	-
Country	-	Indonesia (1) Ghana (1) Nigeria (1)	-	Sierra Leone (1)
Case Category	-	Breach of Code of Conduct (1) Compensation (1) Pollution (1)	0	1

Total Cases in 2020

	Jan-2020	Feb-2020	Mar-2020	Apr-2020
Complaints received	2	-	-	-
Status	Open (2)	-	-	-
Certified	-	-	-	-
Country	Malaysia (1) Indonesia (1)	-	-	-
Case Category	-Invasion of main access road (1) -Wage, safety (1)	-	-	-

Total Active Cases by Country and Year (as of 22.01.2020)



Country	Active Cases	Year	Active Cases
Indonesia	26	2009	0
Malaysia	6	2010	1
Colombia	2	2011	0
Nigeria	3	2012	1
Singapore	0	2013	0
Peru	2	2014	1
Brazil	1	2015	6
Liberia	1	2016	0
Guatemala	1	2017	7
Ghana	1	2018	10
Sierra Leone	1	2019	17
Others*	1	2020	2
TOTAL	45	TOTAL	45

*Others: Pending group membership determination.

29 January 2020 (CP Meeting):-

1. A meeting between the Assurance Standing Committee (ASC) and the CP has been scheduled during the March 2020 Physical Meeting to discuss the list of labour complaints which has increased.

6. Any other matter

a. Dates for Complaints Panel Physical Meeting in 2020:

29 January 2020 (CP Meeting):-

1. The dates for the CP monthly meetings have been proposed until December 2020.
2. The Secretariat has proposed the next CP Physical Meeting meeting to be held on 3rd and 4th March 2020 and the Physical Meeting will be held in Kuala Lumpur, Malaysia.

b. Expansion of Complaints Panel

29 January 2020 (CP Meeting):-

1. Three new members have been approved by the CP and these members are at present pending endorsement by the BOG.

c. Collaboration with the Investigation and Monitoring Unit

29 January 2020 (CP Meeting):-

i) PT Limpah Sejahtera :-

1. The CP has come to a decision and the decision letter is in progress.

ii) PT Permata Hijau Pasaman :-

1. Pending meeting between parties on 14 February 2020.

iii) FGV :-

1. Sanctions and directions for non-compliance issued on 13 January 2020. The Secretariat is to keep the CP updated on subsequent developments.

d. DSF Updates:

29 January 2020 (CP Meeting):-

1. The Consultant engaged to identify the Complaints for the mediation process has requested to terminate the contract due to the fact that she is unable to commit to the timeline and requirements and the Secretariat is in the process of communicating with another Consultant.

e. 'Watchmen 2' Report and proposed meeting with authors

29 January 2020 (CP Meeting):-

1. An analysis on the issues raised in the report is being drafted by the Secretariat for the CP's perusal.

ANY OTHER MATTERS:-

A. MEETING WITH THE INDONESIAN BRANCH OF THE HUMAN RIGHTS DEFENDERS GROUP

1. A meeting was held between the HRD group in Indonesia and the Complaints Unit to identify possible ways to collaborate. However, the HRD group is only able to share information as they are more of a data gathering centre and that they have materials on their website which can be used to promote the HRD .

B. HUMAN RIGHTS WATCH REPORT ON FERONIA

1. A call proceeded between Feronia, Oxfam and the Secretariat on 13.12.2019.
2. There will be another call between Feronia and the Secretariat together with the Secretariat's Desk in Africa in June 2020 to identify the best ways moving forward to address the issues raised in the Human Rights Watch Report.

7. Media Inquiry: Amnesty International Investigation report on Wilmar International – Sydney Morning Herald on 28 November 2016

"Amnesty International interviewed 120 workers working on palm plantations owned by two Wilmar subsidiaries and three Wilmar suppliers in Kalimantan and Sumatra in Indonesia. The investigation exposed a wide range of abuses including:

- a. Women were forced to work long hours under the threat of having their pay cut, paid below minimum wage and kept in insecure employment without pensions or health insurance;
- b. Children as young as eight doing hazardous, hard physical work, sometimes dropping out of school to help their parents on the plantation;
- c. Workers suffering severe injuries from paraquat, an acutely toxic chemical banned by the EU and by Wilmar itself;
- d. Workers being made to work outdoors without adequate safety;
- e. Workers having to work long hours to meet ridiculously high targets, some of which involve highly physically demanding tasks".

29 January 2020 (CP Meeting):-

- 1. The Complaints Panel will issue a letter on the next steps.**

8. Research Report, “Palming Off Responsibility: Labour rights violations in the Indonesian Palm Oil Sector, by SMO and CNV International (PT Aneka Inti Persada - Sime Darby; and PT Murini Sam Sam - Wilmar)

13 June 2017 – SOMO/CNV International published their report on labour violations at PT Murini Sam Sam and PT Aneka Inti Persada. The report was also forwarded to RSPO.

