



COMPLAINTS PANEL MINUTES OF MEETING for Website

Date: 24 April 2024 @ 5.00pm - 6.35pm

Meeting : via Zoom

| MEMBERS OF THE COMPLAINTS PANEL | |
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| | <ol style="list-style-type: none">1. Henry Barlow (Chair - CCP)2. Lim Sian Choo (Co Chair)3. Michelle Desilets4. Marieke Leegwater5. Lanash Thanda6. Robert Kruger7. Florentine van den Eerenbeemt8. Priya Gopalan9. Carl Dagenhart10. Kartika Dewi11. Irene Aycinena Abascal12. Miguel Tejada Iraizoz |
| GENERAL AGENDA | |
| | <ol style="list-style-type: none">1. Opening Remarks by Chairperson2. RSPO Antitrust Guidelines3. Declaration of Conflict of Interest4. To confirm and adopt the minutes of 26 March 2024 CP Meeting5. New Allegations6. Complaints Case Statistics7. Complaints Panel Meeting Dates<ol style="list-style-type: none">7.1 Dates for CP Monthly Meetings7.2 Dates for CP Physical Meetings7.3 Expansion of the Complaints Panel8. Post Complaints Monitoring |



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| | <ol style="list-style-type: none"> 9. Dispute Settlement Facility (DSF) 10. Commitment of Financial Institutions. 11. 1st Internal Voluntary Review of the Complaints and Appeals Procedures 12. ASC-CP Joint Meeting 13. Complaints for deliberation |
| | Group 1 - COMPLAINTS FOR DELIBERATION |
| | <ol style="list-style-type: none"> 1. Pacific Inter-Link (Papuan Concessions) vs Environmental Investigation Agency (EIA) & Greenpeace 2. PT. Mitra Karya Sentosa (a subsidiary of First Resources Limited) vs Requested for Confidentiality 3. Papaso Estate & PT Damai Nusa Sekawan - Sosa & Bukit Udang Estate (a subsidiary of Permata Hijau Group) vs Requested for Confidentiality 4. PT. Sari Dumai Sejati (a subsidiary of AAA Oils and Fats Pte Ltd (APICAL Group) vs Mr. Hidayat Rasyid 5. PT. Cipta Davia Mandiri (a subsidiary of R.E.A. Holdings Plc) vs Requested for Confidentiality 6. PT Grahadura Leidong Prima (a subsidiary of PT. Bakrie Sumatera Plantations TBK) vs Requested for Confidentiality 7. PT. Cipta Davia Mandiri (a subsidiary of R.E.A. Holdings Plc) vs Requested for Confidentiality |
| | Group 2 - COMPLAINTS FOR DELIBERATION |
| | <ol style="list-style-type: none"> 1. PT. Ramajaya Pramukti (subsidiary of Golden Agri Resources Ltd) vs Lembaga Adat Kenegerian Petapahan (Ninik Mamak Kenegerian Petapahan), Bahtera Alam & Sawit Watch 2. PT. Perkebunan Nusantara V (PERSERO) vs Requested for Confidentiality 3. PT. Tunggal Mitra Plantation (a subsidiary of Sime Darby Plantation Berhad) vs Requested for Confidentiality |
| | Group 3 - COMPLAINTS FOR DELIBERATION |



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| | <ol style="list-style-type: none">1. PT. Kartika Prima Cipta (PT. KPC) - subsidiary of Golden Agri Resources (GAR) vs Forest Peoples Programme & TuK Indonesia2. Golden Agri Resources (GAR) vs Forest Peoples Programme & Elk Hills Foundation3. Aceites Y Derivados Sociedad Anonima (ACEYDESA) vs Requested for Confidentiality4. First Resources Limited vs Requested for Confidentiality5. PT Inecda (a subsidiary of S&G Biofuel Pte. Ltd) vs Requested for Confidentiality6. Grasas Y Derivados S.A. Gradesa S.A vs Requested for Confidentiality7. Energy & Palma S.A. (a subsidiary of HOLDING LA FABRIL S.A) vs Requested for Confidentiality8. PT. Bumi Pratama Khatulistiwa (subsidiary of Wilmar International Limited) vs Requested for Confidentiality9. Energy & Palma S.A. (subsidiary of La Fabril Group) vs Requested for Confidentiality |
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DETAILS OF THE AGENDA:

