

# COMPLAINTS PANEL

## MINUTES OF MEETING

For Website

26 June 2019 | 6.00 - 8.00 pm | Meeting No. 06/2019

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

<p><b>List of Complaints Panel Member</b></p>	<table border="1"> <tr> <td data-bbox="373 640 906 992"> <ol style="list-style-type: none"> <li>1. Henry Barlow (Honorary Member)</li> <li>2. Lim Sian Choo (Bumitama)</li> <li>3. Michelle Desilet (Orangutan Land Trust)</li> <li>4. Matthias Diemer (Affiliate Member)</li> <li>5. Marieke Leegwater (Solidaridad)</li> <li>6. Melizel Asuncion (Verite)</li> <li>7. Frazer Lanier (Citibank)</li> </ol> </td> <td data-bbox="911 640 1442 992"> <ol style="list-style-type: none"> <li>8. Lanash Thanda (SEPA)</li> <li>9. Robert Kruger (AAF)</li> <li>10. Samantha Bramley (Standard Chartered)</li> <li>11. Suzanne Hall (San Diego Zoo)</li> <li>12. Peter van der Werf (Robeco)</li> <li>13. Jose Den Toom (Affiliate Member)</li> <li>14. Pieter van Dessel (Goldtree Holdings)</li> </ol> </td> </tr> </table>	<ol style="list-style-type: none"> <li>1. Henry Barlow (Honorary Member)</li> <li>2. Lim Sian Choo (Bumitama)</li> <li>3. Michelle Desilet (Orangutan Land Trust)</li> <li>4. Matthias Diemer (Affiliate Member)</li> <li>5. Marieke Leegwater (Solidaridad)</li> <li>6. Melizel Asuncion (Verite)</li> <li>7. Frazer Lanier (Citibank)</li> </ol>	<ol style="list-style-type: none"> <li>8. Lanash Thanda (SEPA)</li> <li>9. Robert Kruger (AAF)</li> <li>10. Samantha Bramley (Standard Chartered)</li> <li>11. Suzanne Hall (San Diego Zoo)</li> <li>12. Peter van der Werf (Robeco)</li> <li>13. Jose Den Toom (Affiliate Member)</li> <li>14. Pieter van Dessel (Goldtree Holdings)</li> </ol>
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<p><b>Agenda</b></p>	<p style="text-align: center;"><b><u>General Agenda: 6.00 pm - 6.30 pm</u></b></p> <ol style="list-style-type: none"> <li>1. Opening Remarks by Chairperson.</li> <li>2. Declaration of Conflict of Interest.</li> <li>3. To confirm and adopt the minutes of <b>29 May 2019</b> during the CP Meeting.</li> <li>4. New Allegations:-             <ol style="list-style-type: none"> <li>a. RSPO/2019/04/RB - PT Berkat Sawit Sejati (PT Musim Mas)</li> <li>b. RSPO/2019/07/RB - PT Perkebunan Nusantara IV</li> <li>c. RSPO/2019/09/RB - PT Smart Tbk (subsidiary of GAR)</li> <li>d. RSPO/2019/11/RB - PT Perkebunan Nusantara IV</li> <li>e. RSPO/2019/12/RB - PT Perkebunan Nusantara IV</li> <li>f. RSPO/2019/13/PR - Unico Desa Palm Oil Mill (subsidiary of IOI Corporation)</li> <li>g. RSPO/2019/14/PR - Nacional Agro Industrial, S. A. (subsidiary of KH Regional Group Inc.)</li> <li>h. RSPO/2019/15/IR - PT Bilah Platindo (subsidiary of MP Evans)</li> </ol> </li> <li>5. Incident reports from the Public Domain:-             <ol style="list-style-type: none"> <li>a. Greenpeace Report - "Dying for a Cookie" on shadow companies.</li> </ol> </li> <li>6. Complaints Case Statistics.</li> </ol>		

7. Any other matters:-
  - a. Dates for Complaints Panel meetings in 2019;
  - b. Expansion of the Complaints Panel;
  - c. Collaboration with the Investigation and Monitoring Unit (IMU);
  - d. DSF updates;
  - e. Photographs of CP member for the Complaints Portal;
  - f. Bilateral Engagement Principles & Rules.
  
