

COMPLAINTS PANEL MEETING MINUTES

For Website

24 January 2017 | 3.30pm – 6.30pm | Meeting No. 1/2017

Meeting location: RSPO Secretariat Office, 37th floor Menara UOA, Kuala Lumpur - Malaysia

GENERAL MEETING AGENDA

List of Complaint Panel members

Melizel Asuncion (Verite), Henry Barlow (Affiliate Member), Michelle Desillets (Orangutan Land Trust), Matthias Diemer (WWF Switzerland), Bambang Dwilaksono (First Resources), Marieke Leegwater (Solidaridad), Sabarinah Marzuky (Sime Darby), John Payne (Borneo Rhino Alliance), Priya Gopalan (UBS AG), Frasier Lanier (Citibank), Tom McLaughlin (Woolworths), Lim Sian Choo (Bumitama), Lanash Tanda (SEPA), Robert Kruger (RKG).

3.30pm – 4.20pm

1. Opening Remarks by Chairperson
2. Declaration of Conflict of Interest
3. To confirm and adopt the minutes of the 19 December 2016 Complaints Panel Meeting
4. New Complaints
5. Reported cases
6. Monthly List of Complaints
7. RSPO's responses on the Palm Oil Investigation (POI)'s position
8. Sale of concessions/subsidiaries with complaints by members
9. Amnesty International report on Wilmar International Ltd.

Group 1: 4.20pm- 4.50pm

1. Agropalma SA
2. PT Limpah Sejahtera (First Resources Ltd)
3. FELDA/ Orang Dusun Lahad Datu
4. Palma Tica SA
5. Hap Seng Plantations Holdings Bhd

Group 2: 4.50pm – 5.30pm

1. PT Permata Hijau Pasaman (PHP) 1/ Wilmar International
2. Equatorial Palm Oil / KLK
3. Plantaciones de Pucallpa SAC
4. FELDA Global Venture
5. Extractora La Gloria SAS
6. PT Bumitama Gunajaya Agro / Bumitama
7. PT Bumi Sawit Kencana II (PT BSK II) / Communities of Pantap Village
8. PT Bumi Sawit Kencana (PT BSK) / Communities of Kapuk Village
9. PT Karunia Kencana Permai Sejati / Communities of Tangar Village
10. PT Mustika Sembuluh / Communities of Pondok Damar Village

Group 3: 5.30 – 6.00pm

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1. PT London Sumatra (Lonsum) / Sawit Watch
2. PT PP London Sumatra (Lonsum)/RAN, OPPUK & ILRF
3. PT Kartika Prima Cipta/Golden Agri Resource (GAR)
4. PT Nabire Baru/Goodhope
5. Golden Veroleum Liberia (GVL)
6. PT Sawit Nabati Agro/ PT Sukses Karya Sawit/ PT Berkat Nabati Sawit/ PT Bumi Sawit Sejahtera / IOI group
7. IOI Pelita / Long Teran Kanan
8. Poligrow Colombia Ltda

Agenda item

1. Opening Remarks by Chairperson

The Chair opened the meeting by welcoming everybody and then invited everyone to scrutinize the minutes of the previous meeting.

2. "No Conflict of Interest"

Lim Sian Choo declared possible conflict of interest in the IOI Pelita and Long Teran Kanan case as such was excluded from the discussions and decisions related to the specific case.

The other CP members had no new "conflict of interest" in the cases being deliberated.

3. Minutes of the meeting of 19 December 2016

The minutes of the meeting were adopted with the following amendments:

– Pg. 4: Item 8

To include the phrase "or considering selling" to the sentence.

"We have had the following members selling *or considering selling* their subsidiaries instead of resolving the conflict"

– Pg. 5: Item 8 (cont.)

To amend the sentence below 5.4.

"What can RSPO do to prevent non-compliant members from selling or considering selling certifiable units with severe RSPO compliance problems/issues to non-RSPO members?"

– Pg. 5: Item 8 (cont.)

To edit last sentence under updates.

"It is recommended that the Secretariat proceed with independent investigation of the case."

– Pg. 7: Deliberation of Complaint 2

To edit sentence under decision.