| No. | Agenda | | | | | | | | | | |
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| 1. | Opening Remarks from Chairperson Opening speech by CCP. | | | | | | | | | | |
| 2. | RSPO Antitrust Guidelines RSPO Antitrust Guidelines were read to the CP. | | | | | | | | | | |
| 3. | Declaration of “No Conflict of Interest” No further Conflict of Interest declared at this time of the meeting. | | | | | | | | | | |
| 4. | To confirm and adopt the minutes of 26 March 2024 during the Complaints Panel Meeting Minutes of 26 March 2024 were adopted unanimously. | | | | | | | | | | |
| 5. | New allegation submitted | | | | | | | | | | |
| 5.1 | <table border="1" data-bbox="231 1205 1423 1765"> <tbody> <tr> <td data-bbox="231 1205 529 1283">RSPO/2024/03/LSL</td> <td data-bbox="529 1205 1423 1283">PT Citra Sawit Cemerlang (a subsidiary of Genting Plantations Berhad)</td> </tr> <tr> <td data-bbox="231 1283 529 1361">Complainant</td> <td data-bbox="529 1283 1423 1361">Requested for confidentiality</td> </tr> <tr> <td data-bbox="231 1361 529 1440">Complaint received</td> <td data-bbox="529 1361 1423 1440">04 March 2024</td> </tr> <tr> <td data-bbox="231 1440 529 1518">Location</td> <td data-bbox="529 1440 1423 1518">Kalimantan Barat, Indonesia</td> </tr> <tr> <td data-bbox="231 1518 529 1765">Allegations</td> <td data-bbox="529 1518 1423 1765"> <ul style="list-style-type: none"> ● Allegations revolve around land issues where the Complainant(s) were evicted by the Respondent from their agricultural land. ● There are elements of intimidation by the Respondent and local authorities in the process of resolving the disagreements on the aforementioned land dispute. ● The Respondent destroyed the irrigation built by the government. </td> </tr> </tbody> </table> <p data-bbox="279 1843 635 1877">Discussion on 24 April 2024:-</p> <p data-bbox="279 1910 1353 1944">1. The Complaint is formally accepted and the Secretariat will attend to the necessary.</p> | RSPO/2024/03/LSL | PT Citra Sawit Cemerlang (a subsidiary of Genting Plantations Berhad) | Complainant | Requested for confidentiality | Complaint received | 04 March 2024 | Location | Kalimantan Barat, Indonesia | Allegations | <ul style="list-style-type: none"> ● Allegations revolve around land issues where the Complainant(s) were evicted by the Respondent from their agricultural land. ● There are elements of intimidation by the Respondent and local authorities in the process of resolving the disagreements on the aforementioned land dispute. ● The Respondent destroyed the irrigation built by the government. |
| RSPO/2024/03/LSL | PT Citra Sawit Cemerlang (a subsidiary of Genting Plantations Berhad) | | | | | | | | | | |
| Complainant | Requested for confidentiality | | | | | | | | | | |
| Complaint received | 04 March 2024 | | | | | | | | | | |
| Location | Kalimantan Barat, Indonesia | | | | | | | | | | |
| Allegations | <ul style="list-style-type: none"> ● Allegations revolve around land issues where the Complainant(s) were evicted by the Respondent from their agricultural land. ● There are elements of intimidation by the Respondent and local authorities in the process of resolving the disagreements on the aforementioned land dispute. ● The Respondent destroyed the irrigation built by the government. | | | | | | | | | | |

5.2

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| RSPO/2024/04/MAM | Poligrow Colombia S.A.S. |
| Complainant | Inversiones Chirajara S.A.S. |
| Complaint received | 18 March 2024 |
| Location | Colombia |
| Allegations | <ul style="list-style-type: none"> • The Respondent infringed a private property to do a firebreak. • The Respondent destroyed part of the forest of the plot of land and affected the place where the Complainant’s cattle were located. • The Respondent did not comply with a conciliation agreement signed between the parties. |