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: 6.30pm – 7.10pm**

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. PJM) - 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

**Group 2: 7.15pm – 7.35pm**

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 & SESDev & SDI
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

**Group 3: 7.40pm – 8.00pm**

1. PT. Kartika Prima Cipta (PT. KPC) - subsidiary of Golden Agri Resources (GAR) vs FPP & 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

**DETAILS OF THE AGENDA:**

No.	Agenda
1.0	Opening Remarks from Chairperson  <b>Opening speech by CCP.</b>
2.0	Declaration of “No Conflict of Interest”  <b>One of the CP members declared his COI with Wilmar</b>
3.0	To confirm and adopt the minutes of <b>29 May 2019</b> during the Complaints Panel Meeting.  <b>Minutes of 29 May 2019 adopted unanimously.</b>
<b>4.0 New allegation submitted</b>	
	<p><b>a. RSPO/2019/04/RB PT Berkat Sawit Sejati (subsidiary of Musim Mas)</b></p> <p>Complainant :- Hutan Kita Institute (HaKI)(Indonesia)                      Complaint received :- 12 March 2019                      Location :- Palembang, South Sumatera                      Allegations :- indicated using the area of Dangku Wildlife Reserve (SM) approximately 2,600 Ha and production forest are (HP) of approximately 3,200 Ha.</p> <p><b>26 June 2019 (CP Meeting):-</b></p> <p><b>1. Initial Diagnosis endorsed. Case moved to Group 1.</b></p> <p><b>b. RSPO/2019/07/RB PT Perkebunan Nusantara IV</b></p> <p>Complainant :- Koalisi Organisasi Serikat Pekerja dan Lembaga Swadaya Masyarakat Kabupaten Labuhan Batu, FSMI. TIPAN-RI                      Complaint received :- 10 April 2019                      Location :- North Sumatera                      Allegations :- 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.</p> <p><b>26 June 2019 (CP Meeting):-</b></p> <p><b>1. Initial Diagnosis endorsed. Case moved to Group 2.</b></p>

**c. RSPO/2019/09/RB PT Smart Tbk (subsidiary of GAR)**

Complainant :- Konsulat Cabang Federasi Serikat Pekerja Metal Indonesia.  
Complaint received :- 22 April 2019  
Location :- North Sumatra, Indonesia  
Allegations :- Discrimination and violation against women workers, wages and no holidays given to women workers.

**26 June 2019 (CP Meeting):-**

- 1. Initial Diagnosis endorsed. Case moved to Group 3.**

**d. RSPO/2019/11/RB PT Perkebunan Nusantara IV**

Complainant :- *requested for confidentiality*  
Complaint received :- 29 April 2019  
Location :- North Sumatra, Indonesia  
Allegations :- 1) Temporary workers contract and wages issues  
2) Intimidation of workers

**26 June 2019 (CP Meeting):-**

- 1. Initial Diagnosis endorsed. Case moved to Group 2.**

**e. RSPO/2019/12/RB PT Perkebunan Nusantara IV**

Complainant :- Federasi Serikat Pekerja Metal Indonesia (FSPMI)  
Complaint received :- 6 May 2019  
Location :- North Sumatra, Indonesia  
Allegations :- 1) Alleged fraud of wages for 7 workers,  
2) No festive holidays and bonus for temporary workers

**26 June 2019 (CP Meeting):-**

- 1. Initial Diagnosis endorsed. Case moved to Group 2.**

**f. RSPO/2019/13/PR Unico Desa Palm Oil Mill (IOI Corporation Berhad)**

Complainant :- Leap Spiral on behalf of Kampung Sri Ganda  
 Complaint received :- 6 May 2019  
 Location :- Lahad Datu, Sabah  
 Allegations :- Alleged utilisation of an area demarcated as a conservation area to address water issues in the village.

**26 June 2019 (CP Meeting):-**

**2. Initial Diagnosis endorsed. Case moved to Group 3.**

**g. RSPO/2019/14/PR Nacional Agro Industrial, S. A .(NAISA)**

Complainant :- Consejo Nacional de Desplazados de Guatemala - CONDEG  
 Complaint received :- 8 Jun 2019  
 Location :- Guatemala  
 Allegations :- 50 workers unjustifiably dismissed

**26 June 2019 (CP Meeting):-**

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

**h. 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.

**26 June 2019 (CP Meeting):-**

**1. The Initial Diagnosis is currently 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.

**26 June 2019 (CP Meeting):-**

1. The IMU has concluded its investigations and the summary of the report will be shared with the CP.
2. This case is now closed.

