

## COMPLAINTS PANEL MINUTES OF MEETING

for Website

Date: 26 April @ 5.00pm - 6.25pm (Meeting No.04/2023)

Meeting location: *via Zoom Link*

<p><b>List of Complaints Panel Members</b></p>	<table border="1"> <tr> <td data-bbox="379 483 906 707"> <ol style="list-style-type: none"> <li>1. Henry Barlow (Chair - CCP)</li> <li>2. Lim Sian Choo ( Co Chair)</li> <li>3. Michelle Desilets</li> <li>4. Marieke Leegwater</li> <li>5. Lanash Thanda</li> </ol> </td> <td data-bbox="914 483 1436 707"> <ol style="list-style-type: none"> <li>6. Robert Kruger</li> <li>7. Nunik Maharani</li> <li>8. Florentine van den Eerenbeemt</li> <li>9. Laszlo Mathe</li> <li>10. Priya Gopalan</li> </ol> </td> </tr> </table>	<ol style="list-style-type: none"> <li>1. Henry Barlow (Chair - CCP)</li> <li>2. Lim Sian Choo ( Co Chair)</li> <li>3. Michelle Desilets</li> <li>4. Marieke Leegwater</li> <li>5. Lanash Thanda</li> </ol>	<ol style="list-style-type: none"> <li>6. Robert Kruger</li> <li>7. Nunik Maharani</li> <li>8. Florentine van den Eerenbeemt</li> <li>9. Laszlo Mathe</li> <li>10. Priya Gopalan</li> </ol>
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<p><b>Agenda</b></p>	<p style="text-align: center;"><b><u>General Agenda:- 5.00pm - 5.30pm</u></b></p> <ol style="list-style-type: none"> <li>1. Opening Remarks by Chairperson</li> <li>2. RSPO Antitrust Guidelines</li> <li>3. Declaration of Conflict of Interest</li> <li>4. To confirm and adopt the minutes of <b>29 March 2023</b> during the CP Meeting</li> <li>5. New Allegations</li> <li>6. Complaints Case Statistics</li> <li>7. Complaints Panel meeting Dates             <ol style="list-style-type: none"> <li>7.1 Dates for CP monthly Meetings - 2023</li> <li>7.2 Dates for CP Physical Meetings</li> <li>7.3 Expansion of the Complaints Panel</li> </ol> </li> <li>8. Post Complaints Monitoring</li> <li>9. Dispute Settlement Facility (DSF)</li> <li>10. Commitment of Financial Institutions.</li> <li>11. 1st Internal Voluntary Review of the Complaints and Appeals Procedures</li> <li>12. Any Other Matters</li> <li>13. Complaints for deliberation:-</li> </ol>		

**Group 1:- 5.30pm - 5.55pm**

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

**Group 2:- 5.55pm - 6.10pm**

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

**Group 3:- 6.10pm to 6.25pm**

1. PT. Kartika Prima Cipta (PT. KPC) - subsidiary of Golden Agri Resources (GAR) vs Forest Peoples Programme & TuK Indonesia
2. Golden Agri Resources (GAR) vs Forest Peoples Programme & Elk Hills Foundation
3. Aceites Y Derivados Sociedad Anonima (ACEYDESA) vs *requested for confidentiality*
4. IOI Plantation Mekassar Estate (subsidiary of IOI Corporation Berhad) vs *requested for confidentiality*
5. First Resources Limited vs *requested for confidentiality*
6. PT Inecda (a subsidiary of S&G Biofuel Pte. Ltd) vs *requested for confidentiality*
7. PT. Bumi Pratama Khatulistiwa (subsidiary of Wilmar International Limited) vs Teraju Foundation
8. Grasas Y Derivados S.A. Gradesa S.A vs *requested for confidentiality*
9. Energy & Palma S.A. (a subsidiary of HOLDING LA FABRIL S.A) vs *requested for confidentiality*

**DETAILS OF THE AGENDA:**

No.	Agenda
1.	Opening Remarks from Chairperson  Opening speech by CCP.
2.	RSPO Antitrust Guidelines  RSPO Antitrust Guidelines were read to the Complaints Panel.
3.	Declaration of “No Conflict of Interest”  No new conflict of interest declared by the Complaints Panel members at this time of the meeting.
4.	To confirm and adopt the minutes of <b>29 March 2023</b> during the Complaints Panel Meeting.  Minutes of <b>29 March 2023</b> adopted unanimously.

