



COMPLAINTS PANEL MINUTES OF MEETING for Website

Date: 31 July 2024 @ 5.00pm - 7.50pm

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 Iraizoz13. Henky Satrio Wibowo14. Juliarta Bramansa Ottay |
| 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 June 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. PT. Sari Dumai Sejati (a subsidiary of AAA Oils and Fats Pte Ltd (APICAL Group) vs Mr. Hidayat Rasyid 2. PT. Cipta Davia Mandiri (a subsidiary of R.E.A. Holdings Plc) vs Requested for Confidentiality 3. PT Grahadura Leidong Prima (a subsidiary of PT. Bakrie Sumatera Plantations TBK) vs Requested for Confidentiality 4. PT. Cipta Davia Mandiri (a subsidiary of R.E.A. Holdings Plc) vs Requested for Confidentiality 5. Poligrow Colombia S.A.S. vs Inversiones Chirajara S.A.S. 6. NATURACEITES S. A. vs Requested for Confidentiality 7. Palmas del Espino S.A. vs Requested for Confidentiality |
| | Group 2 - COMPLAINTS FOR DELIBERATION |
| | <ol style="list-style-type: none"> 1. PT. Perkebunan Nusantara V (PERSERO) vs Requested for Confidentiality 2. PT. Tunggal Mitra Plantation (a subsidiary of Sime Darby Plantation Berhad) vs Requested for Confidentiality 3. PT Citra Sawit Cemerlang (a subsidiary of Genting Plantations Berhad) Requested for Confidentiality 4. PT Swadaya Mukti Prakarsa (a subsidiary of First Resources Limited) vs Requested for Confidentiality |
| | Group 3 - COMPLAINTS FOR DELIBERATION |
| | <ol style="list-style-type: none"> 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. First Resources Limited vs Requested for Confidentiality |



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| | <ol style="list-style-type: none">4. PT Inecda (a subsidiary of S&G Biofuel Pte. Ltd) vs Requested for Confidentiality5. Grasas Y Derivados S.A. Gradesa S.A vs Requested for Confidentiality6. Energy & Palma S.A. (a subsidiary of HOLDING LA FABRIL S.A) vs Requested for Confidentiality7. PT. Bumi Pratama Khatulistiwa (subsidiary of Wilmar International Limited) vs Requested for Confidentiality8. Energy & Palma S.A. (subsidiary of La Fabril Group) vs Requested for Confidentiality |
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DETAILS OF THE AGENDA:

