

COMPLAINTS PANEL

MINUTES OF MEETING

For Website

24 July 2019 | 6.00 - 8.10 pm | Meeting No. 07/2019

Meeting location: *Jakarta Conference Room, RSPO Kuala Lumpur - Malaysia & Via Webex*

<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) 7. Robert Kruger (RK) </td> <td data-bbox="906 640 1436 947"> <ol style="list-style-type: none"> 8. Samantha Bramley (SB) 9. Suzanne Hall (SH) 10. Frazer Lanier (FL) 11. Peter van der Werf (PVDW) 12. José den Toom (JDT) 13. 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) 7. Robert Kruger (RK) 	<ol style="list-style-type: none"> 8. Samantha Bramley (SB) 9. Suzanne Hall (SH) 10. Frazer Lanier (FL) 11. Peter van der Werf (PVDW) 12. José den Toom (JDT) 13. Pieter Van Dessel (PVD)
<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) 7. Robert Kruger (RK) 	<ol style="list-style-type: none"> 8. Samantha Bramley (SB) 9. Suzanne Hall (SH) 10. Frazer Lanier (FL) 11. Peter van der Werf (PVDW) 12. José den Toom (JDT) 13. Pieter Van Dessel (PVD) 		
<p>Agenda</p>	<p><u>General Agenda: 6.00 pm - 6.20 pm</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 26 June 2019 during the CP Meeting 4. New Allegations:- <ol style="list-style-type: none"> a. RSPO/2018/07/RB - PT. PHP/AMP Plantation (subsidiary of Wilmar) b. RSPO/2019/14/PR - Nacional Agro Industrial, S. A. (subsidiary of KH Regional Group Inc.) c. RSPO/2019/15/IR - PT Bilah Platindo (subsidiary of MP Evans) d. RSPO/2019/16/PR - PRESCO PLC (a subsidiary of SIAT SA) 5. Incident reports from the Public Domain:- <ol style="list-style-type: none"> a. Greenpeace Report - "Dying for a Cookie" on shadow companies 6. Complaints Case Statistics. 7. Any other matters:- <ol style="list-style-type: none"> a. Dates for Complaints Panel meetings in 2019/2020; b. Expansion of the Complaints Panel; c. Collaboration with the Investigation & Monitoring Unit (IMU); d. DSF Updates; e. Bilateral Engagement Principles & Rules; f. Photographs of CP members for the Complaints Portal 		



	<ul style="list-style-type: none"> 8. Amnesty International report on Wilmar International - a media enquiry by Sydney Morning Herald. 9. Request for Re-opening the case of PT Gunta Samba Jaya/PT SIMP. 10. 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). 11. Commitment of Financial Institutions. 12. GA Resolution - GA15-6d: Discouraging RSPO members subject to complaints from avoiding their obligations by divesting or withdrawing their membership.
--	--

13. Complaints for deliberation:-

Group 1: 6.20pm - 7.20pm

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. PT. Minamas Gemilang - subsidiary of Sime Darby vs Oky Wardianto
8. Golden Veroleum Liberia (GVL) vs. Green Advocate for the Butaw Community & Forest Peoples Programme & SDI & SESDev & A-Bloteh
9. PT Harapan Sawit Lestari (PT. HSL) - subsidiary of Cargill vs Link-AR Borneo
10. AMP Plantation a subsidiary of Wilmar vs KUD Dasra (represented by lawyer)
11. 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
12. Pacific Inter-Link (Papuan Concessions) vs Environmental Investigation Agency (EIA) & Greenpeace
13. PT Berkat Sawit Sejati (subsidiary of Musim Mas) vs Hutan Kita Institute (HaKI)