The following violations were noted in the report:

- 1. PT Murini Sam Sam
 - Temporary workers and contract issues
 - Wages and overwork
 - Child labour
 - Health and safety
 - Gender equality – mainly hired as plantation maintenance workers and as such employed on a seasonal basis. Day workers are denied their 3 months of paid maternity leave.
 - Freedom of association
- 2. PT Aneka Inti Persada:
 - Temporary workers and contract issues
 - Wages and workload
 - Child labour
 - Health and safety
 - Gender equality
 - Freedom of association

29 January 2020 (CP Meeting):-

- 1. Briefing Note is in progress.**



9. Commitments of Financial Institution(s)

29 January 2020 (CP Meeting):-

1. Pending a further update from the Secretariat's O & E department on the issues raised pertaining to Central Banks.

10. GA Resolution - GA15-6d - Discouraging RSPO members subject to complaints from avoiding their obligations by divesting or withdrawing their membership

29 January 2020 (CP Meeting):-

1. The CP was updated on the developments and progress of Resolution 6d.

COMPLAINTS FOR DELIBERATION:

GROUP 1

Complaint 1.1 FELDA vs Orang Dusun Lahad Datu (Desa Begahak/Robin Balud)	
Date Filed	16 February 2015
Respondent	FELDA (Federal Land Development Authority) (Felda Ventures Bhd)
Membership Category	Oil Palm Grower
Country	Malaysia
Complainant	Orang Dusun Lahad Datu (Desa Begahak/Robin Balud)
Nature of Complaint	<p>According to the Enquiry National Hak Tanah Malaysia document, the state government had given 1260 acres of land to the Dusun Begahak community in 1981. At the same time, the same land was alienated to FELDA for development.</p> <p>The complainant raised the issue that FELDA has no right to develop their land and should return it to the community because the land originally belonged to the community. The complainant also stated that the cemetery area is being developed by FELDA.</p> <p>FELDA enclaved 916 acres of the said land and gave it back to the community. The community planted fruits and other crops on the land.</p> <p>A police report has been made by the community and that is the source of the complaint.</p>
Status	(D) Investigation / deliberation
Decision / Justification	<p>1. The results of the appeal by the community before the Sabah Lands and Surveys Department (SLSD) is likely to be delivered in March 2020 as indicated by the officer at SLSD.</p>

Complaint 1.2 Agropalma S.A. vs José Maria Tabaranã da Costa and Aida Raimunda Maia da Costa

Date Filed	13 August 2015
Respondent	Agropalma SA
Membership Category	Oil Palm Grower
Country	Brazil
Complainant	José Maria Tabaranã da Costa and Aida Raimunda Maia da Costa.
Complaint description	That Agropalma has acquired land and planted oil palm in violation of the RSPO Principles and Criteria.
Status	(D) Investigation / deliberation
Decision / Justification	1. Status quo. Complaint is adjourned pending outcome of the Court Process.

Complaint 1.3 Hap Seng Plantations Holdings Bhd vs Sia Yi Chin

Date Filed	11 November 2015
Respondent	Hap Seng Plantations Holdings Bhd
Membership Category	Oil Palm Grower
Country	Malaysia
Complainant	Sia Yi Chin of Lahad Datu, Sabah
Complaint description	<p>The complainant is claiming that Hap Seng Plantations Bhd is illegally occupying his property (River Estates) of 6,454 acres in Lahad Datu, Sabah.</p> <p>He says that he is the beneficial owner of the said land and the land office in Kota Kinabalu has confirmed that the said land is still in his name as beneficial owner.</p> <p>He has filed a civil suit against Hap Seng; originating summons: BKI-24-127/5 of 2012 filed on 30.07.2015</p>
Status	(D) Investigation / deliberation
Decision / Justification	<ol style="list-style-type: none"> Status quo. Complaint is adjourned pending outcome of the Court Process.



Complaint 1.4 PT. Pusaka Agro Lestari (PT. PAL - Noble Plantation) vs RSPO Secretariat

Date Filed	20 June 2017
Respondent	PT Pusaka Agro Lestari
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	RSPO Secretariat
Complaint description	<ul style="list-style-type: none"> ● Potential risk on Clearance a large areas of Primary Forest in Papua; ● Official Complaint against one of HCV Assessors – Nyoto Susanto.
Status	(D) Investigation / deliberation
Decision / Justification	1. Pending submission of documents from PT PAL.

Complaint 1.5 PT. Prima Mitra Jaya Mandiri (PT PMJM - MP Evans) vs Serbundo	
Date Filed	20 April 2017
Respondent	PT. Prima Mitra Jaya Mandiri (PT PMJM)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Serbundo (Serikat Buruh Perkebunan Indonesia)
Complaint description	<p>Allegations: The company has breached National Labour Regulation by extending the workers' contract and terminate 7 of them as they refuse to sign a new contract.</p> <p>Demands from Serbundo:</p> <ol style="list-style-type: none"> 1. Request the Company instead of extended temporary employment agreement, make them as permanent workers, some of them have worked more than 1,5 years; 2. Rehire 7 workers and promote the status to become permanent, especially those who have been working on permanent basis work ie: Permanent/ Harvester.
Status	(F) Complaints Panel Decision
Decision / Justification	<ol style="list-style-type: none"> 1. The Appeal has been concluded and the parties have been informed of the decision. The Complaint will be removed from the agenda moving forward.