Discussion on 24 April 2024:-

- 1. Initial Diagnosis was submitted to the CP for endorsement.**

5.3

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| RSPO/2024/05/RR | PT Swadaya Mukti Prakarsa (a subsidiary of First Resources Limited) |
| Complainant | Requested for confidentiality |
| Complaint received | 20 March 2024 |
| Location | Kalimantan Barat, Indonesia |
| Allegations | <ul style="list-style-type: none"> • Allegations raised against the Respondent are pertaining to a variety of workers rights violations, such as poor working conditions, non-provisions of subsidy, non-payment of social security (BPJS), poor safety conditions, workers health, unreasonable working hours, amongst others. • The Complainant also alleged that several of its workers had been arrested by the police, for protesting against the Respondent company pertaining to their rights. |

Discussion on 24 April 2024:-

- 1. Initial Diagnosis is in progress.**



6. Complaints Cases Statistics

Total cases in 2024

| Month | Complaints received | Country | Open | Closed | Rejected | Withdrawn |
|----------|---------------------|---------------------------|------|--------|----------|-----------|
| January | 1 | Indonesia | 1 | 0 | 0 | 0 |
| February | 1 | Indonesia | 1 | 0 | 0 | 0 |
| March | 3 | Indonesia (2) Colombia | 3 | 0 | 0 | 0 |
| April | - | - | - | - | - | - |

Total Active Cases by Country and Year (as of 22.04.2024)

| Country | Active Cases | Year | Active Cases |
|--------------|--------------|--------------|--------------|
| Indonesia | 17 | 2014 | 1 |
| Colombia | 2 | 2018 | 1 |
| Honduras | 1 | 2020 | 2 |
| Ecuador | 2 | 2021 | 5 |
| | | 2022 | 3 |
| | | 2023 | 5 |
| | | 2024 | 5 |
| TOTAL | 22 | TOTAL | 22 |

7. Complaints Panel

7.1 Dates for Complaints Panel monthly meetings

Discussion on 24 April 2024:-

- CP meetings dates until the end of 2024 have been scheduled.



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| 7.2 | Dates for Complaints Panel Physical Meetings |
| | <p>Discussion on 24 April 2024:-</p> <ol style="list-style-type: none"> 1. The 2nd Quarterly CP meeting is scheduled for 16 May 2024. |
| 7.3 | Expansion of Complaints Panel |
| | <p>Discussion on 24 April 2024:-</p> <ol style="list-style-type: none"> 1. Pending submission of the minutes of the Selection Interview to the BoG. |
| 8. | Post Complaint's Monitoring |
| 8.1 | FELDA Global Venture - (Article by The Wall Street Journal) |
| | <p>Discussion on 24 April 2024:-</p> <ol style="list-style-type: none"> 1. Pending receipt of a further document from the Respondent. |
| 8.2 | Extractor de la Gloria SAS |
| | <p>Discussion on 24 April 2024:-</p> <ol style="list-style-type: none"> 1. The Secretariat has received the monthly update for March 2024. Pending receipt of a monthly update for April 2024. 2. Related to the judicial and administrative processes, this matter is still status quo. |
| 8.3 | Golden Veroleum Liberia (GVL) |
| | <p>Discussion on 24 April 2024:-</p> <ol style="list-style-type: none"> 1. Interim Briefing Note for PCM directive submitted to the CP for deliberations. |
| 8.4 | PT. Bumitama Gunajaya Agro (subsidiary of Bumitama Agri Ltd) |
| | <p>Discussion on 24 April 2024:-</p> <ol style="list-style-type: none"> 1. The parties' progress update for the month of April 2024 was furnished to the Secretariat on 22 April 2024. |