Group 2: 7.20pm - 7.40pm

1. Extractora La Gloria S.A.S. vs ASOCOL & ASOCADAR
2. PT. Bumitama Gunajaya Agro (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. PT. Surya Agro Palma (PT. SAP) - subsidiary of Genting Plantation vs Link-AR Borneo
7. Golden Agri Resources (GAR) vs Forest Peoples Programme & TuK - Indonesia
8. Presco PLC Nigeria (SIAT SA) vs Indigenous People of Oruarivie-Abraka Kingdom
9. Presco PLC Nigeria (SIAT SA) vs Oria-Abraka Community
10. PT. Agri Plus (PT.AP) - subsidiary of Bumitama Agri Ltd vs Link-AR Borneo
11. PT Perkebunan Nusantara IV (PERSERO) vs Koalisi Organisasi Serikat Pekerja dan Lembaga Swadaya Masyarakat Kabupaten Labuhan Batu, FSMI. TIPAN-RI
12. PT Perkebunan Nusantara IV (PERSERO) vs *requested for confidentiality*
13. PT Perkebunan Nusantara IV (PERSERO) vs Federasi Serikat Pekerja Metal Indonesia (FSPMI)

Group 3: 7.40pm - 8.10pm

1. PT. Kartika Prima Cipta (PT. KPC) - subsidiary of Golden Agri Resources (GAR) vs Forest Peoples Programme & TuK Indonesia
2. PT. Kartika Prima Cipta (PT. KPC) - subsidiary of Golden Agri Resources (GAR) vs Link-AR Borneo
3. Poligrow vs Video by Environmental Investigation Agency (EIA)
4. Goodhope Asia Holdings Ltd vs RSPO Secretariat
5. IOI Pelita - subsidiary of IOI Group vs Community of Long Teran Kanan
6. Primatama Mulia Jaya vs Masyarakat Adat Luhak Saparampek Simpang Tigo
7. PT Agro Andalan (PT Dharma Satya Nusantara) v Link-AR Borneo
8. PT Agro Lestari Mandiri (PT. ALM) - subsidiary of Sinarmas vs Serikat Buruh Sejahtera Indonesia Kabupaten Ketapang
9. PT Kapuas Maju Jaya (PT. KMJ) - subsidiary of Genting Plantation Bhd vs Kelompok Tani Penghijauan Tingang Menteng
10. PT Perkebunan Nusantara III (PT. PN) vs Pimpinan Cabang Federasi Serikat Pekerja Metal Indonesia
11. PT SMART Tbk - subsidiary of Golden Agri Resources (GAR) vs Masyarakat Dusun I/II/III Belongkut
12. Oleaginosas Del Peru S.A. (OLPESA) vs Community of Santa Clara de Uchunya
13. PT Smart Tbk (subsidiary of GAR) vs Konsulat Cabang Federasi Serikat Pekerja Metal Indonesia.
14. Unico Desa Palm Oil Mill (IOI Corporation Berhad) vs Leap Spiral on behalf of Kampung Sri Ganda

DETAILS OF THE AGENDA:

No.	Agenda
1.0	Opening Remarks from Chairperson Opening speech by CCP.
2.0	Declaration of “No Conflict of Interest” A CP member declared COI with Sime Darby. A CP member declared COI with Musim Mas.
3.0	To confirm and adopt the minutes of 26 June 2019 during the Complaints Panel Meeting. Minutes of 26 June 2019 unanimously adopted.
4.0 New allegation submitted	
	<p>a. RSPO/2018/07/RB PT. PHP/AMP Plantation (subsidiary of Wilmar) Complainant :- Representation by Lawyer on of local community Complaint received :- 20th August 2018 Allegation :- Dispute regarding plasma cooperation with local community</p> <p>24 July 2019 (CP Meeting):-</p> <p>1. Initial diagnosis in progress.</p> <p>b. RSPO/2019/14/PR Nacional Agro Industrial, S. A. (subsidiary of KH Regional Group Inc.) Complainant :- Consejo Nacional de Desplazados de Guatemala - CONDEG Complaint received :- 8 Jun 2019 Location :- Guatemala Allegations :- 50 workers unjustifiably dismissed</p> <p>24 July 2019 (CP Meeting):--</p> <p>1. Initial Diagnosis completed and submitted to the CP for endorsement.</p>



- c. RSPO/2019/15/IR PT Bilah Platindo (subsidiary of MP Evans)**
Complainant :- Federasi Serikat Pekerja Metal Indonesia (FSPMI)
Complaint received :- 24 June 2019
Location :- Indonesia
Allegations :- 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.