**6.0 Complaints Cases Statistics**

**Total Cases in 2018:**

	Jan-2018	Feb-2018	Mar-2018	Apr-2018
<b>Complaints received</b>	2	0	1	3
<b>Status</b>	Open (1) Closed (1)	-	Closed (1)	Open (1) Closed (2)
<b>Certified</b>	-	-	-	-
<b>Country</b>	Indonesia (2)	-	Indonesia (1)	Indonesia (3)
<b>Case Category</b>	-Plasma (1) -FPIC (1)	-	-HCV	-HCV (1) -Legality (1) -Plasma (2)



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

	Sept-2018	Oct-2018	Nov-2018	Dec-2018
<b>Complaints received</b>	<b>2</b>	<b>6</b>	<b>0</b>	<b>0</b>
<b>Status</b>	Open (2)	Open (5) Closed (1)	-	-
<b>Certified</b>	-	-	-	-
<b>Country</b>	Indonesia (1) Nigeria (1)	Indonesia (3) Nigeria (1) Liberia (1) Others (1)	-	-
<b>Case Category</b>	-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
<b>Complaints received</b>	2	1	3	4
<b>Status</b>	Open (2)	Rejected (1)	Open (2) Rejected (1)	Open (3) Rejected (1)
<b>Certified</b>	-	-	-	-
<b>Country</b>	Indonesia (2)	Malaysia(1)	Indonesia (1) Peru (2)	Indonesia (3) Nigeria (1)
<b>Case Category</b>	-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
<b>Complaints received</b>	2	2		
<b>Status</b>	Open (2)	Open (1)		
<b>Certified</b>	-			
<b>Country</b>	Indonesia (1) Malaysia (1)	Indonesia (1) Guatemala (1)		
<b>Case Category</b>	- Wages (1) -No Festive Holidays (1) -conservation area for water (1)	-Workers unjustifiably dismissed (1) - Social Benefits (1)		

**Total Active Cases by Country and Year:-**

Country	Active Cases	Year	Active Cases
Indonesia	28	2009	0
Malaysia	4	2010	1
Colombia	2	2011	0
Nigeria	2	2012	3
Singapore	0	2013	0
Peru	2	2014	1
Brazil	1	2015	5
Liberia	1	2016	1
Guatemala	1	2017	7
Others*	1	2018	13
<b>TOTAL</b>	<b>42</b>	2019	11
		<b>TOTAL</b>	<b>42</b>

\*Others: Pending group membership determination.

**26 June 2019 (CP Meeting):-**

1. Due to an increase in the number of labour-related cases, a decision has been made to prepare a Working Paper in relation to this issue.
2. The Secretariat is to draft the Working Paper for CP's review.

**7.0 Any other matters**

**a. Dates for Complaints Panel Physical Meeting in 2019:**

Next CP Meeting: **24 July 2019**

**26 June 2019 (CP Meeting):-**

1. Complaints Panel Physical Meeting is scheduled for 3 & 4 September 2019 in Jakarta.
2. Secretariat to issue calendar invites with proposed dates for the CP Meetings from January to June 2020.

**b. Expansion of Complaints Panel**

**26 June 2019 (CP Meeting):-**

1. The new CP members were endorsed by the BoG on 12 June 2019.
2. An online induction was held for the new CP members on 25.06.2019.

**c. Collaboration with the Investigation and Monitoring Unit**

**26 June 2019 (CP Meeting):-**

1. The discussion on this matter will be included in the agenda for the physical Meeting in September 2019.

**d. DSF Updates:**

**26 June 2019 (CP Meeting):-**

1. The DSF Group of Advisers are in the process of being reconstituted. As of now there are 5 candidates.

**e. Photographs of CP member for the Complaints Portal**

**26 June 2019 (CP Meeting):-**

1. The Complaints Portal will be updated with the CP's names and their sectors.

**f. Bilateral Engagement Principles & Rules**

**26 June 2019 (CP Meeting):-**

1. A fair copy of the Bilateral Engagement Principles & Rules has been furnished to the CP members. Pending endorsement by the CP members.

<p><b>8.0</b></p>	<p><b>Media Inquiry: Amnesty International Investigation report on Wilmar International – Sydney Morning Herald on 28 November 2016</b></p>
	<p>"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:</p> <ul style="list-style-type: none"> <li>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;</li> <li>b. Children as young as eight doing hazardous, hard physical work, sometimes dropping out of school to help their parents on the plantation;</li> <li>c. Workers suffering severe injuries from paraquat, an acutely toxic chemical banned by the EU and by Wilmar itself;</li> <li>d. Workers being made to work outdoors without adequate safety;</li> <li>e. Workers having to work long hours to meet ridiculously high targets, some of which involve highly physically demanding tasks".</li> </ul> <p><b>26 June 2019 (CP Meeting):-</b></p> <ul style="list-style-type: none"> <li>1. <b>The Secretariat is to perform a side to side comparison of Amnesty’s allegations against Wilmar’s development.</b></li> </ul>
<p><b>9.0</b></p>	<p><b>Request for reopening of case: PT Gunta Samba Jaya / PT SIMP</b></p>
	<p>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.”</p> <p>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.</p> <p>In light of this evidence they are formally requesting that the Complaints Panel re-examine the case against PT Gunta Samba Jaya / PT SIMP.</p> <p><b>26 June 2019 (CP Meeting):-</b></p> <ul style="list-style-type: none"> <li>1. <b>Decision letter is in progress.</b></li> </ul>