Complaint 1.6 PT. Mitra Austral Sejahtera (Sime Darby) vs NGO TuK	
Date Filed	31 October 2012 (Under DSF) 9 June 2017 (Transferred to the CP)
Respondent	PT Mitra Austral Sejahtera (Sime Darby subsidiary)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Transformasi untuk Keadilan (TuK)
Complaint description	<p>The communities of Sanggau have alleged that the company PT Mitra Austral Sejahtera is operating without :</p> <ol style="list-style-type: none"> 1. Lack of Transparency on land status and partnership agreements 2. Lack of compliance to our customary land rights 3. The absence of (documented) compensation 4. Lack of compliance to local regulations <p>In acting so they are alleged to have breached RSPO Principles and Criteria specifically on:</p> <p>Principle 1 on Transparency,</p> <p>Principle 2 on Compliance with applicable laws and Principle 6 Responsible consideration of employees and individuals and communities affected by growers and mills.</p>
Status	(D) Investigation / deliberation
Decision / Justification	<ol style="list-style-type: none"> 1. The comments from parties on the draft legal review during the factual verification exercise have been furnished to the legal reviewer for finalisation of the legal review.

Complaint 1.7 Golden Veroleum Liberia (GVL) vs. Green Advocate for the Butaw Community; FPP; SDI; SESDev; A-Bloteh	
Date Filed	2 October 2012
Respondent	Golden Veroleum Liberia (GVL)
Membership Category	Oil Palm Grower
Country	Liberia
Complainant	Green Advocate for the Butaw Community; FPP; SDI; SESDev; A-Bloteh
Complaint description	<p>Golden Veroleum Liberia:</p> <ol style="list-style-type: none"> a. has not provided public notification for a 30 day period consistent with the New Planting Procedures; b. commencing land preparation new planting and infrastructure development prior to the expiry of the minimum 30-day period; c. 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 & 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; d. Clearing land without the free, prior and informed consent of the customary land owners as represented through representative organizations of their choice (P&C 2.2, 2.3, 7.5 and 7.6).
Status	(D) Investigation / deliberation
Decision / Justification	<ol style="list-style-type: none"> 1. The Complaints Desk has updated the CP on the possible trip to Liberia and the the progress of the implementation of the CP's decision in the Tarjuowon area.



Complaint 1.8 PT. Harapan Sawit Lestari (Cargill) vs Link-AR Borneo	
Date Filed	25 May 2018
Respondent	PT Harapan Sawit Lestari (Cargill)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Link-AR Borneo
Complaint description	PT Harapan Sawit Lestari allegedly commenced the re-planting activities without proper consent from the local community of Asam Besar in West Kalimantan.
Status	(D) Investigation / deliberation
Decision / Justification	1. Briefing Note is in progress



Complaint 1.9 AMP Plantation (Wilmar) vs KUD Dasra (represented by lawyer)	
Date Filed	30 April 2018
Respondent	AMP Plantation (Wilmar)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Represented by lawyer on behalf of KUD Dasra
Complaint description	Dispute regarding plasma cooperation with KUD Dasra.
Status	(D) Investigation / deliberation
Decision / Justification	1. The Briefing Note is being finalised.



Complaint 1.10 HSA Group (Pacific Inter-Link, Pacific Oils & Fats Industries Sdn Bhd, PT. Pacific Indopalm Industries, PT. Pacific Medan Industri, PT. Pacific Palmindo Industri) vs Environmental Investigation Agency (EIA) & Greenpeace

Date Filed	15 October 2018
Respondent	HSA Group (Pacific Inter-Link, Pacific Oils & Fats Industries Sdn Bhd, PT. Pacific Indopalm Industries, PT. Pacific Medan Industri, PT. Pacific Palmindo Industri)
Membership Category	Oil Palm Grower
Country	Malaysia / Cayman Island
Complainant	Environmental Investigation Agency (EIA) & Greenpeace
Complaint description	Breach of Code of Conduct - violation of the RSPO Group Membership rules. All the companies (stated above) are alleged to be part of the Hayel Saeed Anam (HSA) Group, but still registered as separate RSPO members.
Status	(C) CP constituted
Decision / Justification	1. Briefing Note is in progress.



Complaint 1.11 Pacific Inter-Link (Papuan Concessions) vs Environmental Investigation Agency (EIA) & Greenpeace	
Date Filed	15 October 2018
Respondent	Pacific Inter-Link (Papuan Concessions)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Environmental Investigation Agency (EIA) & Greenpeace
Complaint description	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.
Status	(C) CP constituted
Decision / Justification	1. Briefing Note is in progress.