| No. | Agenda | | | | | | | | | | |
|--------------------|--|-----------------|--|-------------|-------------------------------|--------------------|--------------|----------|-----------------------------|-------------|--|
| 1. | <p>Opening Remarks from Chairperson</p> <p>Opening speech by CCP.</p> | | | | | | | | | | |
| 2. | <p>RSPO Antitrust Guidelines</p> <p>RSPO Antitrust Guidelines were read to the CP.</p> | | | | | | | | | | |
| 3. | <p>Declaration of “No Conflict of Interest”</p> <p>A CP member declared Conflict of Interest at the time of the meeting.</p> <p>No further Conflict of Interest declared by other CP members.</p> | | | | | | | | | | |
| 4. | <p>To confirm and adopt the minutes of 26 June 2024 during the Complaints Panel Meeting</p> <p>Minutes of 26 June 2024 adopted unanimously.</p> | | | | | | | | | | |
| 5. | <p>New allegation submitted</p> | | | | | | | | | | |
| 5.1 | <table border="1"> <tr> <td data-bbox="229 1406 507 1487">RSPO/2024/10/RH</td> <td data-bbox="507 1406 1423 1487">PT. Mitra Karya Sentosa (a subsidiary of First Resources Limited)</td> </tr> <tr> <td data-bbox="229 1487 507 1563">Complainant</td> <td data-bbox="507 1487 1423 1563">Requested for confidentiality</td> </tr> <tr> <td data-bbox="229 1563 507 1639">Complaint received</td> <td data-bbox="507 1563 1423 1639">10 July 2024</td> </tr> <tr> <td data-bbox="229 1639 507 1715">Location</td> <td data-bbox="507 1639 1423 1715">Kalimantan Barat, Indonesia</td> </tr> <tr> <td data-bbox="229 1715 507 1908">Allegations</td> <td data-bbox="507 1715 1423 1908"> <ul style="list-style-type: none"> The Respondent conducted land clearing, planting, and construction of a concession road boundary beyond the boundaries set out under its plantation business license (IUP) and/or right-to-cultivate land title (HGU). </td> </tr> </table> | RSPO/2024/10/RH | PT. Mitra Karya Sentosa (a subsidiary of First Resources Limited) | Complainant | Requested for confidentiality | Complaint received | 10 July 2024 | Location | Kalimantan Barat, Indonesia | Allegations | <ul style="list-style-type: none"> The Respondent conducted land clearing, planting, and construction of a concession road boundary beyond the boundaries set out under its plantation business license (IUP) and/or right-to-cultivate land title (HGU). |
| RSPO/2024/10/RH | PT. Mitra Karya Sentosa (a subsidiary of First Resources Limited) | | | | | | | | | | |
| Complainant | Requested for confidentiality | | | | | | | | | | |
| Complaint received | 10 July 2024 | | | | | | | | | | |
| Location | Kalimantan Barat, Indonesia | | | | | | | | | | |
| Allegations | <ul style="list-style-type: none"> The Respondent conducted land clearing, planting, and construction of a concession road boundary beyond the boundaries set out under its plantation business license (IUP) and/or right-to-cultivate land title (HGU). | | | | | | | | | | |



Discussion on 31 July 2024:-

- Initial Diagnosis in progress and due on or before 21 August 2024.**

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| RSPO/2024/11/RH | PT. Tapian Nadenggan - Langga Payung Palm Oil Mill (a subsidiary of Golden Agri-Resources Ltd) |
| Complainant | Requested for confidentiality |
| Complaint received | 15 July 2024 |
| Location | Sumatera Utara, Indonesia |
| Allegations | <ul style="list-style-type: none"> The Respondent wrongfully terminated the Complainant’s employment relationship without any compensation. |

Discussion on 31 July 2024:-

- Initial Diagnosis in progress and due on or before 26 August 2024.**

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 | 3 | Guatemala | 1 | 0 | 2 | 0 |
| May | 1 | Peru | 1 | 0 | 0 | 0 |
| June | 0 | 0 | 0 | 0 | 0 | 0 |
| July | 2 | Indonesia | 2 | 0 | 0 | 0 |

Total Active Cases by Country and Year (as of 29.07.2024)

| Country | Active Cases | Year | Active Cases |
|--------------|--------------|--------------|--------------|
| Indonesia | 15 | 2014 | 1 |
| Colombia | 2 | 2020 | 1 |
| Ecuador | 2 | 2021 | 2 |
| Guatemala | 1 | 2022 | 3 |
| Peru | 1 | 2023 | 5 |
| | | 2024 | 9 |
| TOTAL | 21 | TOTAL | 21 |