24 July 2019 (CP Meeting):-
Initial Diagnosis endorsed. Case to be transferred to Group 2.

- d. RSPO/2019/16/PR PRESCO PLC (a subsidiary of SIAT SA)**
Complainant :- Delta Agricultural Stakeholders Farmer Union
Complaint received :- 24 June 2019
Location :- Nigeria
Allegations :- There have been major unlawful invasion and forceful take over of local farm lands by the Respondent.

24 July 2019 (CP Meeting):-
1. Initial Diagnosis in progress.

5.0 Incident Report from the Public Domain

1. Greenpeace Report - “Dying for a Cookie”

Greenpeace released a report on 13 November 2018 on Bumitama’s alleged connection to numerous concessions in Indonesia which are allegedly proceeding with development without the required permits or in breach of RSPO rules. This includes Bumitama’s alleged involvement in shadow companies.

24 July 2019 (CP Meeting):-

1. Summary report from IMU has been forwarded to the CP.
2. Matter closed and will be removed from upcoming meeting agendas.

6.0 Complaints Cases Statistics

Total Cases in 2018:

	Jan-2018	Feb-2018	Mar-2018	Apr-2018
Complaints received	2	0	1	4
Status	Open (1) Closed (1)	-	Closed (1)	Open (2) Closed (2)
Certified	-	-	-	-
Country	Indonesia (2)	-	Indonesia (1)	Indonesia (4)
Case Category	-Plasma (1) -FPIC (1)	-	-HCV	-HCV (1) -Legality (1) -Plasma (2)



	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 (2)	Open (5) Closed (1)	-	-
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 (2)	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	0	
Status	Open (2)	Open (3)	-	
Certified	-		-	
Country	Indonesia (1) Malaysia (1)	Indonesia (1) Guatemala (1) Nigeria (1)	-	
Case Category	- Wages (1) -No Festive Holidays (1) -conservation area for water (1)	-Workers unjustifiably dismissed (1) - Social Benefits (1) -Customary rights (1)	-	

Total Active Cases by Country and Year:-

Country	Active Cases
Indonesia	26
Malaysia	4
Colombia	2
Nigeria	3
Singapore	0
Peru	2
Brazil	1
Liberia	1
Guatemala	1
Others*	1
TOTAL	41

Year	Active Cases
2009	0
2010	1
2011	0
2012	3
2013	0
2014	1
2015	5
2016	1
2017	7
2018	12
2019	11
TOTAL	41

*Others: Pending group membership determination.

24 July 2019 (CP Meeting):-

1. The draft working paper with respect to the increase in the number of labour related Complaints has been emailed to the CP members for their review and endorsement.

7.0 Any other matters

a. Dates for Complaints Panel Physical Meeting in 2019:

24 July 2019 (CP Meeting):-

1. Secretariat to circulate draft Agenda for the CP physical meeting amongst CP members for their review and feedback.
2. Calendar invites with Webex links have been issued to all CP members. The Secretariat has requested those CP members calling in to confirm their attendance by accepting the calendar invite.
3. CP physical meeting will be held on 3rd & 4th September 2019 in Jakarta.

b. Expansion of Complaints Panel

24 July 2019 (CP Meeting):-

1. All new CP members have been welcomed on board and a suggestion was made to increase the number of CP members.
2. The Secretariat informed the CP that it is actively looking into identifying Indonesian growers to join the CP and the staff in RRO Indonesia are looking into this matter.

c. Collaboration with the Investigation and Monitoring Unit

24 July 2019 (CP Meeting):-

1. A session has been allocated for discussion with IMU during the CP physical meeting.

d. DSF Updates:

24 July 2019 (CP Meeting):-

1. The Secretariat has internally accepted the nominees and in accordance with the ToR, these nominees now need to obtain 2 RSPO members to second their appointment.
2. The Secretariat has informed the nominees of this requirement and is currently waiting for their response.

e. Bilateral Engagement Principles & Rules

24 July 2019 (CP Meeting):-

1. The Secretariat is still waiting for one CP member to endorse the document.

f. Photographs of CP member for the Complaints Portal

24 July 2019 (CP Meeting):-

1. The Secretariat has issued an email to all CP members seeking confirmation with respect to the spelling of their names and their sectors. Pending response from CP members.