**5. New allegation submitted**

<b>5.1</b>	<table border="1"> <tr> <td><b>RSPO/2022/17/LSL</b></td> <td><b>PT. Bumi Pratama Khatulistiwa ( subsidiary of Wilmar International Limited)</b></td> </tr> <tr> <td>Complainant</td> <td>Requested for confidentiality</td> </tr> <tr> <td>Complaint received</td> <td>26 December 2022</td> </tr> <tr> <td>Location</td> <td>Kalimantan Barat, Indonesia</td> </tr> <tr> <td>Allegations</td> <td> <ul style="list-style-type: none"> <li>• Pertaining to labour related issues such as wages, no optimal health services and safety, (BPJS) is not registered, unilateral termination, the rights of the workers are not honoured, intimidation and expanded job scopes of workers (harvesters)</li> <li>• It is further alleged that the workers who have been working for a period of more than 5 years are not converted to permanent workers, instead their working days were reduced,</li> <li>• The Respondent is allegedly not transparent in determining Lembaga Kerjasama (LKS) bipartite and the amount of FFB delivered to the factory/mill.</li> </ul> </td> </tr> </table> <p style="text-align: center;"><b>Discussion from 26 April 2023 (CP Meeting):-</b></p> <p><b>1. The Initial Diagnosis has been submitted to the CP for deliberation.</b></p>	<b>RSPO/2022/17/LSL</b>	<b>PT. Bumi Pratama Khatulistiwa ( subsidiary of Wilmar International Limited)</b>	Complainant	Requested for confidentiality	Complaint received	26 December 2022	Location	Kalimantan Barat, Indonesia	Allegations	<ul style="list-style-type: none"> <li>• Pertaining to labour related issues such as wages, no optimal health services and safety, (BPJS) is not registered, unilateral termination, the rights of the workers are not honoured, intimidation and expanded job scopes of workers (harvesters)</li> <li>• It is further alleged that the workers who have been working for a period of more than 5 years are not converted to permanent workers, instead their working days were reduced,</li> <li>• The Respondent is allegedly not transparent in determining Lembaga Kerjasama (LKS) bipartite and the amount of FFB delivered to the factory/mill.</li> </ul>
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	<p>the affected individuals which led to them obtaining the status as suspects by the police force, as a result of the individuals protesting against the Respondent’s alleged land clearing activities.</p>
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**Discussion from 26 April 2023 (CP Meeting):-**

- 1. Initial Diagnosis in progress.**

**5.3**

<b>RSPO/2023/05/RR</b>	<b>FGV HOLDINGS BERHAD</b>
Complainant	Requested for confidentiality
Complaint received	14 April 2023
Location	Malaysia
Allegations	<ul style="list-style-type: none"> <li>The Respondent made reference and/or passed off stakeholder comments made by the Wall Street Journal and/or Liberty Shared as one of its own action plans based on the Action Plan provided by the Respondent to the Complaints Panel back in 2020.</li> </ul>

**Discussion from 26 April 2023 (CP Meeting):-**

- 1. Initial Diagnosis in progress.**

5.4

<b>RSPO/2023/06/RR</b>	<b>Wilmar International Limited</b>
Complainant	Requested for confidentiality
Complaint received	14 April 2023
Location	Singapore
Allegations	<ul style="list-style-type: none"> <li>● Pertaining to the conduct of audit / certification assessments at one of the Respondent’s mills during the period of the Movement Control Order issued by the Malaysian Government on 16th March 2020.</li> </ul>

**Discussion from 26 April 2023 (CP Meeting):-**

- 1. Initial Diagnosis in progress.**

5.5

<b>RSPO/2023/07/RR</b>	<b>Sime Darby Plantation Berhad</b>
Complainant	Requested for confidentiality
Complaint received	14 April 2023
Location	Malaysia
Allegations	<ul style="list-style-type: none"> <li>● Alleged failure by the Respondent to abide by its contractual obligations with the Complainant</li> <li>● That the Respondent failed to ensure that its Certification Body assessed and/or verified allegations made by the Complainant and/or USCBP and/or Associated Press and/or Liberty Shared pertaining to one of the Respondent’s estate</li> <li>● That the Respondent failed to ensure that its business operation and transactions were conducted ethically.</li> </ul>

**Discussion from 26 April 2023 (CP Meeting):-**

- 1. Initial Diagnosis in progress.**



## 6. Complaints Cases Statistics

### Total Cases in 2022

	Jan-2022	Feb-2022	Mar-2022	Apr-2022
<b>Complaints received</b>	0	1	3	0
<b>Status</b>	-	Open (0) Withdrawn(1)	Open (2) Rejected (1)	-
<b>Country</b>	-	Malaysia (1)	Indonesia (3)	-
<b>Case Category</b>	-	-Land clearing without prior HCV assessment	-FPIC	-

	May-2022	Jun-2022	Jul-2022	Aug-2022
<b>Complaints received</b>	1	1	0	1
<b>Status</b>	Open (1)	Open (0) Rejected (1)	-	Open (0) Rejected (1)
<b>Country</b>	Malaysia	Indonesia	-	Singapore
<b>Case Category</b>	-Land clearing without prior HCV assessment	-Pollution of river water	-	-Breach of contract

	Sep-2022	Oct-2022	Nov-2022	Dec-2022
<b>Complaints received</b>	3	3	3	2
<b>Status</b>	Open (1) Rejected (2)	Open (1) Rejected (2)	Open (2) Rejected (1)	Open (1) Rejected (1)
<b>Country</b>	Indonesia	Malaysia Nigeria Guatemala	Colombia Indonesia	Indonesia
<b>Case Category</b>	-Workers' wage -Land compensation -HCV	-Staff harassment -Wrongful termination of employment -Violation of labour rights	-Working conditions and safety of workers -Land issues	-Land abandoned by a previous company -Illegal deforestation

**Total cases in 2023**

	Jan-2023	Feb-2023	Mar-2023	Apr-2023
<b>Complaints received</b>	2	1	0	4
<b>Status</b>	Open (1) Rejected (1)	Open (0) Rejected (1)	-	Open (4)
<b>Country</b>	Ecuador Indonesia	Indonesia	-	Indonesia Malaysia Singapore
<b>Case Category</b>	-Degradation & deforestation	- FPIC	-	- Conduct of audit /Certification assessments during MCO -Business operations and transactions were not conducted ethically.