Complaint 1.12 PT Berkat Sawit Sejati (subsidiary of Musim Mas) vs Hutan Kita Institute (HaKI)	
Date Filed	12 March 2019
Respondent	PT Berkat Sawit Sejati (subsidiary of Musim Mas)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Hutan Kita Institute (HaKI)(Indonesia)
Complaint description	Allegations : 1. indicated using the area of Dangku Wildlife Reserve (SM) approximately 2,600 Ha and production forest area (HP) of approximately 3,200 Ha.
Status	(D) Investigation / deliberation
Decision / Justification	1. Investigation phase is completed. The Secretariat will proceed with the drafting of Briefing Note.

Complaint 1.13 Nacional Agro Industrial, S.A. (subsidiary of KH Regional Group Inc.) vs Consejo Nacional de Desplazados de Guatemala - CONDEG -(Guatemala)

Date Filed	8 June 2019
Respondent	Nacional Agro Industrial, S. A. (subsidiary of KH Regional Group Inc.)
Membership Category	Oil Palm Grower
Country	Guatemala
Complainant	Consejo Nacional de Desplazados de Guatemala - CONDEG
Complaint description	<p>Allegations :</p> <ol style="list-style-type: none"> 1. Unjustifiably dismissed 50 workers. 2. Naisa violates the code of ethical conduct through their contractor companies, 1) Hidrogen y oxigeno,SA. (2) Labores y Servicios, SA, (3) Sevicious Agricolas del Peten, SA.
Status	(D) Investigation / deliberation
Decision / Justification	1. Pending receipt of the Special Audit Report from the Certification Body.

Complaint 1.14 PT Buana Wira Lestari vs <i>requested for confidentiality</i>	
Date Filed	29 October 2019
Respondent	PT Buana Wira Lestari
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	<i>requested for confidentiality</i>
Complaint description	<ol style="list-style-type: none"> 1. The Respondent planted oil palm trees outside the HGU and planted oil palm trees at the edge of the river which resulted in damage to the watershed. 2. The Respondent is polluting the river water and also the surrounding community settlement caused by the liquid waste from the palm oil mills. 3. The Respondent never watered the road traversed by its FFB and CPO transport trucks which affected the health of the community of two villages due to dust pollution. 4. The Respondent mill's chimney emits black smoke and causes air pollution. 5. The Respondent did not provide proper social assistance to the local community.
Status	(D) Investigation / deliberation
Decision / Justification	<ol style="list-style-type: none"> 1. The Secretariat has received an email from the Respondent wishing to resolve the Complaint by way Bilateral Engagement but this is still pending a response from the Complainant.

GROUP 2

Complaint 2.1 Extractora de La Gloria SAS vs ASOCOL, ASOCADAR	
Date Filed	19 November 2015
Respondent	Extractora de la Gloria SAS
Membership Category	Oil Palm Grower
Country	Colombia
Complainant	Fredy Antonio Corrales, representative of the Colombian Association for Displaced Peoples’ Prospects (ASOCOL), Adelfo Segundo Rodríguez, representative of the Association of Returning Displaced Farmers (ASOCADAR), Senator Iván Cepeda, Senator Alberto Castilla, and Representative Alirio Uribe
Complaint description	<p>Extractora La Gloria SAS, in planting palm oil in the former Hacienda Bellacruz- today Hacienda La Gloria- occupies 9,000 hectares in the municipalities of La Gloria, Pelaya and Tamalameque, in southern Cesar Department without following RSPO rules. It does not comply with the following RSPO principles:</p> <ul style="list-style-type: none"> ● Principle 1.1. Given that is does not provide clear and sufficient information regarding the Business Group. ● Principle 2.1. The Business Group has not declared itself to Colombian authorities and the crops were planted without an Environmental Management Plan for the Forest Reserve, which goes against national business and environmental regulations. ● Principle 2.2. Property ownership claims in the areas where Extractora La Gloria grows the majority of its crops have been called into question at national and international judicial bodies. Farming communities have demanded the formalization of their customary land rights, which were violently denied by paramilitary groups. ● Principle 2.3. Business operations have not recognized the rights of farmers who are also displacement victims, in contravention of businesses’ duty to guarantee free, prior and informed consent regarding land use. ● Principle 4.4. While installing and processing palm crops, Extractora La Gloria affected the Caño Alonso Forest Reserve Buffer Zone and the Singararé, El Carmen and Simaña streams. ● Principle 5.2. The company has not avoided damaging the Caño Alonso Forest Reserve Buffer Zone, a specially protected habitat such as installing palm crops over the Reserve’s environmental buffer zone. ● Principle 6.4. The company has neglected the claimants, despite the fact that they have been the most affected by its business activities. The company has also refused to create negotiation platforms. ● Principle 6.13. The company has benefited from grave human rights violations of vulnerable farmers, who were also forcefully displaced by illegal armed actors. The company has not publicly rejected the threats and intimidations against the claimants. It even requested that the Constitutional Court lift the cautionary measures protecting the victims.