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| 9. | Dispute Settlement Facility (DSF) |
| | <p>Discussion on 24 April 2024:-</p> <ol style="list-style-type: none">1. The process of shortlisting mediators to be on the DSF panel is completed. |
| 10. | Commitments of Financial Institution(s) |
| | <p>Discussion on 24 April 2024:-</p> <ol style="list-style-type: none">1. No further updates. |
| 11. | 1st Internal Voluntary Review of the Complaints and Appeals Procedures |
| | <p>Discussion on 24 April 2024:-</p> <ol style="list-style-type: none">1. A further meeting has been scheduled on 02.05.2024 to discuss the draft Report on Recommendations. |
| 12. | ASC - CP JOINT MEETING |
| | <p>Discussion on 24 April 2024:-</p> <ol style="list-style-type: none">1. Pending scheduling of the next ASC-CP meeting. |



COMPLAINTS FOR DELIBERATION:-

GROUP 1

| Complaint 1.1 Pacific Inter-Link (Papuan Concessions) vs Environmental Investigation Agency (EIA) & Greenpeace | |
|---|---|
| Case Reference | RSPO/2018/19/RB |
| Date Filed | 15 October 2018 |
| Respondent | Pacific Inter-Link (Papuan Concessions) |
| Membership Category | Processors and / or Traders |
| Country | Indonesia |
| Complainant | Environmental Investigation Agency (EIA) & Greenpeace |
| Complaint Description | <ul style="list-style-type: none"> Violation of the RSPO Code of Conduct because of their alleged involvement in the control/ownership and operational development of four palm oil plantation companies in Papua. |
| Status | Appeals deliberation |
| Decision / Justification | 1. The appeal is in progress. |

| Complaint 1.2 PT Mitra Karya Sentosa (a subsidiary of First Resources Limited) vs Requested for confidentiality | |
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| Case Reference | RSPO/2021/07/SW |
| Date Filed | 19 March 2021 |
| Respondent | PT. Mitra Karya Sentosa (a subsidiary of First Resources Limited) |
| Membership Category | Oil Palm Grower |
| Country | Indonesia |
| Complainant | Requested for confidentiality |
| Complaint Description | <ul style="list-style-type: none"> The Respondent did not pay the full land compensation to the six (6) individuals; The Respondent unilaterally marking up the cost of plasma development and |



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| | <p>did not refer to the relevant regulations in deciding the cost of plasma development;</p> <ul style="list-style-type: none"> • The Respondent did not pay the land compensation for the land identified as HCV and HCS area; and • 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. |
| Status | Decision delivered with period to appeal (60 WD) |
| Decision / Justification | 1. Decision delivered. Pending expiry of appeals period. |

| Complaint 1.3 Papaso Estate & PT Damai Nusa Sekawan - Soso & Bukit Udang Estate (a subsidiary of Permata Hijau Group) vs Requested for confidentiality | |
|---|--|
| Case Reference | RSPO/2021/05/SW |
| Date Filed | 19 March 2021 |
| Respondent | Papaso Estate & PT Damai Nusa Sekawan - Sosa & Bukit Udang Estate (a subsidiary of Permata Hijau Group) |
| Membership Category | Oil Palm Grower |
| Country | Indonesia |
| Complainant | Requested for confidentiality |
| Complaint Description | <ul style="list-style-type: none"> • Complainant alleged that the Respondent prohibits the workers to conduct union activities (protest with regards to the Omnibus Law); • Complainant alleged that the Respondent has conducted a unilateral termination of employment for the 2 (two) PT Permata Hijau Sawit workers; and • Complainant alleged that the Respondent did not socialize the Company Regulations (<i>Peraturan Perusahaan</i>) to the workers in PT Damai Nusa Sekawan. |
| Status | Decision delivered with period to appeal (60 WD) |
| Decision / Justification | 1. Decision delivered. Pending expiry of appeals period. |