**Total Active Cases by Country and Year (as of 20.04.2023)**

Country	Active Cases	Year	Active Cases
Indonesia	22	2012	1
Malaysia	4	2014	1
Colombia	1	2017	1
Liberia	1	2018	2
Honduras	1	2019	3
Guatemala	1	2020	4
Ecuador	1	2021	7
Singapore	1	2022	8
		2023	5
<b>TOTAL</b>	<b>32</b>	<b>TOTAL</b>	<b>32</b>

<b>7. Complaints Panel Meeting Dates</b>	
<b>7.1</b>	<b>Dates for Complaints Panel monthly meetings</b>
	<p>Discussion from 26 April 2023 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>1. CP meeting dates for the rest of 2023 have been fixed.</li> </ol>
<b>7.2</b>	<b>Dates for Complaints Panel Physical Meetings</b>
	<p>Discussion from 26 April 2023 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>1. The online quarterly meeting proceeded as scheduled on the 17th and 18th of April 2023. Potential dates for the physical meeting during the RT period are being explored.</li> </ol>
<b>7.3</b>	<b>Expansion of Complaints Panel</b>
	<p>Discussion from 26 April 2023 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>1. The name of two selected CP candidates have been furnished to the BoG for endorsement of the selection process. Pending receipt of endorsement of the process by the BoG.</li> </ol>
<b>8. Post Complaints Monitoring</b>	
<b>8.1</b>	<b>FELDA Global Venture - (Article by The Wall Street Journal)</b>
	<p>Discussion from 26 April 2023 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>1. Pending receipt of a further document from the Respondent.</li> </ol>
<b>8.2</b>	<b>Poligrow Colombia SAS</b>
	<p>Discussion from 26 April 2023 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>1. The Secretariat is in the midst of drafting a Briefing Note for the CP's consideration and deliberation on the post complaint's monitoring status.</li> </ol>

<b>8.3</b>	<p><b>Extractora de la Gloria SAS</b></p> <p>Discussion from 26 April 2023 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>The Secretariat is to schedule a meeting with the Respondent in order to obtain any further clarification to be conveyed to the CP and for the CP to deliberate and consider their statements thereafter.</li> </ol>
<b>9. Dispute Settlement Facility (DSF)</b>	
	<p>Discussion from 26 April 2023 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>No further updates.</li> </ol>
<b>10. Commitments of Financial Institution(s)</b>	
	<p>Discussion from 26 April 2023 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>Following discussions at the quarterly meeting, representatives from the Stakeholder Engagement Department (within the Secretariat) will be attending the CP meetings bi-monthly to share with the CP, the work of the FICG.</li> </ol>
<b>11. 1st Internal Voluntary Review of the Complaints and Appeals Procedures</b>	
	<p>Discussion from 26 April 2023 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>Pending receipt of comments from the Steering Group on the revised report submitted by the Consultant following the Steering Group meeting on 17.03.2023.</li> </ol>
<b>12. Any Other Matters</b>	
	<p><b>ASC-CP MEETING</b></p> <p>Discussion from 26 April 2023 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>The following options were proposed for the meeting:-             <ol style="list-style-type: none"> <li>Wednesday, 2 August 2023, 5pm - 7pm; and</li> <li>Thursday, 10 August 2023, 5pm - 7pm</li> </ol> </li> <li>The CP members expressed their preference for option (b) above .</li> </ol>

**COMPLAINTS FOR DELIBERATION:**

**GROUP 1**

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

<b>Complaint 1.2 Golden Veroleum Liberia (GVL) vs. Green Advocate for the Butaw Community; FPP; SDI; SESDev; A-Bloteh</b>	
<b>Case Reference</b>	PreCAP/2012/09/PR
<b>Date Filed</b>	3 October 2012
<b>Respondent</b>	Golden Veroleum Liberia (GVL)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Liberia
<b>Complainant</b>	Green Advocate for the Butaw Community; FPP; SDI; SESDev; A-Bloteh
<b>Complaint description</b>	<p>Golden Veroleum Liberia:</p> <ul style="list-style-type: none"> <li>• Has not provided public notification for a 30 day period consistent with the New Planting Procedures;</li> <li>• commencing land preparation new planting and infrastructure development prior to the expiry of the minimum 30-day period;</li> <li>• By not conducting a comprehensive and participatory independent social and environmental impact assessment(s) of the area concerned and incorporate the results into relevant action plans (see RSPO criteria 5.1, 6.1, 7.1 &amp; 7.4) including the identification of: (a) all primary forest, (b) any area required to maintain or enhance one or more High Conservation Values (HCVs), and (d) local peoples' land;</li> <li>• Clearing land without the free, prior and informed consent of the customary land owners as represented through representative organizations of their choice (P&amp;C 2.2, 2.3, 7.5 and 7.6).</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<p><u><a href="#">Tarjuowon Area</a></u></p> <ol style="list-style-type: none"> <li>1. The directive for the Tarjuowon area has been issued. The Respondent has acknowledged receipt and is willing to implement the recommendations as recommended by the independent facilitator.</li> <li>2. The Complainants have acknowledged receipt of the directive and will come back with comments, if any.</li> <li>3. The CP has directed the Secretariat to write back to parties asking them to come up with a mutually proposed feasible timeline for the implementation of the recommendations and to have it put forward for the CP's consideration</li> </ol> <p><u><a href="#">Other Areas</a></u></p> <ol style="list-style-type: none"> <li>1. The Secretariat held an online meeting with the independent facilitator on 12 April 2023 on the possibility of facilitating the implementation of the CP's decision.</li> </ol>