<p><b>10.0</b></p>	<p><b>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)</b></p>
	<p>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.</p> <p>The following violations were noted in the report:</p> <ol style="list-style-type: none"> <li>1. PT Murini Sam Sam <ul style="list-style-type: none"> <li>● Temporary workers and contract issues</li> <li>● Wages and overwork</li> <li>● Child labour</li> <li>● Health and safety</li> <li>● 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.</li> <li>● Freedom of association</li> </ul> </li> <li>2. PT Aneka Inti Persada: <ul style="list-style-type: none"> <li>● Temporary workers and contract issues</li> <li>● Wages and workload</li> <li>● Child labour</li> <li>● Health and safety</li> <li>● Gender equality</li> <li>● Freedom of association</li> </ul> </li> </ol> <p><b>26 June 2019 (CP Meeting):-</b></p> <ol style="list-style-type: none"> <li>1. <b>The Secretariat is in the midst of reviewing the audit reports.</b></li> </ol>
<p><b>11.0</b></p>	<p><b>Commitments of Financial Institution(s)</b></p>
	<p><b>26 June 2019 (CP Meeting):-</b></p> <ol style="list-style-type: none"> <li>1. <b>The Secretariat has reached out to Sustainalytics and a meeting is planned for next month with Sustainalytics in Hong Kong.</b></li> </ol>
<p><b>12.0</b></p>	<p><b>GA Resolution - GA15-6d - Discouraging RSPO members subject to complaints from avoiding their obligations by divesting or withdrawing their membership</b></p>
	<p><b>26 June 2019 (CP Meeting):-</b></p> <ol style="list-style-type: none"> <li>1. <b>The Secretariat has received a few applications for the members to join the Task Force. Applications are :-</b> <ol style="list-style-type: none"> <li>a. <b>2 members from the growers sector;</b></li> <li>b. <b>2 members from the NGO sector; and</b></li> <li>c. <b>1 member from the Financial Institutions sector.</b></li> </ol> </li> </ol>

**2. The Secretariat is at present finalising the selection of the legal firm.**

**COMPLAINTS FOR DELIBERATION:**

**GROUP 1**

<b>Complaint 1.1 FELDA vs Orang Dusun Lahad Datu (Desa Begahak/Robin Balud)</b>	
<b>Date Filed</b>	16 February 2015
<b>Respondent</b>	FELDA (Federal Land Development Authority) (Felda Ventures Bhd)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Malaysia
<b>Complainant</b>	Orang Dusun Lahad Datu (Desa Begahak/Robin Balud)
<b>Nature of Complaint</b>	<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>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. The Secretariat has sent a letter to the Sabah Lands and Surveys Department for the 3rd time seeking an online appointment this time.</b>

<b>Complaint 1.2 Agropalma S.A. vs José Maria Tabaranã da Costa and Aida Raimunda Maia da Costa</b>	
<b>Date Filed</b>	13 August 2015
<b>Respondent</b>	Agropalma SA
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Brazil
<b>Complainant</b>	José Maria Tabaranã da Costa and Aida Raimunda Maia da Costa.
<b>Complaint description</b>	That Agropalma has acquired land and planted oil palm in violation of the RSPO Principles and Criteria.
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. Adjourned pending decision of the Court.</b>



<b>Complaint 1.3 Hap Seng Plantations Holdings Bhd vs Sia Yi Chin</b>	
<b>Date Filed</b>	11 November 2015
<b>Respondent</b>	Hap Seng Plantations Holdings Bhd
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Malaysia
<b>Complainant</b>	Sia Yi Chin of Lahad Datu, Sabah
<b>Complaint description</b>	<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>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li><b>1. Adjourned pending decision of the Court.</b></li> </ol>