Status	(D) Investigation / deliberation
Decision / Justification	1. Briefing Note is in progress.

Complaint 2.2 PT. Bumitama Gunajaya Abadi (PT.BGA - Bumitama) vs Sawit Watch	
Date Filed	13 November 2015
Respondent	PT Bumitama Gunajaya Abadi
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Sawit Watch
Complaint description	<p>The allegations are:-</p> <ol style="list-style-type: none"> 1. Destroying graves and planting trees surrounding the graves; 2. Dispute on plasma scheme mechanism; 3. Termination of labourers and the status of labourer i.e. are they casual or permanent? 4. Compensation not paid directly to the land owner; 5. Loss of land certification and using the land of migrants which is still under control of the owner.
Status	(F) Complaints Panel Decision
Decision / Justification	1. The draft decision letter is being finalised.

Complaint 2.3 PT. Hati Prima Agro (PT.HPA - Bumitama) vs Sawit Watch	
Date Filed	13 October 2017
Respondent	PT Hati Prima Agro (Bumitama)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Sawit Watch
Complaint description	<p>A complaint was initially lodged in 2012 on allegations related to land matters. It was dismissed in April 2015 when Bumitama said that they were planning to divest the property and no longer had management control. However, in this request for reopening of the complaint, the complainant (Sawit Watch, EIA, and Greenpeace) has made allegations that although Bumitama claimed to have divested the property they continued to have management control. Further, in July 2016 Bumitama had repurchased the concession unit.</p> <p>Thus, the request for reopening is on the basis that Bumitama allegedly made deceptive claims before the Complaints Panel. The Complainants further claim that Bumitama had not submitted NPP despite the land clearance.</p>
Status	(F) Complaints Panel Decision
Decision / Justification	<ol style="list-style-type: none"> The letter to the legal reviewer regarding the request for additional documents is being finalised.



Complaint 2.4 Palmas Del Espino SA. vs FREDEIALBA	
Date Filed	4 July 2017
Respondent	Palmas Del Espino SA
Membership Category	Oil Palm Grower
Country	Peru
Complainant	FREDEIALBA
Complaint description	<p>Allegations:-</p> <ul style="list-style-type: none"> ● The company and their group member developing the plantation without proper NPP process; ● Developing plantation without informing the local communities; ● The company has failed to comply with national law on the forest conversion. ● Mistreatment of employees including arbitrary dismissal. ● New plantings established without EIA and HCV assessment.
Status	(D) Investigation / deliberation
Decision / Justification	<p>1. The CP has come to a decision and has directed for the decision letter to be drafted.</p>

Complaint 2.5 Felda Global Ventures Holding Berhad vs RSPO Secretariat	
Date Filed	19 April 2017
Respondent	Felda Global Ventures Holding Berhad
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	RSPO Secretariat (on the basis of Article by Chain Reaction Research)
Complaint description	<p>There was a report issued by Chain Reaction which reported the fact that FGV in their Kalimantan concession had cleared 1600 Ha peat forest. On 25th April 2017 Secretariat had a meeting with FGV and they claimed that they only planted on less than 100 Ha of shallow peat. We had requested them to give an update.</p> <p>The update on an independent audit done by Aksenta showed that there was no deforestation. At the moment, we are still waiting for written clarification from FGV and their further actions.</p>
Status	(D) Investigation / deliberation
Decision / Justification	<ol style="list-style-type: none"> The Complaints Panel will issue a letter responding to the Respondent's proposal of soil survey. A warning will also be issued on the Respondent's failure to submit its report on community socialization.



Complaint 2.6 Golden Agri Resources vs Forest Peoples Programme (FPP) & TuK	
Date Filed	22 August 2018
Respondent	Golden Agri Resources
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Forest Peoples Programme (FPP) and Tuk- Indonesia
Complaint description	GAR's shadow companies are actively clearing lands.
Status	(C) CP constituted
Decision / Justification	1. Procurement process for legal due diligence ongoing.

Complaint 2.7 Presco PLC Nigeria (SIAT SA) vs Indigenous People of Oruarivie-Abraka Kingdom	
Date Filed	17 September 2018
Respondent	Presco PLC Nigeria (SIAT SA)
Membership Category	Oil Palm Grower
Country	Nigeria
Complainant	Indigenous People of Oruarivie-Abraka Kingdom
Complaint description	For the past five years, PRESCO, in conjunction with the Edo State Government, through its Ministry of Agriculture and Natural Resources; the Police in Benin City, Edo State; and the Nigeria Army’s 4th Brigade (also located in Benin City, Edo State), has been forcefully encroaching into ancestral and customarily owned indigenous farm lands, including Oruarivie-Abraka ancestral farm lands, situated in Delta State (a neighbouring State to Edo State, where PRESCO’s Head Office is located), and forcefully evicting local farmers from these ancestral and customarily owned indigenous farm lands measuring approximately three thousand hectares (well beyond the Edo State boundaries), and forcefully and illegally grabbing same for its palm oil plantation expansionist activities.
Status	(C) CP constituted
Decision / Justification	<ol style="list-style-type: none"> 1. On the request of parties to continue with the mediation process, an extension of time of 6 months has been granted to enable parties to continue with the mediation process. Complaint adjourned pending outcome of the mediation process.