	<p><b>2. The Secretariat is to prepare a draft email to parties on the updates pertaining to the implementation of the CP’s decision and the status of the matter to be endorsed by the CP.</b></p>
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<b>Complaint 1.3 Pacific Inter-Link (Papuan Concessions) vs Environmental Investigation Agency (EIA) &amp; Greenpeace</b>	
<b>Case Reference</b>	RSPO/2018/19/RB
<b>Date Filed</b>	15 October 2018
<b>Respondent</b>	Pacific Inter-Link (Papuan Concessions)
<b>Membership Category</b>	Processors and / or Traders
<b>Country</b>	Indonesia
<b>Complainant</b>	Environmental Investigation Agency (EIA) & Greenpeace
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>Violation of the RSPO Code of Conduct because of their alleged involvement in the control/ownership and operational development of four palm oil plantation companies in Papua.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<p><b>1. Undergoing the procurement process for the appointment of the Independent Investigator.</b></p>

<b>Complaint 1.4 PT Wahana Prima Sejati (subsidiary of First Resources Limited) vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2020/12/EN
<b>Date Filed</b>	14 July 2020
<b>Respondent</b>	PT Wahana Prima Sejati (subsidiary of First Resources Limited)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Requested for confidentiality
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• Deforestation and land clearing including in the High Conservation Value Forest within the Respondent's concession for construction;</li> <li>• Development of road cutting across one of the major wildlife corridors connecting two river systems – Berenga and Tempadung Rivers; and</li> <li>• Development of a jetty, which includes reclamation of the sea floor as long as 590 meters</li> </ul>
<b>Status</b>	(G) Decision delivered with period to appeal (60 WD)
<b>Decision / Justification</b>	<b>1. Pending expiry of the appeals period on 29.05.2023.</b>

<b>Complaint 1.5 PT Mitra Karya Sentosa ( subsidiary of First Resources Limited) vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2021/07/SW
<b>Date Filed</b>	19 March 2021
<b>Respondent</b>	PT. Mitra Karya Sentosa (a subsidiary of First Resources Limited)



<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Requested for confidentiality
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• The Respondent did not pay the full land compensation to the six (6) individuals;</li> <li>• The Respondent unilaterally marking up the cost of plasma development and did not refer to the relevant regulations in deciding the cost of plasma development;</li> <li>• The Respondent did not pay the land compensation for the land identified as HCV and HCS area; and</li> <li>• The Respondent did not provide the complete map along with its coordinates for the land that has been handed over by the six (6) individuals.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. Briefing Note in progress.</b>

<b>Complaint 1.6 Papaso Estate &amp; PT Damai Nusa Sekawan - Soso &amp; Bukit Udang Estate (a subsidiary of Permata Hijau Group) vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2021/05/SW
<b>Date Filed</b>	19 March 2021
<b>Respondent</b>	Papaso Estate & PT Damai Nusa Sekawan - Sosa & Bukit Udang Estate (a subsidiary of Permata Hijau Group)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Requested for confidentiality
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• Complainant alleged that the Respondent prohibits the workers to conduct union activities (protest with regards to the Omnibus Law);</li> <li>• Complainant alleged that the Respondent has conducted a unilateral termination of employment for the 2 (two) PT Permata Hijau Sawit workers;</li> </ul>

	<p>and</p> <ul style="list-style-type: none"> <li>Complainant alleged that the Respondent did not socialize the Company Regulations (<i>Peraturan Perusahaan</i>) to the workers in PT Damai Nusa Sekawan.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. Briefing Note in progress.</b>

<b>Complaint 1.7 PT. Nabatindo Karya Utama (subsidiary of Bumitama Agri Limited) vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2021/10/LSL
<b>Date Filed</b>	1 July 2021
<b>Respondent</b>	PT. Nabatindo Karya Utama (subsidiary of Bumitama Agri Limited)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Requested for confidentiality
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>It is alleged that the Respondent and Koperasi Koling Hapakat did not use the plasma area in accordance with the permission allocated.</li> <li>It is alleged that there is a transfer of ownership of community-owned SHM (“Sertifikat Hak Milik”) by Koperasi Koling Hapakat to the Respondent.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. The Secretariat is in the midst of drafting the Briefing Note.</b>

<b>Complaint 1.8 PT. Eagle High Plantations vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2022/15/RR
<b>Date Filed</b>	08 November 2022
<b>Respondent</b>	PT. Eagle High Plantations
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Requested for confidentiality
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>Allegations made against the Respondent are pertaining to rights of workers, working conditions, and safety concerns.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation - (Bilateral Engagement)
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li><b>Bilateral Engagement process ongoing. Extension of time up until 19.06.2023 granted on the mutual request of parties.</b></li> </ol>