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“Secretariat to wait for the HCV review to be completed.”

– Pg. 9: Deliberation of Complaint 6

To amend sentence under decision.

“Secretariat to determine which allegations are to be determined for further investigation.

CP has also decided to proceed with the complaints.”

- Pg. 13: Deliberation of Complaint 14

To edit sentence under decision.

“Secretariat to check the content of the report before *sharing* it with the NGO.”

4. New Complaints

a) Woolworths Limited – filed by Palm Oil Investigation on 8 December 2016

Allegations:

- Woolworths is labelling on the pack that the product contains either certified sustainable palm oil OR sustainable palm oil without any RSPO approved audits. Woolworths is using non-RSPO approved financial auditor Deloitte to audit the supply chain certification to back up the claims.
- As Woolworths use close to 1,000 contract manufacturers (not all of which are using palm), it would be impossible for all these certifications claims to be correct as there are only around 100 certified manufacturers in Australia that have undergone official audits. The majority of these manufacturers are NOT contracted by Woolworths.
- It is alleged that Woolworths has breached the RSPO Communications and Claims Rules, RSPO Code of Conducts.

Status: Box A. Complaints Case Received.

Update:

- To be referred to the Communication & Claim Committee for actions and recommendation decision.

12 January 2017 – The complaints are separated as individual cases – i) Coles and ii) Woolworth. Complaints team had referred the case to the Communications and Claims (C & C) Standing Committee to provide technical assessment if the allegations are in breach of RSPO Rules on Market Communications and Claims, and/or RSPO Code of Conduct.

C & C Standing Committee will share their final assessment after their meeting on 6 February 2017.

5. Reported Cases

Nil.

5. Monthly List of Complaints (Status as of 1 January 2017)

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Status	Number of Complaints	Number of Reported Cases
(A) Complaint received	0	0
(B) Complaint categorized	8	0
(C) Panel convened	1	0
(D) Complaint legitimate	5	0
(E) Reviewing response	5	0
(F) Action plan	6	1
(G) Case Closed for monitoring	7	2
(H) Case Closed	36	32
(I) Resubmission of complaint	0	0
(J) No case	0	5
(K) No response/ no action from member	0	0
(L) Termination	1	0
(M) panel decision disputed	0	0
(N) Non cooperation	0	0
(O) No consent on action plan	0	0
(P) Appeal	0	0
(Q) Not resolved	3	0
TOTAL	72	40
TOTAL OPEN CASES	25	1

On 1 December 2016, a total of 26 ongoing complaint cases were deliberated and 1 reported cases recorded.

6. Any other matters for the Complaints Panel:

6.1 Dates for the next Complaints Panel Meetings

- i. The upcoming CP meeting date: 22 February 2017

6.2 General Information

- i. The minutes of the 19 December 2016 CP meeting was published on the RSPO website on the 4th week of January 2017.

6.3 Complaints System Revamp

- i. **5-6 January 2017** - The meeting on Complaints Procedure and Appeal has been conducted. Secretariat has collected comments and inputs conveyed by the participants during the meeting. The Next meeting with representatives of CP members will be held in Kuala Lumpur on 21st Feb 2017.

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7. RSPO response on Palm Oil Investigations (POI)'s position

[Concerns from POI](#) has been raised during the CP meeting. RSPO respect POI's decision and will discuss this concern internally before responding.

27 December 2016 – Secretariat has published their response on the allegations. <http://www.rspo.org/news-and-events/news/rspos-response-to-poi-position-statement-on-the-rspo>.

8. Sale of Concessions/subsidiaries with complaints by members

We have had the following members selling their subsidiaries instead of resolving the complaints:

i. PT Asiatic Inti Persada/Wilmar

Sold to the Ganda Group (non- RSPO members); we lost control over the complaint.

ii. PT Sawit Sumber Sarana/Sawit Mandiri Lestari

The company is sold with the reason that there is a delay in fulfilling the legal/permit requirement so that the company cannot achieve the targets.

iii. PT Mitra Austral Sejahtera/Sime Darby

They are considering selling based on the fact that it is not profitable.

iv. Plantaciones de Pucallpa

They are planning to sell as advertisements have appeared in Malaysia and Indonesia. The complaint is pending for resolution.