| Complaint 1.4 PT. Sari Dumai Sejati (a subsidiary of AAA Oil and Fats Pte Ltd (APICAL Group) vs Mr. Hidayat Rasyid | |
|--|--|
| Case Reference | RSPO/2023/12/RR |
| Date Filed | 03 August 2023 |
| Respondent | PT. Sari Dumai Sejati (a subsidiary of AAA Oils and Fats Pte Ltd (APICAL Group) |
| Membership Category | Processors and / or Traders |
| Country | Indonesia |
| Complainant | Mr. Hidayat Rasyid |
| Complaint Description | <ul style="list-style-type: none"> • The Complainant is a representative of a community, and the Respondent is a Crude Palm Oil producer. • Allegations are with regards to unsustainable operations at the Respondent’s plant, causing severe air and noise pollution, disrupting and affecting the daily lives of the community. |
| Status | Investigation / Deliberation |
| Decision / Justification | <ol style="list-style-type: none"> 1. The Secretariat is in the midst of collating all the documents and information provided by both parties in the form of a Briefing Note for the Complaints Panel’s deliberation. |

| Complaint 1.5 PT Cipta Davia Mandiri (a subsidiary of R.E.A. Holdings Plc) vs Requested for confidentiality | |
|--|---|
| Case Reference | RSPO/2023/14/HH |
| Date Filed | 14 November 2023 |
| Respondent | PT Cipta Davia Mandiri (a subsidiary of R.E.A. Holdings Plc) |
| Membership Category | Oil Palm Grower |
| Country | Indonesia |
| Complainant | Requested for confidentiality |
| Complaint | <ul style="list-style-type: none"> • The Complainant alleges that the Respondent’s plasma allocation and |



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| Description | development is not in accordance with the MoU or agreement between the Respondent and the community of Kelinjau Ulu Village. |
| Status | Investigation / Deliberation |
| Decision / Justification | 1. The CP has deliberated on the Complaint. Pending preparation of the draft decision letter. |

| Complaint 1.6 PT Grahadura Leidong Prima (a subsidiary of PT Bakrie Sumatera Plantations TBK) vs Requested for confidentiality | |
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| Case Reference | RSPO/2023/15/HN |
| Date Filed | 23 November 2023 |
| Respondent | PT Grahadura Leidong Prima (a subsidiary of PT Bakrie Sumatera Plantations TBK) |
| Membership Category | Oil Palm Grower |
| Country | Indonesia |
| Complainant | Requested for confidentiality |
| Complaint Description | <ul style="list-style-type: none"> The Complainant alleges that the Respondent has yet to fulfil the commitment to allocate plasma land to the community. |
| Status | Investigation / Deliberation |
| Decision / Justification | <ol style="list-style-type: none"> Both Parties agreed to pursue DSF mediation and the Secretariat scheduled the introductory meeting between the mediators and the Parties separately. The investigation process will be adjourned pending the outcome of the DSF mediation process. |



Complaint 1.7 PT Cipta Davia Mandiri (a subsidiary of R.E.A.Holdings Plc) vs Requested for confidentiality

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| Case Reference | RSPO/2024/01/LSL |
| Date Filed | 8 January 2024 |
| Respondent | PT Cipta Davia Mandiri (a subsidiary of R.E.A. Holdings Plc) |
| Membership Category | Oil Palm Grower |
| Country | Indonesia |
| Complainant | Requested for confidentiality |
| Complaint Description | <ul style="list-style-type: none">• The allegation is pertaining to the plasma allocation with the ratio of 80:20 based on the plasma agreement.• The affected parties have not received the 20% share of the revenue generated from the plasma land since 2010 till date. |
| Status | Investigation / Deliberation - Bilateral Engagement process |
| Decision / Justification | <ol style="list-style-type: none">1. The BE process is on-going.2. Parties are in the midst of scheduling the first BE meeting. |