<b>Complaint 1.9 Reforestadora de Palmas del Peten S.A. (a subsidiary of SEAHOLM CORP) vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2022/13/MAM
<b>Date Filed</b>	21 October 2022
<b>Respondent</b>	Reforestadora de Palmas del Peten S.A. (a subsidiary of SEAHOLM CORP)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Guatemala
<b>Complainant</b>	Requested for confidentiality
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>The Complainant alleged that the Respondent violates the fundamental and labour rights of employees, because there are bad work conditions, unjustified dismissals, mistreatment, and false and unfounded suspicions;</li> </ul>

	<ul style="list-style-type: none"> <li>• The Respondent uses retaliation against farm workers and human rights defenders;</li> <li>• The Respondent uses the figure of the blacklist to designate employees who will not be rehired;</li> <li>• The Respondent uses organic fertilizer that generates pestilent odour and flies affecting communities.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>The Secretariat is to review the recent audit report in order to update the CP about the findings of the CB related to the facts of the Complaint.</b></li> </ol>

**GROUP 2**

<b>Complaint 2.1 Golden Agri Resources vs Forest Peoples Programme (FPP) &amp; TuK</b>	
<b>Case Reference</b>	RSPO/2018/14/IR
<b>Date Filed</b>	22 August 2018
<b>Respondent</b>	Golden Agri Resources
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Forest Peoples Programme (FPP) and Tuk- Indonesia
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• GAR’s shadow companies are actively clearing lands.</li> </ul>
<b>Status</b>	(G) Decision delivered with period to appeal (60 WD)
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>Decision delivered on 18.04.2023.</b></li> <li>2. <b>Pending expiry of the appeals period on 12.07.2023.</b></li> </ol>

<b>Complaint 2.2 PT Perkebunan Nusantara IV (PERSERO) vs Koalisi Organisasi Serikat Pekerja dan Lembaga Swadaya Masyarakat Kabupaten Labuhan Batu, FSMI. TIPAN-RIPT</b>	
<b>Case Reference</b>	RSPO/2019/07/IR
<b>Date Filed</b>	10 April 2019
<b>Respondent</b>	PT Perkebunan Nusantara IV (PERSERO)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	North Sumatera, Indonesia
<b>Complainant</b>	Koalisi Organisasi Serikat Pekerja dan Lembaga Swadaya Masyarakat Kabupaten Labuhan Batu, FSMI. TIPAN-RI
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• Lack of adequate health and safety equipment;</li> <li>• Worker died due to lack of safety equipment; and</li> <li>• No festive holidays for temporary workers.</li> </ul>
<b>Status</b>	(D) Investigation/Deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>The Secretariat held a meeting with the CB on 11.04.2023.</b></li> <li>2. <b>The CB will verify if the allegations raised in the Complaint are caught in the audit/special audit reports from 2019 up until the latest audit report and will respond with the summary of the same on or before 02.05.2023.</b></li> </ol>

<b>Complaint 2.3 PT Perkebunan Nusantara IV (PERSERO) vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2019/11/IR
<b>Date Filed</b>	23 April 2019
<b>Respondent</b>	PT Perkebunan Nusantara IV (PERSERO)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	North Sumatera, Indonesia
<b>Complainant</b>	<i>requested for confidentiality</i>
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• Temporary workers contract and wages issues;</li> <li>• Intimidation of workers</li> </ul>
<b>Status</b>	(D) Investigation/Deliberation

<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>The Secretariat held a meeting with the CB on 11.04.2023.</b></li> <li>2. <b>The CB will verify if the allegations raised in the Complaint are caught in the audit/special audit reports from 2019 up until the latest audit report and will respond with the summary of the same on or before 02.05.2023.</b></li> </ol>
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<b>Complaint 2.4 PT Perkebunan Nusantara IV (PERSERO) vs Federasi Serikat Pekerja Metal Indonesia (FSPMI)</b>	
<b>Case Reference</b>	RSPO/2019/12/IR
<b>Date Filed</b>	6 May 2019
<b>Respondent</b>	PT Perkebunan Nusantara IV (PERSERO)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	North Sumatra, Indonesia
<b>Complainant</b>	Federasi Serikat Pekerja Metal Indonesia (FSPMI)
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>● Alleged fraud of wages for 7 workers,</li> <li>● No festive holidays and bonus for temporary workers</li> </ul>
<b>Status</b>	(D) Investigation/Deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>The Secretariat held a meeting with the CB on 11.04.2023.</b></li> <li>2. <b>The CB will verify if the allegations raised in the Complaint are caught in the audit/special audit reports from 2019 up until the latest audit report and will respond with the summary of the same on or before 02.05.2023.</b></li> </ol>