What can RSPO do to prevent non-compliant members from selling or considering selling certifiable units with severe RSPO compliance problems/issues to non-RSPO members?

Update:

24 January 2017 – the Complaints Panel have no further comments on publishing the note of censure on the website.

Regarding the particular case Plantaciones de Pucallpa, the Secretariat has proceeded with the recommendations based on the previous CP meeting. On 20 January 2017 a letter was sent to the Complainants indicating the CP's decision to proceed with the complaints. Independent investigation has been initiated and the Secretariat is waiting for the report from the investigator.

10. Amnesty International's Investigation report on Wilmar International

"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:

- i. Women 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;
- ii. Children as young as eight doing hazardous, hard physical work, sometimes dropping out of school to help their parents on the plantation;
- iii. Workers suffering severe injuries from paraquat, an acutely toxic chemical banned in the EU and by Wilmar itself;

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- iv. Workers being made to work outdoors without adequate safety;
 - v. Workers having to work long hours to meet ridiculously high targets, some of which involve highly physically demanding tasks”.
- **29 November 2016** – Press release from Wilmar was published. The internal actions and assessment report are available at this link : <http://www.wilmar-international.com/sustainability/wp-content/uploads/2016/11/Internal-Assessment-Report-on-Human-and-Labour-Rights-Issues-in-North-Sumatra.pdf>
 - RSPO Secretariat public statement on the issue: <http://www.rspo.org/news-and-events/news/rspo-response-to-amnesty-international-report-the-great-palm-oil-scandal-labour-abuses-behind-big-brand-names>
- Update:**
- 24 January 2017** – Secretariat has contacted Amnesty International to seek an appointment. It has been postponed to 7 February as the lead researcher is on sabbatical.
- ASI/CB informed that the certified units mentioned in the report will be audited soon.

DELIBERATION OF COMPLAINTS

Complaint 1	
Member Organization	Agropalma SA
Membership category	Oil Palm Grower
Country	Brazil
Complainant	José Maria Tabaranã da Costa and Aida Raimunda Maia da Costa
Date filed	13 August 2015
Nature of complaint	That Agropalma has acquired land and planted oil palm in violation of the RSPO Principles and Criteria
Status	Box G- Closed for Monitoring
Decision /Justification	To wait for the decision from the Brazilian Courts and authorities

Complaint 2	
Member Organization	PT Limpah Sejahtera (a subsidiary of First Resources Ltd (FRI))
Membership category	Oil Palm Grower
Country	Indonesia
Complainant	Yayasan International Animal Rescue Indonesia (YIARI)

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Date filed	1 May 2010
Nature of complaint	Violation of RSPO P&C 5.2 and P&C 7.3. The company is alleged to have breached: Principle 5: Environmental responsibility and conservation of natural resources and biodiversity Principle 7: Responsible development of new plantings. The company is alleged to have destroyed Orangutan habitats and not to have carried out an HCV assessment before the development of the plantation.
Status	Box F – Action Plan
Decision /Justification	To wait for the final report before making further decision

Complaint 3	
Member Organization	FELDA (Federal Land development Authority) FELDA Ventures Bhd.
Membership category	Oil Palm Grower
Country	Malaysia
Complainant	Orang Dusun Lahad Datu (Desa Begahak)
Date filed	16 February 2015
Nature of complaint	According to the Enquiry National Hak Tanah document by SUHAKAM, 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. 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. 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. A police report has been made by the community and that is the source of the complaint.
Status	Box F – Action Plan
Decision /Justification	To wait for information from the Sabah Land and Survey Department.