<b>Complaint 1.4 PT. Pusaka Agro Lestari (PT. PAL - Noble Plantation) vs RSPO Secretariat</b>	
<b>Date Filed</b>	20 June 2017
<b>Respondent</b>	PT Pusaka Agro Lestari
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	RSPO Secretariat
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>● Potential risk on Clearance a large areas of Primary Forest in Papua;</li> <li>● Official Complaint against one of HCV Assessors – Nyoto Susanto.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>the Compensation Plan was submitted on 27 May 2019 and is currently undergoing the RaCP process.</b></li> </ol>

<b>Complaint 1.5 PT. Prima Mitra Jaya Mandiri (PT PMJM - MP Evans) vs Serbundo</b>	
<b>Date Filed</b>	20 April 2017
<b>Respondent</b>	PT. Prima Mitra Jaya Mandiri (PT PMJM)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Serbundo (Serikat Buruh Perkebunan Indonesia)
<b>Complaint description</b>	<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"> <li>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;</li> <li>2. Rehire 7 workers and promote the status to become permanent, especially those who have been working on permanent basis work ie: Permanent/ Harvester.</li> </ol>
<b>Status</b>	(F) Complaints Panel Decision
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>an appeal was filed on the 17 June 2019 and the matter is being processed in accordance with CAP.</b></li> </ol>

<b>Complaint 1.6 PT. Mitra Austral Sejahtera (Sime Darby) vs NGO TuK</b>	
<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>	<p>The communities of Sanggau have alleged that the company PT Mitra Austral Sejahtera is operating without :</p> <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> <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>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>The Secretariat is still waiting for the Derasa Agreement from the Respondent to complete the legal review.</b></li> <li>2. <b>Reminders were sent on 21 June 2019 and on 26 June 2019 to the Respondent.</b></li> <li>3. <b>Pending response from the Respondent.</b></li> </ol>

<b>Complaint 1.7 PT. Minamas Gemilang (Sime Darby) vs Oky Wardianto</b>	
<b>Date Filed</b>	19 November 2017
<b>Respondent</b>	PT Minamas Gemilang (Sime Darby)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Mr. Oky Wardianto
<b>Complaint description</b>	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.
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. Pending decision by the CP.</b>

<b>Complaint 1.8 Golden Veroleum Liberia (GVL) vs. Green Advocate for the Butaw Community; FPP; SDI; SESDev; A-Bloteh</b>	
<b>Date Filed</b>	2 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>a. has not provided public notification for a 30 day period consistent with the New Planting Procedures;</li> <li>b. commencing land preparation new planting and infrastructure development prior to the expiry of the minimum 30-day period;</li> <li>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 &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>d. 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>	<b>1. Secretariat in the midst of preparing a Briefing Note to update the CP on the latest developments.</b>



<b>Complaint 1.9 PT. Harapan Sawit Lestari (Cargill) vs Link-AR Borneo</b>	
<b>Date Filed</b>	25 May 2018
<b>Respondent</b>	PT Harapan Sawit Lestari (Cargill)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Link-AR Borneo
<b>Complaint description</b>	PT Harapan Sawit Lestari allegedly commenced the re-planting activities without proper consent from the local community of Asam Besar in West Kalimantan.
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. Briefing Note in progress to update the CP on the latest developments.</b>

<b>Complaint 1.10 AMP Plantation (Wilmar) vs KUD Dasra (represented by lawyer)</b>	
<b>Date Filed</b>	30 April 2018
<b>Respondent</b>	AMP Plantation (Wilmar)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Represented by lawyer on behalf of KUD Dasra
<b>Complaint description</b>	Dispute regarding plasma cooperation with KUD Dasra.
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. Briefing Note in progress to update the CP on the latest developments.</b>



<b>Complaint 1.11 HSA Group (Pacific Inter-Link, Pacific Oils &amp; Fats Industries Sdn Bhd, PT. Pacific Indopalm Industries, PT. Pacific Medan Industri, PT. Pacific Palmindo Industri) vs Environmental Investigation Agency (EIA) &amp; Greenpeace</b>	
<b>Date Filed</b>	15 October 2018
<b>Respondent</b>	HSA Group (Pacific Inter-Link, Pacific Oils & Fats Industries Sdn Bhd, PT. Pacific Indopalm Industries, PT. Pacific Medan Industri, PT. Pacific Palmindo Industri)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Malaysia / Cayman Island
<b>Complainant</b>	Environmental Investigation Agency (EIA) & Greenpeace
<b>Complaint description</b>	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.
<b>Status</b>	(C) CP constituted
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>The Secretariat has confirmed that the membership due diligence was completed.</b></li> <li>2. <b>The Secretariat is in the midst of preparing the report and the same is to be sent to the CP.</b></li> </ol>