7. Complaints Panel

7.1 Dates for Complaints Panel monthly meetings

Discussion on 31 July 2024:-

1. CP meeting dates for the first half of 2025 have been scheduled.

7.2 Dates for Complaints Panel Physical Meetings

Discussion on 31 July 2024:-

1. Next quarterly meeting to proceed virtually on 4.09.2024 and the CP physical meeting to proceed on 10.11.2024.

7.3 Expansion of Complaints Panel

Discussion on 31 July 2024:-

1. No further updates.



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| 8. | Post Complaint's Monitoring |
| 8.1 | FELDA Global Venture - (Article by The Wall Street Journal) |
| | <p>Discussion on 31 July 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 31 July 2024:-</p> <ol style="list-style-type: none"> 1. Pending outcome of the local judicial and administrative processes. |
| 8.3 | Golden Veroleum Liberia (GVL) |
| | <p>Discussion on 31 July 2024:-</p> <ol style="list-style-type: none"> 1. Ad-hoc meeting proceeded as scheduled on 26.07.2024 between the Secretariat, CP and independent facilitator. The Secretariat to convey CP's directives to Parties. |
| 8.4 | PT. Bumitama Gunajaya Agro (subsidiary of Bumitama Agri Ltd) |
| | <p>Discussion on 31 July 2024:-</p> <ol style="list-style-type: none"> 1. On 19 July 2024, the Secretariat received the Parties' Post-Complaints Monitoring progress report for the month of July 2024. 2. On 25 July 2024, the Secretariat facilitated a consultation meeting requested by the parties at the Secretariat's Jakarta office. An action plan in an attempt to achieve an amicable resolution was formulated and agreed upon by the Parties. 3. The CP members agreed to extend the parties' Post-Complaints Monitoring period to 16 December 2024 so that the Parties may carry out their action plan. |
| 8.5 | Aceites Y Derivados Sociedad Anonima (ACEYDESA) |
| | <p>Discussion on 31 July 2024:-</p> <ol style="list-style-type: none"> 1. The CP members have endorsed the action plan. 2. The endorsement of the action plan was notified to the Respondent. 3. The Respondent has six (6) months from the endorsement to implement the action plan. |



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| 9. | Dispute Settlement Facility (DSF) |
| | <p>Discussion on 31 July 2024:-</p> <ol style="list-style-type: none">1. The appointments for DSF Mediators are finalised.2. The next DSF GoA Physical Meeting is scheduled on 11.11.2024. |
| 10. | Commitments of Financial Institution(s) |
| | <p>Discussion on 31 July 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 31 July 2024:-</p> <ol style="list-style-type: none">1. Pending receipt of comments from the remaining Steering Group members on the revised Report on Recommendations. Secretariat to follow up with Steering Group members. |
| 12. | ASC - CP JOINT MEETING |
| | <p>Discussion on 31 July 2024:-</p> <ol style="list-style-type: none">1. Pending the scheduling of the next ASC-CP joint meeting. |



COMPLAINTS FOR DELIBERATION:-

GROUP 1

| Complaint 1.1 PT. Sari Dumai Sejati (a subsidiary of AAA Oil and Fats Pte Ltd (APICAL Group) vs Mr. Hidayat Rasyid | |
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| 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 | 1. The Complaints Panel has directed the Secretariat to request for further documentation from the Respondent for deliberation. |

| Complaint 1.2 PT Cipta Davia Mandiri (a subsidiary of R.E.A. Holdings Plc) vs Requested for confidentiality | |
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| Case Reference | RSPO/2023/14/HN |
| 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 Description | <ul style="list-style-type: none"> • The Complainant alleges that the Respondent's plasma allocation and development is not in accordance with the MoU or agreement between the |



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| | Respondent and the community of Kelinjau Ulu Village. |
| Status | Decision delivered with period to appeal (60 WD) |
| Decision / Justification | 1. Pending expiry of the appeals period. |

Complaint 1.3 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 | 1. The Secretariat received several applications from candidates for the Independent Investigation. Pending review of the proposals submitted. |



Complaint 1.4 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 CP deliberated and reached a decision. 2. The Secretariat is to draft a decision letter. |

Complaint 1.5 Poligrow Colombia S.A.S. vs Inversiones Chirajara S.A.S.