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

<b>Complaint 2.6 PT Ramajaya Pramukti (subsidiary of Golden Agri Resources Ltd) vs Lembaga Adat Kenegerian Petapahan (Ninik Mamak Kenegerian Petapahan), Bahtera Alam &amp; Sawit Watch</b>	
<b>Case Reference</b>	RSPO/2021/12/CRP
<b>Date Filed</b>	08 November 2021
<b>Respondent</b>	PT. Ramajaya Pramukti (subsidiary of Golden Agri Resources Ltd)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Lembaga Adat Kenegerian Petapahan (Ninik Mamak Kenegerian Petapahan), Bahtera Alam & Sawit Watch
<b>Complaint Description</b>	<ul style="list-style-type: none"> <li>• that the Respondent conducted land expansion to about 167 hectares into the Imbo Putui Customary Forest;</li> </ul>

	<ul style="list-style-type: none"> <li>● that the Respondent's used their operational truck passing through the Customary Forest and disturbing the community with the noise and dust pollution, disturbing the growth of trees along the road, cutting off animal paths (bear, deer, pangolin, snake, monitor lizard, monkey), and cutting off water paths;</li> <li>● that the Respondent's action of planting oil palm up to the riverbank, even in the middle of the river (the company changed the waterway, then planted oil palm on the former river that was stockpiled);</li> <li>● that the Respondent is not taking the responsibility for the social, economic, and ecological damage that occurred in the Imbo Putui Customary Forest and Petapahan Village;</li> <li>● that the Respondent changed the natural shape of the rivers and made them straight;</li> <li>● that the Respondent is destroying the downstream river ecosystem in the Imbo Putui customary forest with fertilizers and pesticides; and</li> <li>● that the Respondent claimed the Imbo Putui Customary Forest as their conservation area (HCV).</li> </ul>
<b>Status</b>	(D) Investigation/Deliberation
<b>Decision / Justification</b>	<p><b>1. The CP has agreed for the Secretariat to proceed with the field visit and to speak to the parties especially with the community members represented by the Complainant to ensure that they understand the findings of the special audit report before proceeding with the drafting of the Briefing Note.</b></p>

<b>Complaint 2.7 Mados's Holdings Sdn Bhd vs Mighty Earth Inc - Malaysia</b>	
<b>Case Reference</b>	RSPO/2022/05/HN
<b>Date Filed</b>	09 May 2022
<b>Respondent</b>	Mados's Holdings Sdn Bhd
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Johor, Malaysia
<b>Complainant</b>	Mighty Earth Inc
<b>Complaint Description</b>	<ul style="list-style-type: none"> <li>● Mados's Holdings Sdn Bhd has not disclosed all potential non-compliant land development within the Company's own concessions and Related Entities' concessions (controlled and influenced by Mados's Holdings Sdn Bhd).</li> <li>● The potential RaCP liabilities associated with Mados's Holdings Sdn Bhd's RSPO membership (i.e. the 1 Management Unit referenced in the RaCP Tracker) does not currently extend to all non-compliant land clearing of</li> </ul>



	<p>HCVs/HCS within the company’s own concessions and Related Entities’ concessions: -</p> <ul style="list-style-type: none"> <li>○ Mados’ Holdings Sdn Bhd</li> <li>○ Ibzi Holdings Sdn Bhd and its subsidiary, AA Sawit Sdn Bhd</li> <li>○ Nadi Mesra Sdn Bhd</li> </ul>
<b>Status</b>	(G) Decision delivered with period to appeal (60 WD)
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>Decision delivered on 4-Apr-2023.</b></li> <li>2. <b>Pending expiry of the appeals period on 27-June-2023.</b></li> </ol>

### Complaint 2.8 PT. Perkebunan Nusantara V (PERSERO) vs requested for confidentiality

<b>Case Reference</b>	RSPO/2022/03/CRP
<b>Date Filed</b>	04 March 2022
<b>Respondent</b>	PT. Perkebunan Nusantara V (PERSERO)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Riau Province, Indonesia
<b>Complainant</b>	Requested for confidentiality
<b>Complaint Description</b>	<ul style="list-style-type: none"> <li>● The Respondent is alleged of illegally controlling some of the KKPA (Primary Member Cooperative Credit) objects, as well as violating the KKPA agreement.</li> <li>● The Respondent is alleged of embezzling funds and fraud in the development of oil palm plantations.</li> <li>● The Respondent is alleged of violating the agreement related to the sale of the farmers’ fruits which should have been disbursed to the Complainant to be</li> </ul>

	distributed to its members and illegal bailout funds.
<b>Status</b>	(D) Investigation/Deliberation
<b>Decision / Justification</b>	<b>1. Pending receipt of the revised Special Audit Report from the Certification Body on 12.05.2023.</b>

**Complaint 2.9 PT. Farinda Bersaudara (subsidiary of TSH Resources Berhad vs RSPO Secretariat - Indonesia**

<b>Case Reference</b>	RSPO/2022/10/HN
<b>Date Filed</b>	26 September 2022
<b>Respondent</b>	PT Farinda Bersaudara ( subsidiary of TSH Resources Berhad)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Kalimantan Barat, Indonesia
<b>Complainant</b>	RSPO Secretariat
<b>Complaint Description</b>	<ul style="list-style-type: none"> <li>● The Respondent cleared High Conservation Value (HCV) areas in one of its subsidiaries, PT Farinda Bersaudara (PT FDB): -             <ol style="list-style-type: none"> <li>a. TSH Resources Berhad submitted a self-declaration on 25 September 2020 to the RSPO Secretariat to declare its liability for unintentional clearing of HCV areas in PT FDB and undertake responsibility for the liability; and</li> <li>b. The Secretariat responded by initiating an independent ground verification conducted by independent assessors (Pramitama Bayu Saputro and Nurul Iman Suansa) in July 2021 to verify the self-declaration made by the Respondent. The independent verification results are as follows: -                 <ol style="list-style-type: none"> <li>i. there was clearance of HCV areas before (69.87ha) and after (256.92ha) the Respondent became an RSPO member;</li> <li>ii. some of the land clearance were caused by community encroachment;</li> <li>iii. implementation of established SOPs in the field was not as effective as intended by the Respondent; and</li> <li>iv. local communities encroached the HCV areas as they were not well aware of where the boundary of Hak Guna Usaha (HGU) is</li> </ol> </li> </ol> </li> </ul>