GROUP 2

| Complaint 2.1 PT Ramajaya Pramukti (subsidiary of Golden Agri Resources Ltd) vs Lembaga Adat Kenegerian Petapahan (Ninik Mamak Kenegerian Petapahan), Bahtera Alam & Sawit Watch | |
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| Case Reference | RSPO/2021/12/CRP |
| Date Filed | 08 November 2021 |
| Respondent | PT. Ramajaya Pramukti (subsidiary of Golden Agri Resources Ltd) |
| Membership Category | Oil Palm Grower |
| Country | Indonesia |
| Complainant | Lembaga Adat Kenegerian Petapahan (Ninik Mamak Kenegerian Petapahan), Bahtera Alam & Sawit Watch |
| Complaint Description | <ul style="list-style-type: none"> ● that the Respondent conducted land expansion to about 167 hectares into the Imbo Putui Customary Forest; ● 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; ● 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); ● 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; ● that the Respondent changed the natural shape of the rivers and made them straight; ● that the Respondent is destroying the downstream river ecosystem in the Imbo Putui customary forest with fertilizers and pesticides; and ● that the Respondent claimed the Imbo Putui Customary Forest as their conservation area (HCV). |
| Status | Decision delivered with period to appeal (60 WD) |
| Decision / Justification | 1. Decision delivered. Pending expiry of appeals period. |



| Complaint 2.2 PT. Perkebunan Nusantara V (PERSERO) vs Requested for confidentiality | |
|--|--|
| Case Reference | RSPO/2022/03/CRP |
| Date Filed | 04 March 2022 |
| Respondent | PT. Perkebunan Nusantara V (PERSERO) |
| Membership Category | Oil Palm Grower |
| Country | Indonesia |
| Complainant | Requested for confidentiality |
| Complaint Description | <ul style="list-style-type: none"> • The Respondent is alleged of illegally controlling some of the KKPA (Primary Member Cooperative Credit) objects, as well as violating the KKPA agreement. • The Respondent is alleged of embezzling funds and fraud in the development of oil palm plantations. • 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 distributed to its members and illegal bailout funds. |
| Status | Investigation/Deliberation |
| Decision / Justification | <ol style="list-style-type: none"> 1. The Ad hoc meeting proceeded on 02.04.2024. 2. The CP has directed the Secretariat to facilitate a social dialogue between the Complainant and the Respondent in attempting to amicably resolve their dispute before the CP delivers the decision on this matter. 3. The Complainant and Respondent declined to participate in the social dialogue facilitated by the Secretariat. 4. The Secretariat is in the midst of drafting the decision letter as directed by CP during the Ad hoc meeting. |



Complaint 2.3 PT Tunggal Mitra Plantation (a subsidiary of Sime Darby Plantation Berhad) vs Requested for confidentiality

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|---------------------------------|---|
| Case Reference | RSPO/2024/02/RR |
| Date Filed | 23 February 2024 |
| Respondent | PT. Tunggal Mitra Plantation (a subsidiary of Sime Darby Plantation Berhad) |
| Membership Category | Oil Palm Grower |
| Country | Riau, Indonesia |
| Complainant | Requested for confidentiality |
| Complaint Description | <ul style="list-style-type: none"> Alleged failure by the Respondent Company to carry out its corporate social responsibility with regard to community empowerment and building a sustainable partnership with the community. |
| Status | Investigation/Deliberation |
| Decision / Justification | <ol style="list-style-type: none"> Pending response from the Complainant with regard to confidentiality in the Complaints Form and the contents therein prior to the Secretariat furnishing the same to the Respondent for their formal response. |



GROUP 3

| Complaint 3.1 PT. Kartika Prima Cipta (GAR) vs Forest Peoples Programme & TuK | |
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| Case Reference | PreCAP/2014/03/IR |
| Date Filed | 13 October 2014 |
| Respondent | PT. Kartika Prima Cipta (PT.KPC) - Golden Agri Resources (GAR) |
| Membership Category | Oil Palm Grower |
| Country | Indonesia – Kapuas Hulu, West Kalimantan |
| Complainant | Forest Peoples Programme (FPP) and (Transformasi untuk Keadilan) TuK Indonesia |
| Complaint Description | <p><u>Points raised:-</u></p> <ul style="list-style-type: none"> ● PT KPC is in persistent violation of the RSPO P&C pertaining HCV assessment, the recognition of customary land rights and free, prior, and informed consent (FPIC). Lack of FPIC of the local Dayak and Malay people in the process of land take over. ● Land takeover was done without land tenure study and participatory mapping. ● Late HCV assessment which was done by IPB, final consultation was in May 2014. ● Dissatisfaction by smallholders and resentment because of reduced post facto set aside for HCV rather than getting plasma scheme (20%). ● Set aside land as HCS area that made no provision for customary land uses and tenure and local people livelihood. ● 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. ● The assessors which have endorsed GAR’s HCV assessment, ESIA’s and social engagement actions, are in violation of their responsibility to provide impartial assessment of company compliance with RSPO P&C. |
| Status | Investigation / Deliberation |
| Decision / Justification | 1. The Secretariat has presented the Briefing Note to the CP for deliberation. |