Complaint 2.8 PT Perkebunan Nusantara IV (PERSERO) vs Koalisi Organisasi Serikat Pekerja dan Lembaga Swadaya Masyarakat Kabupaten Labuhan Batu, FSMI. TIPAN-RIPT

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	<ol style="list-style-type: none"> 1. Lack of adequate health and safety equipment; 2. Worker died due to lack of safety equipment; and 3. No festive holidays for temporary workers.
Status	(D) Investigation/Deliberation
Decision / Justification	1. Investigation ongoing.



Complaint 2.9 PT Perkebunan Nusantara IV (PERSERO) vs requested for confidentiality	
Date Filed	29 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	<ol style="list-style-type: none"> 1. Temporary workers contract and wages issues 2. Intimidation of workers
Status	(D) Investigation/Deliberation
Decision / Justification	<ol style="list-style-type: none"> 1. Investigation concluded. The Secretariat will proceed with the drafting of the Briefing Note.

Complaint 2.10 PT Perkebunan Nusantara IV (PERSERO) vs Federasi Serikat Pekerja Metal Indonesia (FSPMI)

Date Filed	6 May 2019
Respondent	PT Perkebunan Nusantara IV (PERSERO)
Membership Category	Oil Palm Grower
Country	North Sumatra, Indonesia
Complainant	Federasi Serikat Pekerja Metal Indonesia (FSPMI)
Complaint description	<ol style="list-style-type: none"> 1. Alleged fraud of wages for 7 workers, 2. No festive holidays and bonus for temporary workers
Status	(D) Investigation/Deliberation
Decision / Justification	<ol style="list-style-type: none"> 1. Investigation concluded. The Secretariat will proceed with the drafting of the Briefing Note.

Complaint 2.11 PT Bilah Platindo (subsidiary of MP Evans) vs Federasi Serikat Pekerja Metal Indonesia (FSPMI) - (Indonesia)

Date Filed	24 June 2019
Respondent	PT Bilah Platindo (subsidiary of MP Evans)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Federasi Serikat Pekerja Metal Indonesia (FSPMI)
Complaint description	<ol style="list-style-type: none"> 2 daily workers died due to an accident happened on 23 February 2018. Victims were not registered with Indonesia’s social insurance scheme and were not covered during the accident.
Status	(D) Investigation/Deliberation
Decision / Justification	<ol style="list-style-type: none"> Investigation concluded. The Secretariat will proceed with the drafting of the Briefing Note.



Complaint 2.12 Presco PLC Nigeria (SIAT SA) vs Delta Agricultural Stakeholders Farmers Union - Nigeria	
Date Filed	24 June 2019
Respondent	Presco PLC Nigeria (SIAT SA)
Membership Category	Oil Palm Grower
Country	Nigeria
Complainant	Delta Agricultural Stakeholders Farmers Union
Complaint description	There have been major unlawful invasion and forceful takeover of local farm lands by the Respondent.
Status	(D) Investigation/Deliberation
Decision / Justification	1. Pending endorsement of decision letter.

Complaint 2.13 PT. Socfin Indonesia (subsidiary of Socfin SA) vs Lembaga Swadaya Masyarakat Team Investigation Penyelamat Asset Negara Republik Indonesia (LSM.TIPAN-RI) (Indonesia)

Date Filed	26 July 2019
Respondent	PT Socfin Indonesia (subsidiary of Socfin SA)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Lembaga Swadaya Masyarakat Team Investigation Penyelamat Asset Negara Republik Indonesia (LSM.TIPAN-RI)
Complaint description	PT Socfin Indonesia used the land of 13 community members of Desa Negeri Lama Seberang without their express consent for the PT Socfin Indonesia water pipeline which is approximately 900 meters in length. The water pipeline extends from the Bilah River to the PT Socfin Indonesia palm oil mill.
Status	(D) Investigation/Deliberation
Decision / Justification	<ol style="list-style-type: none"> 1. On the request of parties, the timeline for the Bilateral Engagement process is extended.



Complaint 2.14 Presco Plc vs Ovre Eku Community (Nigeria)

Date Filed	28 October 2029
Respondent	Presco Plc
Membership Category	Oil Palm Grower
Country	Nigeria
Complainant	Ovre Eku Community
Complaint description	Invasion forcible entry to Ovre-Eku Land by Presco Plc.
Status	(D) Investigation / deliberation
Decision / Justification	<ol style="list-style-type: none"> 1. The Secretariat has received a formal response from the Respondent with supporting documents.t 2. The Secretariat is now in the midst of reviewing the formal response with supporting documents.