<b>Complaint 1.12 Pacific Inter-Link (Papuan Concessions) vs Environmental Investigation Agency (EIA) &amp; Greenpeace</b>	
<b>Date Filed</b>	15 October 2018
<b>Respondent</b>	Pacific Inter-Link (Papuan Concessions)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Malaysia / Cayman Island
<b>Complainant</b>	Environmental Investigation Agency (EIA) & Greenpeace
<b>Complaint description</b>	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.
<b>Status</b>	(C) CP constituted
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li><b>The respondent refused to share some documents with the Complainant due to confidentiality issues. Only the documents approved by the Respondent will be shared with the Complainant.</b></li> </ol>

**GROUP 2**

<b>Complaint 2.1 Extractora de La Gloria SAS vs ASOCOL, ASOCADAR</b>	
<b>Date Filed</b>	19 November 2015
<b>Respondent</b>	Extractora de la Gloria SAS
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Colombia
<b>Complainant</b>	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
<b>Complaint description</b>	<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"> <li>● Principle 1.1. Given that is does not provide clear and sufficient information regarding the Business Group.</li> <li>● 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.</li> <li>● 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.</li> <li>● 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.</li> <li>● 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.</li> <li>● 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.</li> <li>● 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.</li> <li>● 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.</li> </ul>



<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. Briefing note is in progress.</b>

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

<b>Complaint 2.3 PT. Hati Prima Agro (PT.HPA - Bumitama) vs Sawit Watch</b>	
<b>Date Filed</b>	13 October 2017
<b>Respondent</b>	PT Hati Prima Agro (Bumitama)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Sawit Watch
<b>Complaint description</b>	<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>
<b>Status</b>	(F) Complaints Panel Decision
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li><b>the Respondent informed the Secretariat that they obtained a response from the counterparts of the Respondent regarding the requested documents.</b></li> </ol>



<b>Complaint 2.4 Palmas Del Espino SA. vs FREDEIALBA</b>	
<b>Date Filed</b>	4 July 2017
<b>Respondent</b>	Palmas Del Espino SA
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Peru
<b>Complainant</b>	FREDEIALBA
<b>Complaint description</b>	<p><b>Allegations:-</b></p> <ul style="list-style-type: none"> <li>● The company and their group member developing the plantation without proper NPP process;</li> <li>● Developing plantation without informing the local communities;</li> <li>● The company has failed to comply with national law on the forest conversion.</li> <li>● Mistreatment of employees including arbitrary dismissal.</li> <li>● New plantings established without EIA and HCV assessment.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>Status quo</b></li> <li>2. <b>Pending decision of the Constitutional Court.</b></li> </ol>

<b>Complaint 2.5 Felda Global Ventures Holding Berhad vs RSPO Secretariat</b>	
<b>Date Filed</b>	19 April 2017
<b>Respondent</b>	Felda Global Ventures Holding Berhad
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	RSPO Secretariat (on the basis of Article by Chain Reaction Research)
<b>Complaint description</b>	<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>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>The Secretariat received the additional documents from the Respondent on 25 June 2019.</b></li> <li>2. <b>The review of the document is in progress.</b></li> </ol>



<b>Complaint 2.6 PT. Surya Agro Palma (Genting Plantation) vs Link-AR Borneo</b>	
<b>Date Filed</b>	21 January 2018
<b>Respondent</b>	PT. Surya Agro Palma (Genting Plantation)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	West Kalimantan, Indonesia
<b>Complainant</b>	Link-AR Borneo
<b>Complaint description</b>	<p><b>Allegations:</b></p> <ul style="list-style-type: none"> <li>• Lack of transparency on the Plasma Scheme.</li> <li>• Locations: Tapang Tingang Village dan Kiungkang Village, Sanggau, West Kalimantan.</li> </ul>
<b>Status</b>	(F) Complaints Panel Decision
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>Pending expiry of the appeals period on 16.07.2019.</b></li> </ol>



<b>Complaint 2.7 Golden Agri Resources vs Forest Peoples Programme (FPP) &amp; TuK</b>	
<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>	GAR's shadow companies are actively clearing lands.
<b>Status</b>	(C) CP constituted
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li><b>The Secretariat is in the midst of the procurement process on engaging with the legal expert.</b></li> </ol>