| Complaint 3.2 Golden Agri Resources (GAR) vs Forest Peoples Programme & Elk Hills Foundation | |
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| Case Reference | RSPO/2020/04/IR |
| Date Filed | 2 March 2020 |
| Respondent | Golden Agri Resource (GAR) |
| Membership Category | Oil Palm Grower |
| Country | Indonesia |
| Complainant | Forest Peoples Programme & Elk Hills Foundation |
| Complaint Description | <ul style="list-style-type: none"> • The Respondent, through its subsidiaries located in Central Kalimantan, operate its plantations with permits which never had the force of law; • The Respondent, through its employees have been involved in the payment of bribes to provincial officials in Central Kalimantan. |
| Status | Investigation / Deliberation |
| Decision / Justification | <ol style="list-style-type: none"> 1. The Secretariat has received the Final Report from the Independent Consultant 2. The Secretariat is in the midst of preparing the Briefing Note for CP's deliberation. |

| Complaint 3.3 Aceites Y Derivados Sociedad Anonima (ACEYDESA) vs Requested for confidentiality | |
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| Case Reference | RSPO/2020/07/LSL |
| Date Filed | 6 April 2020 |
| Respondent | Aceites Y Derivados Sociedad Anonima (ACEYDESA) |
| Membership Category | Oil Palm Grower |
| Country | Honduras |
| Complainant | Requested for confidentiality |
| Complaint Description | <ul style="list-style-type: none"> • Modification of property deeds to remove areas identified by the government as environmental protection zone; |



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| | <ul style="list-style-type: none"> ● Employees not paid minimum wage; not provided with equipment; and not given workers' benefits; ● Non-compliance with labour laws; ● Threatening of workers to suppress information from auditors; ● Bribing workers and government agencies; ● Manipulation of scale systems; Falsification of data; ● Operating without an environmental license. |
| Status | Investigation / Deliberation |
| Decision / Justification | 1. Pending endorsement of the decision letter from the CP members. |

| Complaint 3.4 First Resources Limited vs Requested for confidentiality | |
|---|--|
| Case Reference | RSPO/2021/04/EN |
| Date Filed | 8 March 2021 |
| Respondent | First Resources Limited |
| Membership Category | Oil Palm Grower |
| Country | Indonesia |
| Complainant | Requested for confidentiality |
| Complaint Description | <ul style="list-style-type: none"> ● 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. ● 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. ● 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. ● The Respondent, via CAA, have violated the RSPO Principles and Criteria by deforestation, peatland degradation, using lands for plantation without FPIC, and river pollution. ● The Respondent is violating its NDPE Commitments, the RSPO Principle and Criteria, the RSPO Code of Conduct, and RSPO membership rules. |



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| | <ul style="list-style-type: none"> The Complainants alleged that the Respondent has control and influence over a group of companies known as New Borneo Agri (“the Sulaidy companies”), a non-RSPO member who was not declared in Respondent’s RSPO Group Membership. |
| Status | Investigation / Deliberation |
| Decision / Justification | <ol style="list-style-type: none"> The Secretariat is in the midst of finalising the Service Agreement with the appointed Consultant. |

| Complaint 3.5 PT Inecda (a subsidiary of S&G Biofuel Pte. Ltd) vs Requested for confidentiality | |
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| Case Reference | RSPO/2021/06/SW |
| Date Filed | 19 March 2021 |
| Respondent | PT Inecda (a subsidiary of S&G Biofuel Pte. Ltd) |
| Membership Category | Oil Palm Grower |
| Country | Indonesia |
| Complainant | Requested for confidentiality |
| Complaint Description | <ul style="list-style-type: none"> Respondent is operating in the area own by the Luak Talang Parit Community without obtaining prior consent from the community; Respondent did not develop the plasma plantations for the community; and Respondent did not have an internal grievance mechanism that the stakeholders can access |
| Status | Investigation / Deliberation |
| Decision / Justification | <ol style="list-style-type: none"> The Secretariat is in the midst of preparing the Briefing Note for the CP’s deliberation. |