	located. <b>Note:</b> The Complaint is lodged by the RSPO Secretariat in line with section 1.4 of the Remediation & Compensation Procedure (2015).
<b>Status</b>	(G) Decision delivered with period to appeal (60 WD)
<b>Decision / Justification</b>	<b>1. Pending expiry of the appeals period on 8-May-2023.</b>

**GROUP 3**

<b>Complaint 3.1 PT. Kartika Prima Cipta (GAR) vs Forest Peoples Programme &amp; TuK</b>	
<b>Case Reference</b>	PreCAP/2014/03/IR
<b>Date Filed</b>	13 October 2014
<b>Respondent</b>	PT. Kartika Prima Cipta (PT.KPC) - Golden Agri Resources (GAR)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia – Kapuas Hulu, West Kalimantan
<b>Complainant</b>	Forest Peoples Programme (FPP) and (Transformasi untuk Keadilan) TuK Indonesia
<b>Complaint description</b>	<p><b><u>Points raised:-</u></b></p> <ul style="list-style-type: none"> <li>● PT KPC is in persistent violation of the RSPO P&amp;C pertaining HCV assessment, the recognition of customary land rights and free, prior, and informed consent (FPIC). Lack of FPIC of the local Dayak and Malay people in the process of land take over.</li> <li>● Land takeover was done without land tenure study and participatory</li> </ul>

	<p>mapping.</p> <ul style="list-style-type: none"> <li>• Late HCV assessment which was done by IPB, final consultation was in May 2014.</li> <li>• Dissatisfaction by smallholders and resentment because of reduced post facto set aside for HCV rather than getting plasma scheme (20%).</li> <li>• Set aside land as HCS area that made no provision for customary land uses and tenure and local people livelihood.</li> <li>• GAR as the parent company of all 18 subsidiaries listed in acting in violation of the New Planting Procedure (NPP) by submitting information which is known as false. No HGU in 16 of 18 NPP.</li> <li>• The assessors which have endorsed GAR’s HCV assessment, ESIA’s and social engagement actions, are in violation of their responsibility to provide impartial assessment of company compliance with RSPO P&amp;C.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>The Secretariat is still in the midst of preparing the Briefing Notes for Phases 3, 4 &amp; 5</b></li> <li>2. <b>One of the Complainants has indicated their intention to withdraw the Complaint.</b></li> <li>3. <b>The CP has directed the Secretariat to communicate the intention to withdraw the Complaint to the Co-Complainant and to obtain the Co-Complainant’s feedback on the same.</b></li> </ol>

<b>Complaint 3.2 Golden Agri Resources (GAR) vs Forest Peoples Programme &amp; Elk Hills Foundation</b>	
<b>Case Reference</b>	RSPO/2020/04/IR
<b>Date Filed</b>	2 March 2020
<b>Respondent</b>	Golden Agri Resource (GAR)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Forest Peoples Programme & Elk Hills Foundation
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• The Respondent, through its subsidiaries located in Central Kalimantan, operate its plantations with permits which never had the force of law;</li> </ul>

	<ul style="list-style-type: none"> <li>The Respondent, through its employees have been involved in the payment of bribes to provincial officials in Central Kalimantan.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li><b>Pending endorsement of the revised draft ToR for an independent investigation by the Complaints Panel.</b></li> </ol>

<b>Complaint 3.3 Aceites Y Derivados Sociedad Anonima (ACEYDESA) vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2020/07/LSL
<b>Date Filed</b>	6 April 2020
<b>Respondent</b>	Aceites Y Derivados Sociedad Anonima (ACEYDESA)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Honduras
<b>Complainant</b>	Requested for confidentiality
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>Modification of property deeds to remove areas identified by the government as environmental protection zone;</li> <li>Employees not paid minimum wage; not provided with equipment; and not given workers' benefits;</li> <li>Non-compliance with labour laws;</li> <li>Threatening of workers to suppress information from auditors;</li> <li>Bribing workers and government agencies;</li> <li>Manipulation of scale systems; Falsification of data;</li> <li>Operating without an environmental license.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li><b>Pending receipt of an update from the Accreditation Body on the status of the CB's non conformities following the compliance audit. The Accreditation Body is to respond on or before 27.04.2023.</b></li> </ol>