8.0 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".

24 July 2019 (CP Meeting):-

1. A separate meeting shall take place to discuss this matter.

9.0 Request for reopening of case: PT Gunta Samba Jaya / PT SIMP

Greenpeace, upon releasing their investigative report, Dirty Bankers, which exposes HSBC’s role in funding palm oil companies linked to environmental and human rights abuses followed up with RSPO on the PT Gunta Samba Jaya and Indofood/PT SIMP filed in 2013. The case remains unresolved after Indofood CEO Mark Wakeford informed RSPO that “[Indofood does] not have any shareholding in PT Gunta Samba Jaya and it is not part of the IndoAgri or SIMP Group.”

Greenpeace claims that their analysis of the company deeds and corporate structures revealed considerable overlap between PT GSJ and its parent companies, and other Salim Group businesses.

In light of this evidence they are formally requesting that the Complaints Panel re-examine the case against PT Gunta Samba Jaya / PT SIMP.

24 July 2019 (CP Meeting):-

1. The CP decided to close this due to the termination of SIMP.

10.0 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

24 July 2019 (CP Meeting):-

1. A separate meeting shall take place to discuss this matter.

11.0 Commitments of Financial Institution(s)

24 July 2019 (CP Meeting):-

1. The Secretariat (via the O & E Department), had a conference call with representatives of Sustainalytics from 3 continents, i.e. North America, Europe and Asia.
2. Sustainalytics confirmed that they do not denounce Palm Oil and that they support RSPO. They however do, list companies which are not certified sustainable palm oil in the high risk investment category. Sustainalytics has expressed its interest to pursue a further discussion with RSPO to explore opportunities to collaborate.

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

24 July 2019 (CP Meeting):-

1. The Secretariat had established the task force for Resolution 6D and officially informed the task force members.
2. The Secretariat has determined the legal firm that will be performing the legal review on 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	<ol style="list-style-type: none"> 1. The Secretariat had on 25.06.2019 written to the Sabah Lands Surveys Department seeking an update and an online meeting. 2. The Secretariat has been informed that LSDS has received the Secretariat’s letter and that it is being acted upon. 3. On 16.07.2019, the Secretariat proceeded to issue the Sabah Lands Surveys Department with a follow up email regarding the status of this matter. The Secretariat is still waiting for a response.

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. Pending the 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	1. Status quo. Pending the 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. Case is undergoing the RaCP process.

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	1. Pending disposal of appeal before the Appeals Panel.

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	1. The CP has directed the issuance of a show cause letter to the Company with respect to obtaining a document for the completion of the legal review.

Complaint 1.7 PT. Minamas Gemilang (Sime Darby) vs Oky Wardianto	
Date Filed	19 November 2017
Respondent	PT Minamas Gemilang (Sime Darby)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Mr. Oky Wardianto
Complaint description	The Complainant is an individual, Mr Oky Wardianto and the allegations are with regards to non-payment of salary to the Complainant in his position as Director and Commissioner.
Status	(D) Investigation / deliberation
Decision / Justification	1. The CP issued a decision letter on 02.07.2019. The appeals period will expire on 25.09.2019

Complaint 1.8 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> <ul 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	<p>1. The CP to hold an ad hoc meeting on 2.08.2019 to deliberate on the recent developments in this matter and to thereafter decide on the next course of action.</p>



Complaint 1.9 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. Investigation in progress.



Complaint 1.10 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. Pending the completion of the Briefing Note.