Complaint 4	
Member Organization	PT Permata Hijau Pasaman (PHP) 1 –Wilmar International
Membership category	Palm Oil Processors and/or Traders
Country	Indonesia

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Complainant	S.H Gampo Alam, <i>Pucuak Adat Nagari Kapa</i> (indigenous leader of Nagari Kapa) as well as Head of <i>Kerapatan Adat Nagari Kapa</i> (KAN – a village/Nagari-level customary institution in Minangkabau which maintains and preserves the Minangkabau customs and culture). Supported by Forest People Programme (FPP) and HuMa (Association for Community and Ecology-Based Law Reform)
Date filed	30 October 2014
Nature of complaint	<ol style="list-style-type: none"> 1. Complainant seeks clarity of the extent of PT. PHP 1's nucleus estate in Nagari Kapa. 2. Complainant rejects PT. PHP 1's application to the National Land Agency for a Hak Guna Usaha (HGU) certificate over the customary (<i>ulayat</i>) land of Nagari Kapa. 3. Violation of RSPO Principles & Criteria 6.2 – community did not participate in decision making on the areas to set aside as HCV areas. 4. Complainant seeks clarification to whom will the land be reverted at the end of the HGU period
Status	Box F – Action Plan
Decision /Justification	Secretariat to send the decision letter to Complaints Panel for review before sending it out to the Parties to the complaint.

Complaint 5	
Member Organization	Equatorial Palm Oil PLC
Membership category	Oil Palm Grower
Country	Liberia
Complainant	Sustainable Development Institute
Date filed	25 September 2013
Nature of complaint	<p>It is alleged that the company has cleared and planted on land that is the customary land of the community in New Cess, Grand Bassa County, Liberia; and is seeking to expand the plantation without the free, prior and informed consent of the communities.</p> <p>The community is also objecting to the company carrying out a re-survey of the existing concession area.</p> <p>The company is alleged to have breached Principle 2.2 & 2.3 of FPIC and Principle 7: Responsible development of new plantings.</p> <p>No NPP notification posted to RSPO.</p>
Status	Box G – Case Closed for monitoring
Decision /Justification	Secretariat has sent a formal closure letter to both parties. The case is now closed.

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Complaint 6	
Member Organization	Plantaciones de Pucallpa SAC
Membership category	Grower
Country	Peru
Complainant	Forest People Program (FPP)
Date filed	5 December 2015
Nature of complaint	Plantaciones de Pucallpa SAC has been accused of human rights violation by the Shipibo community of Santa Clara de Uchunya. In so doing, Plantaciones de Pucallpa has been alleged to have breached the Principles and Criteria of the RSPO on land acquisition and the conservation of forest. These allegations were made in a forum in London; please see link below. http://www.globalresearch.ca/illegal-deforestation-of-5000-hectares-of-perus-amazon-for-palm-oil-peruvian-indigenous-leader/5486126
Status	Box E - Reviewing Response
Decision /Justification	Next steps to be determined upon receipt of the final report of the independent investigation.

Complaint 7	
Member Organization	FELDA
Membership category	Grower
Country	Malaysia
Complainant	Article by The Wall Street Journal
Date filed	26 July 2015
Nature of complaint	<i>“Palm-Oil Migrant Workers Tell of Abuses on Malaysian Plantations Global palm-oil industry contributes to human trafficking, rights advocates say”.</i> <i>The palm-oil plantations of Malaysia have become magnets for refugees from Bangladesh and Myanmar. Many have complained of onerous working conditions and few legal protections. (Syed Zain Al-Mahmood/The Wall Street Journal.)</i> The issues including human trafficking, general poor labour conditions, Use of labour contractors, to exploit illegal immigrants from Bangladesh and Myanmar; Withholding of passports; Poor health care; Pay below minimum wages; Non-payment of wages; Bonded labourers.
Status	Box F - Action Plan
Decision /Justification	Secretariat to implement the following: i) Contract an expert to conduct a desk review of action plan and time bound plan. Request that FELDA submit quarterly report after review of the action plan.

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	ii) RSPO will send out team of experts to verify/audits the estates randomly but announced.
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Complaint 8	
Member Organization	Extractora La Gloria SAS
Membership category	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
Date filed	19 November 2015
Nature of complaint	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 (1.1, 2.1, 2.2, 2.3, 4.5, 5.2, 6.4, 6.13)
Status	Box E - Reviewing Response
Decision /Justification	- Secretariat to contract a law firm to obtain legal opinion on the Court's reasoning in reaching its conclusion and the implications for the company. - Secretariat to schedule a meeting with the company to discuss follow up actions.