<b>Complaint 3.4 IOI Plantation Mekassar Estate (subsidiary of IOI Corporation Berhad) vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2020/19/IR
<b>Date Filed</b>	5 October 2020
<b>Respondent</b>	IOI Plantation Mekassar Estate (subsidiary of IOI Corporation Berhad)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Malaysia
<b>Complainant</b>	Requested for confidentiality
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• Unilateral pay cut by the Respondent</li> <li>• Poor living conditions for the labourers</li> <li>• Intimidation of workers</li> <li>• Forced labour</li> <li>• Lack of transparent grievance system</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. Deliberations ongoing. The CP has directed for an ad-hoc meeting to be fixed to facilitate further deliberations.</b>

<b>Complaint 3.5 First Resources Limited vs Requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2021/04/EN
<b>Date Filed</b>	8 March 2021
<b>Respondent</b>	First Resources Limited
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Requested for confidentiality
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• The Respondent allegedly has ownership, control and influence over a company called Fangiono Agro Plantation (FAP) Agri, a non-RSPO member who was not declared in the Respondent's RSPO Group Membership.</li> <li>• The Respondent also allegedly has ownership, control and influence of an Indonesian company, Ciliandry Anky Abadi (CAA) who is a subsidiary of a British Virgin Islands registered company by the name of Sima Capital. This company too was not declared to be a part of the Respondent's RSPO Group Membership.</li> </ul>

	<ul style="list-style-type: none"> <li>• The Respondent, via FAP or by FAP’s 11 subsidiaries have violated the RSPO Principles and Criteria by deforestation, peatland degradation, using lands for plantation without FPIC, river pollution, and unilateral layoffs of workers.</li> <li>• The Respondent, via CAA, have violated the RSPO Principles and Criteria by deforestation, peatland degradation, using lands for plantation without FPIC, and river pollution.</li> <li>• The Respondent is violating its NDPE Commitments, the RSPO Principle and Criteria, the RSPO Code of Conduct, and RSPO membership rules.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>Pending endorsement of the revised draft ToR for an independent investigation by the Complaints Panel.</b></li> </ol>

<b>Complaint 3.6 PT Inecda ( a subsidiary of S&amp;G Biofuel Pte. Ltd) vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2021/06/SW
<b>Date Filed</b>	19 March 2021
<b>Respondent</b>	PT Inecda (a subsidiary of S&G Biofuel Pte. Ltd)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Requested for confidentiality
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• Respondent is operating in the area own by the Luak Talang Parit Community without obtaining prior consent from the community;</li> <li>• Respondent did not develop the plasma plantations for the community; and</li> <li>• Respondent did not have an internal grievance mechanism that the stakeholders can access</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>Pending receipt of the draft independent investigation report from the independent investigator.</b></li> </ol>

<b>Complaint 3.7 PT Bumi Pratama Khatulistiwa (subsidiary of Wilmar International Limited vs Teraju Foundation</b>	
<b>Case Reference</b>	RSPO/2022/02/HN
<b>Date Filed</b>	4 March 2022
<b>Respondent</b>	PT. Bumi Pratama Khatulistiwa (subsidiary of Wilmar International Limited)
<b>Membership Category</b>	Processors and / or Traders
<b>Country</b>	Kalimantan Barat, Indonesia
<b>Complainant</b>	Teraju Foundation
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• The Respondent forced a community to give up the rights to their land in order to develop the land into an oil palm plantation.</li> <li>• The company then refused to return the land to the community by involving the police.</li> </ul>
<b>Status</b>	(G) Decision delivered with period to appeal (60 WD)
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>Decision delivered on 13-Apr-2023.</b></li> <li>2. <b>Pending expiry of the appeals period on 6-July-2023.</b></li> </ol>

<b>Complaint 3.8 Grasas Y Derivados S.A. Gradesa S.A. vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2022/14/MAM
<b>Date Filed</b>	03 November 2022
<b>Respondent</b>	Grasas Y Derivados S.A. Gradesa S.A.
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Colombia
<b>Complainant</b>	Requested for confidentiality
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• Prosecution of union workers in order to lay off them and weaken the union.</li> <li>• Infringement of constitutional rights, because the company is affecting the right of union association.</li> <li>• Dismissals of labour contracts without a fair cause.</li> </ul>



<b>Status</b>	(D) Investigation / Deliberation - (Adjourned)
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li><b>The Secretariat has furnished the Complainant with the formal response and evidence from the Respondent for comments.</b></li> <li><b>The Complainant responded that there is an active process before the Ministry of Labour and this authority is in the midst of its investigations.</b></li> </ol>

<b>Complaint 3.9 Energy &amp; Palma S.A. ( as subsidiary of HOLDING LA FABRIL S.A) vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2023/01/MAM
<b>Date Filed</b>	05 January 2023
<b>Respondent</b>	Energy & Palma S.A. (a subsidiary of HOLDING LA FABRIL S.A)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Ecuador
<b>Complainant</b>	Requested for confidentiality
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>Allegations made against the Respondent are in relation to the modification of property deeds to remove areas identified by the government as community lands and environmental protection zones.</li> <li>Lawsuit against community owners to intimidate the local people.</li> <li>Company's activities have a negative impact on the natural environment and lead to degradation and deforestation.</li> </ul>
<b>Status</b>	(D) Investigation / Deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li><b>Pending receipt of the Respondent’s confirmation with respect to the confidentiality status of documents and information prior to disclosure to the Complainant.</b></li> </ol>