GROUP 3

Complaint 3.1 PT. Kartika Prima Cipta (GAR) vs Forest Peoples Programme & TuK	
Date Filed	14 October 2014
Respondent	Golden Agri Resources (GAR) – PT Kartika Prima Cipta (KPC)
Membership Category	Oil Palm Grower
Country	Indonesia – Kapuas Hulu, West Kalimantan
Complainant	Forest Peoples Programme (FPP) and (Transformasi untuk Keadilan) TuK Indonesia
Complaint description	<p><u>Points raised:-</u></p> <ol style="list-style-type: none"> 1. PT KPC is in persistent violation of the RSPO P&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. 2. Land takeover was done without land tenure study and participatory mapping. 3. Late HCV assessment which was done by IPB, final consultation was in May 2014. 4. Dissatisfaction by smallholders and resentment because of reduced post facto set aside for HCV rather than getting plasma scheme (20%). 5. Set aside land as HCS area that made no provision for customary land uses and tenure and local people livelihood. 6. 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. 7. 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&C.
Status	(D) Investigation / deliberation
Decision / Justification	1. Procurement process for review of HCV assessment is ongoing.



Complaint 3.2 Poligrow vs Video by Environmental Investigation Agency	
Date Filed	13 August 2015
Respondent	Poligrow Colombia
Membership Category	Oil Palm Grower
Country	Colombia
Complainant	Environmental Investigation Agency
Complaint description	EIA’s video, “Between Water and Oil Palm,” is a collaboration with Colombian group La Comisión Intereclesial de Justicia y Paz (Justicia y Paz) and has documented how investments have come at the expense of indigenous rights in Mapiripán, Meta, Colombia. One company, the Italian-owned Poligrow Ltd, has prohibited the Jiw and Sikuni indigenous communities from using traditional hunting and fishing lands, and prevented access to a culturally revered site, Las Toninas—a lake considered sacred and home to pink dolphins. The Jiw report that no free, prior, or informed consultation has taken place regarding Poligrow’s operations and that the company’s expansion limits their right to freedom of movement. The video above alleged abuses by RSPO Italian member in Colombia.
Status	(D) Investigation / deliberation
Decision / Justification	1. Decision delivered. Pending expiry of the appeals period.

Complaint 3.3 Goodhope Asia Holdings vs RSPO Secretariat	
Date Filed	19 April 2017
Respondent	Goodhope Asia Holdings
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	RSPO Secretariat (Following Joint Comment by FPP, Greenpeace, EIA and PUSAKA on the NPP Posting of PT Nabire Baru / Goodhope)
Complaint description	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).
Status	(D) Investigation / deliberation
Decision / Justification	1. Pending response from the Respondent on their revised shapefiles to proceed with the LUCA review.

Complaint 3.4 IOI Pelita (IOI Group) vs Community of Long Teran Kanan	
Date Filed	10 March 2010 Transferred back from DSF to Complaints Panel on 17 January 2017
Respondent	IOI Pelita (IOI Group)
Membership Category	Oil Palm Grower
Country	Sarawak, Malaysia
Complainant	Community of Long Teran Kanan
Complaint description	Infringement of P&C No.2.2 – the right to land use disputed
Status	(D) Investigation / deliberation
Decision / Justification	1. Phase 2 of the Respondent’s Resolution Plan ongoing. Draft ToR for Phase 3 of Resolution Plan submitted to the CP for comments.

Complaint 3.5 PT. Primatama Mulia Jaya v Masyarakat Adat Luhak	
Date Filed	12 July 2018
Respondent	PT Primatama Mulia Jaya [subsidiary of Wilmar International]
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Masyarakat Adat Luhak Saparampek Simpang Tigo and Forest People Programme (FPP)
Complaint description	The issuance of Right of Utilization of the Respondent issued without prior information to the Complainant
Status	(D) Investigation / deliberation
Decision / Justification	1. Investigation ongoing.

Complaint 3.6 PT. Agro Lestari Mandiri (Sinar Mas) vs Serikat Buruh Sejahtera Indonesia Kabupaten Ketapang

Date Filed	30 August 2018
Respondent	PT Agro Lestari Mandiri (Sinar Mas)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Serikat Buruh Sejahtera Indonesia Kabupaten Ketapang
Complaint description	PT Agro Lestari Mandiri allegedly terminated workers in violation of the Indonesian Employment Law.
Status	(C) CP constituted
Decision / Justification	1. Status quo. Pending the decision of the Supreme Court.

Complaint 3.7 PT. Perkebunan Nusantara III vs Pimpinan Cabang Federasi Serikat Pekerja Metal Indonesia	
Date Filed	18 January 2019
Respondent	PT Perkebunan Nusantara III
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Pemimpinan Cabang Federasi Serikat Pekerja Metal Indonesia
Complaint description	Minimum wage Wage withholding/Deduction Occupational Hazard, Unsafe working conditions, exposure to chemicals.
Status	(D) Investigation / deliberation
Decision / Justification	1. Decision letter is being finalised

Complaint 3.8 PT Smart Tbk - subsidiary of Golden Agri Resources (GAR) vs Masyarakat Dusun I/II/III Belongkut	
Date Filed	18 October 2018
Respondent	PT Smart Tbk - subsidiary of Golden Agri Resources
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Masyarakat Dusun I/II/III Belongkut
Complaint description	The termination of employment by PT Smart Tbk Kebun Adi Pati without severance payment
Status	(D) Investigation / deliberation
Decision / Justification	1. Investigation concluded. The Secretariat will proceed with the drafting of the Briefing Note.