Complaint 1.11 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. Pending completion of Briefing Note based on the membership due diligence.

Complaint 1.12 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	Malaysia / Cayman Island
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	<ol style="list-style-type: none"> The Secretariat is in the process of preparing a briefing note regarding confidentiality of documents.

Complaint 1.13 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. The Secretariat is reviewing the response submitted by the Respondent together with its supporting documents.

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 it 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. Pending the completion of the Briefing Note.

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	<ol style="list-style-type: none"> 1. Pending Decision Letter.



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 CP has directed the issuance of a letter of warning to the Respondent for the provision of the requested documents to facilitate the completion of the legal review.

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	1. Status quo. Pending the outcome of the Court process.



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	1. Pending completion of Briefing Note.



Complaint 2.6 PT. Surya Agro Palma (Genting Plantation) vs Link-AR Borneo	
Date Filed	21 January 2018
Respondent	PT. Surya Agro Palma (Genting Plantation)
Membership Category	Oil Palm Grower
Country	West Kalimantan, Indonesia
Complainant	Link-AR Borneo
Complaint description	<p>Allegations:</p> <ul style="list-style-type: none"> • Lack of transparency on the Plasma Scheme. • Locations: Tapang Tingang Village dan Kiungkang Village, Sanggau, West Kalimantan.
Status	(F) Complaints Panel Decision
Decision / Justification	<p>1. The appeals period has expired and there has been no appeal. This Complaint is now closed and will be removed from the agenda.</p>



Complaint 2.7 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	<ol style="list-style-type: none"> The Secretariat is in the process of selecting the legal expert for an independent legal due diligence.

Complaint 2.8 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"> The Respondent has written to the Secretariat informing the Secretariat that a visit has been tentatively scheduled with the mediator and the parties to determine the boundaries and that the visit is tentatively to be held on 26.07.2019.



Complaint 2.9 Presco PLC Nigeria (SIAT SA) vs Oria-Abraka Community	
Date Filed	16 October 2018
Respondent	Presco PLC Nigeria (SIAT SA)
Membership Category	Oil Palm Grower
Country	Nigeria
Complainant	Oria-Abraka Community
Complaint description	Infringement of customary rights of the local community.
Status	(C) CP constituted
Decision / Justification	<ol style="list-style-type: none"> 1. The Respondent has updated the Secretariat stating that they have received a letter of withdrawal of the complaint from the Complainant based on the success of the mediation and that the Respondent has instructed the Complainant to furnish the letter to the Secretariat. 2. Pending receipt of the letter of withdrawal from the Complainant.



Complaint 2.10 PT. Agri Plus (Bumitama Agri Ltd) vs Link-AR Borneo	
Date Filed	25 January 2019
Respondent	PT Agri Plus
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Link-AR Borneo
Complaint description	FPIC Process, EIA/SIA Pollution
Status	(D) Investigation/Deliberation
Decision / Justification	<ol style="list-style-type: none"> 1. The Complainant withdrew the Complaint. 2. The Secretariat had on 2.07.2019 issued a letter of Closure of Complaint to both parties. 3. This Complaint is now officially closed and will be removed from the agenda.

Complaint 2.11 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	<ol style="list-style-type: none"> 1. The Secretariat is reviewing the response submitted by the Respondent and its supporting documents.

Complaint 2.12 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. The Secretariat is reviewing the response submitted by the Respondent and its supporting documents.

Complaint 2.13 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. Pending submission of a response from the Respondent.

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	<ol style="list-style-type: none"> 1. This Complaints is to be discussed at a separate meeting.