| Complaint 3.6 Grasas Y Derivados S.A. Gradesa S.A. vs Requested for confidentiality Adjourned | |
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| Case Reference | RSPO/2022/14/MAM |
| Date Filed | 03 November 2022 |
| Respondent | Grasas Y Derivados S.A. Gradesa S.A. |
| Membership Category | Processors and / or Traders |
| Country | Colombia |
| Complainant | Requested for confidentiality |
| Complaint Description | <ul style="list-style-type: none"> ● Prosecution of union workers in order to lay off them and weaken the union. ● Infringement of constitutional rights, because the company is affecting the right of union association. ● Dismissals of labour contracts without a fair cause. |
| Status | Investigation / Deliberation - (Adjourned) |
| Decision / Justification | <ol style="list-style-type: none"> 1. This Complaint is still adjourned pending the outcome of the proceedings before the Ministry of Labour. |



Complaint 3.7 Energy & Palma S.A. (subsidiary of HOLDING LA FABRIL S.A) vs Requested for confidentiality

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|---------------------------------|--|
| Case Reference | RSPO/2023/01/MAM |
| Date Filed | 05 January 2023 |
| Respondent | Energy & Palma S.A. (a subsidiary of HOLDING LA FABRIL S.A) |
| Membership Category | Oil Palm Grower |
| Country | Ecuador |
| Complainant | Requested for confidentiality |
| Complaint Description | <ul style="list-style-type: none">● 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.● Lawsuit against community owners to intimidate the local people.● Company's activities have a negative impact on the natural environment and lead to degradation and deforestation. |
| Status | Investigation / Deliberation |
| Decision / Justification | <ol style="list-style-type: none">1. The Secretariat is in the midst of reviewing all the information presented by the applicants (Independent Consultants) to be presented to the CP for their perusal and comments. |



| Complaint 3.8 PT. Bumi Pratama Khatulistiwa (subsidiary of Wilmar International Limited) vs Requested for confidentiality | |
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| Case Reference | RSPO/2022/17/LSL |
| Date Filed | 26 December 2022 |
| Respondent | PT. Bumi Pratama Khatulistiwa (subsidiary of Wilmar International Limited) |
| Membership Category | Oil Palm Grower |
| Country | Indonesia |
| Complainant | Requested for confidentiality |
| Complaint Description | <ul style="list-style-type: none"> ● 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) ● 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, ● The Respondent is allegedly not transparent in determining Lembaga Kerjasama (LKS) bipartite and the amount of FFB delivered to the factory/mill. |
| Status | Investigation / Deliberation |
| Decision / Justification | <ol style="list-style-type: none"> 1. A new Certification Body (CB) has been engaged by the Respondent. 2. The Certification Unit has requested the newly appointed CB to perform the special audit. |



| Complaint 3.9 Energy & Palma S.A. (subsidiary of La Fabril Group) vs Requested for confidentiality | |
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| Case Reference | RSPO/2023/09/MAM |
| Date Filed | 16 May 2023 |
| Respondent | Energy & Palma S.A. (subsidiary of La Fabril Group) |
| Membership Category | Oil Palm Grower |
| Country | Ecuador |
| Complainant | Requested for confidentiality |
| Complaint Description | <ul style="list-style-type: none"> ● Decrease of the number of workers in a union due to actions of the Respondent. ● Preventing the Union from conducting its activity. ● Wrongful dismissal or termination of employment. ● Bad working conditions. ● No supply of work equipment (such as tools). |
| Status | Investigation / Deliberation |
| Decision / Justification | <ol style="list-style-type: none"> 1. The Secretariat is in the midst of reviewing all the information and evidence presented by each party. |