Complaint 2.8 Presco PLC Nigeria (SIAT SA) vs Indigenous People of Oruarivie-Abraka Kingdom	
<b>Date Filed</b>	17 September 2018
<b>Respondent</b>	Presco PLC Nigeria (SIAT SA)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Nigeria
<b>Complainant</b>	Indigenous People of Oruarivie-Abraka Kingdom
<b>Complaint description</b>	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.
<b>Status</b>	(C) CP constituted
<b>Decision / Justification</b>	<b>1. Adjourned pending mediation.</b>



<b>Complaint 2.9 Presco PLC Nigeria (SIAT SA) vs Oria-Abraka Community</b>	
<b>Date Filed</b>	16 October 2018
<b>Respondent</b>	Presco PLC Nigeria (SIAT SA)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Nigeria
<b>Complainant</b>	Oria-Abraka Community
<b>Complaint description</b>	Infringement of customary rights of the local community.
<b>Status</b>	(C) CP constituted
<b>Decision / Justification</b>	<b>1. Adjourned pending mediation.</b>

<b>Complaint 2.10 PT. Agri Plus (Bumitama Agri Ltd) vs Link-AR Borneo</b>	
<b>Date Filed</b>	25 January 2019
<b>Respondent</b>	PT Agri Plus
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Link-AR Borneo
<b>Complaint description</b>	FPIC Process, EIA/SIA Pollution
<b>Status</b>	(D) Investigation/Deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. The Complainants and Respondent have agreed to enter into direct discussions outside the Complaints system.</li> <li>2. The Secretariat has received the official letter of withdrawal of Complaint from the Complainants and can proceed to close the Complaint.</li> </ol>

**GROUP 3**

<b>Complaint 3.1 PT. Kartika Prima Cipta (GAR) vs Forest Peoples Programme &amp; TuK</b>	
<b>Date Filed</b>	14 October 2014
<b>Respondent</b>	Golden Agri Resources (GAR) – PT Kartika Prima Cipta (KPC)
<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>Points raised:-</b></p> <ol style="list-style-type: none"> <li>1. 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>2. Land takeover was done without land tenure study and participatory mapping.</li> <li>3. Late HCV assessment which was done by IPB, final consultation was in May 2014.</li> <li>4. Dissatisfaction by smallholders and resentment because of reduced post facto set aside for HCV rather than getting plasma scheme (20%).</li> <li>5. Set aside land as HCS area that made no provision for customary land uses and tenure and local people livelihood.</li> <li>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.</li> <li>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&amp;C.</li> </ol>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. Briefing note is in progress.</b>

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



<b>Complaint 3.3 Poligrow vs Video by Environmental Investigation Agency</b>	
<b>Date Filed</b>	13 August 2015
<b>Respondent</b>	Poligrow Colombia
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Colombia
<b>Complainant</b>	Environmental Investigation Agency
<b>Complaint description</b>	EIA’s video, “Between Water and Oil Palm,” is a collaboration with Colombian group La Comisión Intereclesial de Justicia y Paz (Justicia y Paz) and has documented how investments have come at the expense of indigenous rights in Mapiripán, Meta, Colombia. One company, the Italian-owned Poligrow Ltd, has prohibited the Jiw and Sikuni indigenous communities from using traditional hunting and fishing lands, and prevented access to a culturally revered site, Las Toninas—a lake considered sacred and home to pink dolphins. The Jiw report that no free, prior, or informed consultation has taken place regarding Poligrow’s operations and that the company’s expansion limits their right to freedom of movement. The video above alleged abuses by RSPO Italian member in Colombia.
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. Briefing note is in progress.</b>



<b>Complaint 3.4 Goodhope Asia Holdings vs RSPO Secretariat</b>	
<b>Date Filed</b>	19 April 2017
<b>Respondent</b>	Goodhope Asia Holdings
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	RSPO Secretariat (Following Joint Comment by FPP, Greenpeace, EIA and PUSAKA on the NPP Posting of PT Nabire Baru / Goodhope)
<b>Complaint description</b>	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).
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<p><u>Sintang Region:</u></p> <ol style="list-style-type: none"> <li>The SWO was lifted on 18 June 2019.</li> </ol> <p><u>Ketapang Region:</u></p> <ol style="list-style-type: none"> <li>Pending review by the Compensation Panel on the calculation for conservation liability.</li> </ol>



<b>Complaint 3.5 IOI Pelita (IOI Group) vs Community of Long Teran Kanan</b>	
<b>Date Filed</b>	10 March 2010 Transferred back from DSF to Complaints Panel on 17 January 2017
<b>Respondent</b>	IOI Pelita (IOI Group)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Sarawak, Malaysia
<b>Complainant</b>	Community of Long Teran Kanan
<b>Complaint description</b>	Infringement of P&C No.2.2 – the right to land use disputed
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. Secretariat to seek further clarification from IOI with respect to the Resolution Plan.</b>