Complaint 3.2 PT. Kartika Prima Cipta (GAR) vs Link-AR Borneo	
Date Filed	17 February 2017
Respondent	Golden Agri Resources (GAR) – PT Kartika Prima Cipta (KPC)
Membership Category	Oil Palm Grower
Country	Indonesia – Kapuas Hulu, West Kalimantan
Complainant	Link-AR Borneo
Complaint description	<p>Specific Findings:-</p> <ol style="list-style-type: none"> 1. Land Claim by 1 community member of Nanga Suhaid, Mr. Saudi; 2. Land compensation claim by 1 community member of Nanga Suhaid, H. Kutai; 3. Water Pollution in the Kapuas river which is affecting the fish farmers' business production; 4. Conflict between residents and Village Head of Tanjung regarding water quality; 5. Conflict between residents and Village head of Emperiang regarding the land acquisition process. <p>The NGO demand the company to:-</p> <ol style="list-style-type: none"> 1. Renegotiate the land acquisition with the community; 2. be transparent in the plasma management; 3. Conduct the water quality improvement, particularly in the Batang Suhaid river, Rindit river, and Mantan river. 4. Improve salary and working conditions of casual workers; 5. Provide information such as EIA, Cadastral map, local map expansion plan, and water quality test results.
Status	(F) Complaints Panel Decision
Decision / Justification	1. The CP allowed the withdrawal of this Complaint. The Secretariat is to write to parties informing them of the same.



Complaint 3.3 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 Sikuaní 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. Pending completion of Briefing Note.

Complaint 3.4 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. The CP has decided to lift the Stop Work Order for the Ketapang Region.



Complaint 3.5 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. The Secretariat to issue an email to IOI on the outcome of the CP’s deliberation in relation to the Resolution Plan.

Complaint 3.6 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	<ol style="list-style-type: none"> The Secretariat has contacted the CB to verify the allegation raised.



Complaint 3.7 PT. Agro Andalan (PT. Dharma Satya Nusantara) v Link-AR Borneo	
Date Filed	7 September 2018
Respondent	PT Agro Andalan (PT Dharma Satya Nusantara)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Link-AR Borneo
Complaint description	Labourer died due to pesticides poisoning.
Status	(C) CP constituted
Decision / Justification	<ol style="list-style-type: none"> CP directed the Respondent to provide the Standard Operating Procedures on Health and Safety issues.

Complaint 3.8 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. Pending the completion of Briefing Note.

Complaint 3.9 PT. Kapuas Maju Jaya (Genting Plantation Bhd) vs Kelompok Tani Penghijauan Tingang Menteng	
Date Filed	12 October 2018
Respondent	PT Kapuas Maju Jaya (Genting Plantation Bhd)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Kelompok Tani Penghijauan Tingang Menteng
Complaint description	Operation on community land with a coverage of approximately 150 Ha, hence causing destruction of a total of 124,500 rattan trees on the community's rattan plantation without any compensation paid.
Status	(C) CP constituted
Update on Actions	Both Parties agree to proceed with Bilateral Engagement.
Decision / Justification	1. CP has issued the decision letter to close the Complaint due to the absence of a Complainant's Representative.

Complaint 3.10 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	<ol style="list-style-type: none"> 1. The Secretariat has written to the Complainant on 05.07.2019 again seeking confirmation as to whether a settlement has indeed been reached. 2. The Complainant responded again stating that they will furnish a formal letter and the Secretariat is yet to receive the said letter. 3. CB has furnished the Secretariat with an updated Special Audit report. 4. The Secretariat will proceed with the Briefing Note based on the findings of the Special Audit Report.

Complaint 3.11 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. Pending completion of Briefing Note.

Complaint 3.12 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. The Secretariat has received a formal response from the Respondent but the documents are in the Spanish language. The Secretariat is at present waiting for the English translation.

Complaint 3.13 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. The Secretariat is reviewing the response submitted by the Respondent and its supporting documents.

Complaint 3.14 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	Lahad Datu, Sabah, Malaysia
Status	(D) Investigation / deliberation
Decision / Justification	<ol style="list-style-type: none"> 1. The Secretariat has received a formal response from IOI enclosing copies of the minutes of meetings. 2. The minutes were approved and signed by the representative of the village and the Secretariat has furnished the minutes to the Complainant, seeking their input. 3. The Secretariat will be issuing a reminder to the Complainant to respond with their input.