Complaint 9	
Member Organization	Bumitama Gunajaya Abadi/Bumitama
Membership category	Grower
Country	Indonesia
Complainant	Sawit Watch
Date filed	13 November 2015
Nature of complaint	The allegations are: <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;

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	6) Criminalisation of Gusti Gelombang, a former Company Public Relation officer and now the Head of Cooperative Body. This case has been handled bilaterally since 2014. It was escalated to RSPO because police came to Sawit Watch's office to arrest Gusti Gelombang, who was in their office at that time.
Status	Box G - Closed for Monitoring (for allegation no. 1, 3, 4, & 5) Box D – Complaint Legitimate (for plasma issue, cooperative issue & claim from 15 villagers of Sukajaya and Kinjil)
Decision /Justification	Secretariat to share the draft letter with the Complaints Panel for review before sending it out.

Complaint 10	
Member Organization	PT London Sumatra (Lonsum)
Membership category	Oil Palm Grower
Country	Indonesia
Complainant	Community of Desa Pergulaan via Sawit Watch
Date filed	7 April 2009
Nature of complaint	The following points were raised by the community of Desa Pergulaan: 1. Legality of the extension of the concession and demands for the return of land totaling 165.6 ha. 2. The status of the law suit filed by 5 of the residents which are 'out-of-time' (compensation paid in 1971). 3. The legality of the security drains to prevent access. 4. Prohibiting cattle herding in the plantation. 5. The non-employment of residents of Desa Pergulaan in the plantation. 6. Failure by Lonsum to carry out Corporate Social Responsibility programs as promised. 7. No complaint letters have been addressed to Lonsum directly. 8. Status of residents on the Police 'Wanted List'.
Status	Box E – Reviewing Response
Decision /Justification	Secretariat to monitor the outcome of the bilateral negotiation and wait for further update from the company.

Complaint 11	
Member Organization	Golden Veroleum Liberia (GVL)
Membership category	Oil Palm Grower
Country	Liberia, Africa

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Complainant	Green Advocates
Date filed	3 October 2012
Nature of complaint	Violation of the RSPO Principles and Criteria and New Plantings Procedure by: 1) Not providing public notification for a 30 day period consistent with the New Planting Procedures, 2) By commencing land preparation for new planting and infrastructure development prior to the expiry of the minimum 30-days consultation period. 3) By not conducting a comprehensive and participatory independent social and environmental impact assessment(s) of the area concerned and incorporating 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. 4) Grabbing lands without respecting local customary rights and without the free, prior and informed consent (FPIC) of the customary landowners as represented through representative organizations of their choice (RSPO C2.2, C2.3, C7.5, and C7.6). 5) Forcibly evicting the people from their lands (RSPO C7.5 and C7.6).
Status	Box G (Monitoring progress of action plan for Complaint 1 by Green Advocates) Box D – Panel has made a preliminary decision for Complaints 2 to 9.
Decision /Justification	To proceed with independent verification of progress and to investigate the remaining allegations.

Complaint 12	
Member Organization	PT Kartika Prima Cipta/ Golden Agri Resource (GAR)
Membership category	Oil Palm Grower
Country	Indonesia
Complainant	Forest People Programme (FPP) and Transformasi untuk Keadilan (TUK) Indonesia
Date filed	14 October 2014
Nature of complaint	Points raised : 1. PT. KPC is in persistent violation of the RSPO P&C pertaining to 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 during the acquisition of the land. 2. The land was acquired without a land tenure study and participatory mapping. 3. Late HCV assessment which was done by Institute Pertanian Bogor, final consultation was in May 2014. 4. Dissatisfaction among smallholders and resentment because of reduced land set aside for plasma compared to HCV areas.