Complaint 3.9 Oleaginosas Del Peru S.A (OLPESA) vs Community of Santa Clara de Uchunya	
Date Filed	22 March 2019
Respondent	Oleaginosas Del Peru S.A. (OLPESA)
Membership Category	Oil Palm Grower
Country	Peru
Complainant	Community of Santa Clara de Uchunya
Complaint description	<ol style="list-style-type: none"> 1. Sourcing FFB from unsustainable origin. 2. Failure to conduct SIA.
Status	(D) Investigation / deliberation
Decision / Justification	<ol style="list-style-type: none"> 1. Investigation ongoing. To proceed with the drafting of the Briefing Note thereafter.

Complaint 3.10 PT Smart Tbk (subsidiary of GAR) vs Konsulat Cabang Federasi Serikat Pekerja Metal Indonesia

Date Filed	22 April 2019
Respondent	PT Smart Tbk (subsidiary of GAR)
Membership Category	Oil Palm Grower
Country	North Sumatra, Indonesia
Complainant	Konsulat Cabang Federasi Serikat Pekerja Metal Indonesia.
Complaint description	Discrimination and violation against women workers, wages and no holidays given to women workers
Status	(D) Investigation / deliberation
Decision / Justification	1. Complaint is closed following the settlement of Complaint through Bilateral Engagement.

Complaint 3.11 Unico Desa Palm Oil Mill (subsidiary of IOI Corporation Berhad) vs Leap Spiral on behalf of Kampung Sri Ganda

Date Filed	6 May 2019
Respondent	Unico Desa Palm Oil Mill (IOI Corporation Berhad)
Membership Category	Oil Palm Grower
Country	Lahad Datu, Sabah, Malaysia
Complainant	Leap Spiral on behalf of Kampung Sri Ganda
Complaint description	Alleged utilisation of an area demarcated as a conservation area to address water issues in the village.
Status	(D) Investigation / deliberation
Decision / Justification	<ol style="list-style-type: none"> The CP has come to a decision and have directed the drafting of a decision letter.

Complaint 3.12 PT. PHP/AMP Plantation (subsidiary of Wilmar) vs Represented by Lawyer on behalf of Local Community - (Indonesia)	
Date Filed	20 August 2018
Respondent	PT. PHP/AMP Plantation (subsidiary of Wilmar)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Represented by Lawyer on behalf of local community
Complaint description	Dispute regarding plasma cooperation with local community
Status	(D) Investigation / deliberation
Decision / Justification	1. Investigation concluded. The Secretariat will proceed with the drafting of the Briefing Note.

Complaint 3.13 Boustead Rimba Nilai (subsidiary of Boustead Plantations Berhad) vs Mr Sauddin Che Lamin - (Malaysia)	
Date Filed	12 August 2019
Respondent	Boustead Rimba Nilai (subsidiary of Boustead Plantations Berhad)
Membership Category	Oil Palm Grower
Country	Malaysia
Complainant	Mr Sauddin Che Lamin
Complaint description	Complainant was terminated on 2 July 2019 via letter without salary for 3 consecutive months based on mental health discrimination.
Status	(D) Investigation / deliberation
Decision / Justification	1. Investigation ongoing. The Secretariat is to prepare a Briefing Note.



Complaint 3.14 Norpalm Ghana Limited vs Landowners of Ewusiejoe (Ghana)	
Date Filed	29 October 2019
Respondent	Norpalm Ghana Limited
Membership Category	Oil Palm Grower
Country	Ghana
Complainant	Landowners of Ewusiejoe
Complaint description	<ol style="list-style-type: none"> 1. Non Transparency to landowners of Ewusiejoe. 2. No minutes provided after meeting with Norpalm management. 3. No information to Landowners on the arrival of the Inspectorate team from RSPO to enable them to participate and express their concerns. 4. No information to Landowners on the demarcation made by Norpalm Ghana Ltd and no documents provided to the Complainant. 5. Payments of monies to Landowners have not been fully made.
Status	(D) Investigation / deliberation
Decision / Justification	<ol style="list-style-type: none"> 1. The Secretariat has requested the Certification unit to instruct Certification Body to conduct a Special audit with respect to the allegations raised in this Complaint. 2. The Secretariat has received the said special audit report and has furnished the same to both the Complainant and the Respondent. 3. The Respondent has agreed to the findings and the Complainant has further comments to the findings. 4. The Complainants' comments have been forwarded to the Certification Body for their review and the Secretariat is currently awaiting their response.