<b>Complaint 3.6 PT. Primatama Mulia Jaya v Masyarakat Adat Luhak</b>	
<b>Date Filed</b>	12 July 2018
<b>Respondent</b>	PT Primatama Mulia Jaya [subsidiary of Wilmar International]
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Masyarakat Adat Luhak Saparampek Simpang Tigo and Forest People Programme (FPP)
<b>Complaint description</b>	The issuance of Right of Utilization of the Respondent issued without prior information to the Complainant
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li><b>The Secretariat is in the process of holding a joint case management with the other departments within the Secretariat and thereafter will finalise the briefing note.</b></li> </ol>



<b>Complaint 3.7 PT. Agro Andalan (PT. Dharma Satya Nusantara) v Link-AR Borneo</b>	
<b>Date Filed</b>	7 September 2018
<b>Respondent</b>	PT Agro Andalan (PT Dharma Satya Nusantara)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Link-AR Borneo
<b>Complaint description</b>	Labourer died due to pesticides poisoning.
<b>Status</b>	(C) CP constituted
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>The Complainant has withdrawn the complaint.</b></li> <li>2. <b>Pending decision by the CP.</b></li> </ol>

<b>Complaint 3.8 PT. Agro Lestari Mandiri (Sinar Mas) vs Serikat Buruh Sejahtera Indonesia Kabupaten Ketapang</b>	
<b>Date Filed</b>	30 August 2018
<b>Respondent</b>	PT Agro Lestari Mandiri (Sinar Mas)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Serikat Buruh Sejahtera Indonesia Kabupaten Ketapang
<b>Complaint description</b>	PT Agro Lestari Mandiri allegedly terminated workers in violation of the Indonesian Employment Law.
<b>Status</b>	(C) CP constituted
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>The Complainant has forwarded all the Court documents to the Secretariat.</b></li> <li>2. <b>The Secretariat is in the midst of getting the status of the Court from the Respondent from the Industry Court of Indonesia.</b></li> </ol>

<b>Complaint 3.9 PT. Kapuas Maju Jaya (Genting Plantation Bhd) vs Kelompok Tani Penghijauan Tingang Menteng</b>	
<b>Date Filed</b>	12 October 2018
<b>Respondent</b>	PT Kapuas Maju Jaya (Genting Plantation Bhd)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Kelompok Tani Penghijauan Tingang Menteng
<b>Complaint description</b>	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.
<b>Status</b>	(C) CP constituted
<b>Update on Actions</b>	Both Parties agree to proceed with Bilateral Engagement.
<b>Decision / Justification</b>	<b>1. Secretariat is to sent the CP decision letter to the parties to the Complaint.</b>

<b>Complaint 3.10 PT. Perkebunan Nusantara III vs Pemimpinan Cabang Federasi Serikat Pekerja Metal Indonesia</b>	
<b>Date Filed</b>	18 January 2019
<b>Respondent</b>	PT Perkebunan Nusantara III
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Pemimpinan Cabang Federasi Serikat Pekerja Metal Indonesia
<b>Complaint description</b>	Minimum wage Wage withholding/Deduction Occupational Hazard, Unsafe working conditions, exposure to chemicals.
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. Pending formal response on the settlement agreement from the Complainant.</li> <li>2. Pending response from the Certification Body on the status of the certified unit.</li> </ol>

<b>Complaint 3.11 PT Smart Tbk - subsidiary of Golden Agri Resources (GAR) vs Masyarakat Dusun I/II/III Belongkut</b>	
<b>Date Filed</b>	18 October 2018
<b>Respondent</b>	PT Smart Tbk - subsidiary of Golden Agri Resources
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Masyarakat Dusun I/II/III Belongkut
<b>Complaint description</b>	The termination of employment by PT Smart Tbk Kebun Adi Pati without severance payment
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. Briefing note is in progress.</b>



<b>Complaint 3.12 Oleaginosas Del Peru S.A (OLPESA) vs Community of Santa Clara de Uchunya</b>	
<b>Date Filed</b>	22 March 2019
<b>Respondent</b>	Oleaginosas Del Peru S.A. (OLPESA)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Peru
<b>Complainant</b>	Community of Santa Clara de Uchunya
<b>Complaint description</b>	<ol style="list-style-type: none"> <li>1. Sourcing FFB from unsustainable origin.</li> <li>2. Failure to conduct SIA.</li> </ol>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. Pending formal response from the Respondent.</li> </ol>