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	<p>5. The land has been set aside as HCS area that made no provision for customary land uses and tenure and local peoples' livelihood.</p> <p>6. GAR as the parent company of all 18 subsidiaries listed is acting in violation of the New Planting Procedures (NPP) by submitting information which it knows is false. No HGU exists in 16 of the 18 concessions where NPP was submitted.</p>
Status	Box E - Reviewing Response
Decision /Justification	<p>The company informed that the next stakeholders meeting will tentatively be held on 1 February 2017.</p> <p>Secretariat to wait for the result of the meeting.</p>

Complaint 13	
Member Organization	PT Sawit Nabati Agro/ PT Sukses Karya Sawit/ PT Berkat Nabati Sawit/ PT Bumi Sawit Sejahtera (IOI Group) –Ketapang
Membership category	Oil Palm Growers
Country	Indonesia
Complainant	AidEnvironment
Date filed	3 April 2015
Nature of complaint	<p>Issues raised by AidEnvironment:</p> <ol style="list-style-type: none"> 10,000 ha of planting without permit (IUP) Encroachment into the forest sanctuary IOI has cleared the land without submitting NPP.
Status	Box F – Action Plan.
Decision /Justification	<ul style="list-style-type: none"> - Verification visit to the remaining 2 sites (PT SKS and PT BNS) is scheduled to be carried out from 16 – 24 February 2017. - Secretariat to request the verification team to include the initial site (PT BSS) in its verification exercise to ascertain progress since the last visit. Secretariat to revise verification date to include visit to PT BSS.

Complaint 14	
Member Organization	Poligrow Colombia
Membership category	Oil Palm Grower
Country	Colombia
Complainant	Environmental Investigation Agency
Date filed	13 August 2015
Nature of complaint	The Italian-owned Poligrow Ltd has prohibited the Jiw and Sikuaní indigenous communities from freedom of movement. The EIA's video alleged abuses by RSPO's Italian member in Colombia
Status	Box D – Complaints Legitimate

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Decision /Justification	Secretariat to wait for the translated investigation report and subsequently have a meeting with the company.
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Complaint 15	
Member Organization	Palma Tica SA
Membership category	Oil Palm Grower
Country	Costa Rica
Complainant	Paulo Hernan Picado Granados, Asociacion de Palmicultores del Sur (ASOPASUR)
Date filed	9 May 2016
Nature of complaint	<p>A group of smallholders Asociación e Palmicultores del Sur (ASOPASUR) in Punta arena are complaining against Palma Tica, saying that they are not being paid fair prices by the company for their FFB. The farmers claim that there is no transparency or clarity in the way the prices are arrived at.</p> <p>Alleged breach of Criterion 1.1: Commitment to Transparency and Criterion 6.10: Growers and mills deal fairly and transparently with smallholder and other local businesses.</p>
Status	Box C – Panel Convened
Decision /Justification	<p>A formal letter has been sent to both parties.</p> <p>Secretariat to wait for response from both parties.</p>

Complaint 16	
Member Organization	Hap Seng Plantations Holdings Bhd.
Membership category	Palm Oil Company
Country	Malaysia
Complainant	Sia Yi Chin of Lahad Datu Sabah
Date filed	11 November 2015
Nature of complaint	<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	Box D – Complaint Legitimate
Decision /Justification	<p>The Company's application to consolidate multiple claims on the disputed land has been approved and currently waiting to fix full trial dates.</p> <p>Secretariat to wait for further information from the company.</p>

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Complaint 17	
Member Organization	PT PP London Sumatra
Membership category	Growers
Country	Indonesia
Complainant	Rainforest Action Network (RAN), ILRF, OPPIK Indonesia
Date filed	9 June 2016 (reported case) to be formal on 11 October 2016
Nature of complaint	A report published by RAN, OPPIK, and ILRF titled, " <u><i>The Human Cost of Conflict Palm Oil: Indofood, PepsiCo's Hidden Link to Worker Exploitation in Indonesia.</i></u> " The report reveals the findings of field investigations and worker interviews completed on two palm oil plantations owned and operated RSPO member and Indofood subsidiary PT London Sumatra. The full report available at ran.org/indofood .
Status	Box C – Panel Convened
Decision /Justification	To wait for the outcome of the stakeholder meeting on 1 February 2017.

Complaint 18	
Member Organization	PT Nabire Baru
Membership category	Palm Oil Grower
Country	Indonesia
Complainant	Yayasan PUSAKA
Date filed	19 April 2016
Nature of complaint	Allegations: <ol style="list-style-type: none"> 1. Deforestation which causing severe flood in Village Sima 2. Irregularities including development without EIA 3. Land grabbing of the Indigenous people 4. Failure in following proper FPIC process 5. Excessive use of force and violence using of state security forces
Status	Box C – Panel Convened
Decision /Justification	To wait for the formal proposal from IBCSD/CRU, clarifying their specific role, before proceeding further.

Complaint 19	
Member Organization	PT Bumi Sawit Kencana II
Membership category	Palm Oil Grower
Country	Indonesia
Complainant	Community of Pantap Village & NGO Progress

COMPLAINTS PANEL MEETING MINUTES

For Website

24 January 2017 | 3.30pm – 6.30pm | Meeting No. 1/2017

Meeting location: RSPO Secretariat Office, 37th floor Menara UOA, Kuala Lumpur - Malaysia

Date filed	27 June 2016
Nature of complaint	Allegations: - The company has yet give the compensation for 1.482,90 Ha (owned by 94 families) - The company has breached P&C No. 2.2; 6.2; 6.3; 6.4
Status	Box C – Panel Convened
Decision /Justification	A stakeholders meeting is schedule to be held in Sampit on 7-8 February 2017. Secretariat to wait for the result of the meeting.

Complaint 20	
Member Organization	PT Bumi Sawit Kencana II
Membership category	Palm Oil Grower
Country	Indonesia
Complainant	Community of Kapuk Village & NGO Progress
Date filed	22 July 2016
Nature of complaint	Community of Kapuk Village demanded the company to give the compensation on 78 Ha land owned by the Farmers Group
Status	Box C – Panel Convened
Decision /Justification	A stakeholders meeting is schedule to be held in Sampit on 7-8 February 2017. Secretariat to wait for the result of the meeting.

Complaint 21	
Member Organization	PT Karunia Kencana Permai Sejati II & III
Membership category	Palm Oil Grower
Country	Indonesia
Complainant	Community of Tangar Village & NGO Progress
Date filed	19 July 2016
Nature of complaint	- The company has yet give the compensation on 1099 Ha land owned by Farmers Group Berkat Harapan and Lampung Tarung - The company has yet to provide plasma for the local community
Status	Box C – Panel Convened
Decision /Justification	A stakeholders meeting is schedule to be held in Sampit on 7-8 February 2017. Secretariat to wait for the result of the meeting.

Complaint 22	
Member Organization	PT Mustika Sembuluh
Membership category	Palm Oil Grower

COMPLAINTS PANEL MEETING MINUTES

For Website

24 January 2017 | 3.30pm – 6.30pm | Meeting No. 1/2017

Meeting location: *RSPO Secretariat Office, 37th floor Menara UOA, Kuala Lumpur - Malaysia*

Country	Indonesia
Complainant	Community of Pondok Damar Village & NGO Progress
Date filed	18 July 2016
Nature of complaint	<ul style="list-style-type: none"> - Company must allocate 20% of the land for plasma. - To enclave the 6 hectares of the land owned by Village Pondok Damar. - To enclave Kampung Padas. - To negotiate the land conflict. - To enhance the capacity of the community to be capable in developing the land. - To create working opportunity for the community. - Company to support the development of farming and fishery
Status	Box C – Panel Convened
Decision /Justification	A stakeholders meeting is schedule to be held in Sampit on 7-8 February 2017. Secretariat to wait for the result of the meeting.

Complaint 23	
Member Organization	IOI Pelita / IOI
Membership category	Palm Oil Grower
Country	Malaysia
Complainant	Community of Long Teran Kanan
Date filed	10 March 2010 Transferred from DSF to Complaints Panel on 17 January 2017
Nature of complaint	Infringement of P&C No.2.2 – the right to land use disputed
Status	Box F – Action Plan
Decision /Justification	<ul style="list-style-type: none"> i) Letter to be sent to the Company and Complainants updating on CPs decision to continue monitoring the State-led negotiation process and also require monthly updates from the company. ii) Letter to be sent to the DSF AG acknowledging receipt of the 17 Jan communications.