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| Case Reference | RSPO/2024/04/MAM |
| Date Filed | 18 March 2024 |
| Respondent | Poligrow Colombia S.A.S. |
| Membership Category | Oil Palm Grower |
| Country | Colombia |



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| Complainant | Inversiones Chirajara S.A.S. |
| Complaint Description | <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. |
| Status | Investigation / Deliberation |
| Decision / Justification | 1. Review of Respondent's confidentiality request of documents submitted ongoing. |

| Complaint 1.6 NATURACEITES S. A. vs Requested for confidentiality | |
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| Case Reference | RSPO/2024/06/MAM |
| Date Filed | 24 April 2024 |
| Respondent | NATURACEITES S. A. |
| Membership Category | Oil Palm Grower |
| Country | Guatemala |
| Complainant | Requested for confidentiality |
| Complaint Description | <ul style="list-style-type: none"> • The Complainant alleges that the Respondent is affecting the compliance of the act on corporate due diligence obligations for the prevention of human right violations in the supply chain. • The Respondent has abused the human rights of the indigenous population since the Company has carried out an unlawful seizure of land and water. • The Respondent has not complied with labour law, because the Company has unjustifiably withheld the appropriate wage. • Occupational health and safety regulations are not respected by the Respondent. • The Complainant alleges that the improper disposal of waste made by the Respondent is affecting the environment of the area where the community lives. |
| Status | Investigation / Deliberation |



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| Decision / Justification | 1. Pending receipt of a formal response from the Respondent. |
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| Complaint 1.7 | Palmas del Espino S.A. vs Requested for confidentiality |
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| Case Reference | RSPO/2024/09/MAM |
| Date Filed | 27 May 2024 |
| Respondent | Palmas del Espino S.A. |
| Membership Category | Oil Palm Grower |
| Country | Peru |
| Complainant | Requested for confidentiality |
| Complaint Description | <ul style="list-style-type: none"> ● The Complainant alleges that the Respondent has acquired FFB using restrictive competition practices, which affects smallholders. ● The Respondent has omitted the RSPO antitrust guidelines. |
| Status | Investigation / Deliberation |
| Decision / Justification | <ol style="list-style-type: none"> 1. The formal acceptance of the Complaint was communicated to the Complainant via email. 2. The Complainant approved the proposed redacted document to be furnished to the Respondent for a formal response. 3. Pending receipt of a response from the Complainant on whether to proceed with either BE or DSF. |



GROUP 2

| Complaint 2.1 PT. Perkebunan Nusantara V (PERSERO) vs Requested for confidentiality | |
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| 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 | Decision delivered with period to appeal (60 WD) |
| Decision / Justification | <ol style="list-style-type: none"> 1. Pending expiry of the appeals period. |

| Complaint 2.2 PT Tunggal Mitra Plantation (a subsidiary of SD Guthrie 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 SD Guthrie Berhad) |
| Membership Category | Oil Palm Grower |
| Country | Riau, Indonesia |



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| 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 - (Bilateral Engagement process) |
| Decision / Justification | <ol style="list-style-type: none"> Bilateral Engagement process ongoing. |

| Complaint 2.3 PT Citra Sawit Cemerlang (a subsidiary of Genting Plantations Berhad) vs Requested for confidentiality | |
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| Case Reference | RSPO/2024/03/LSL |
| Date Filed | 04 March 2024 |
| Respondent | PT Citra Sawit Cemerlang (a subsidiary of Genting Plantations Berhad) |
| Membership Category | Oil Palm Grower |
| Country | Kalimantan Barat, Indonesia |
| Complainant | Requested for confidentiality |
| Complaint Description | <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. |
| Status | Investigation/Deliberation - DSF mediation process |
| Decision / Justification | <ol style="list-style-type: none"> Both Parties mutually appointed a DSF Mediator following separate introductory meetings with the available DSF Mediators. In light of the foregoing, DSF Mediation has commenced accordingly. |



Complaint 2.4 PT Swadaya Mukti Prakarsa (a subsidiary of First Resources Limited) vs Requested for confidentiality

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| Case Reference | RSPO/2024/05/RR |
| Date Filed | 20 March 2024 |
| Respondent | PT Swadaya Mukti Prakarsa (a subsidiary of First Resources Limited) |
| Membership Category | Oil Palm Grower |
| Country | Kalimantan Barat, Indonesia |
| Complainant | Requested for confidentiality |
| Complaint Description | <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. |
| Status | Investigation/Deliberation - Bilateral Engagement process |
| Decision / Justification | <ol style="list-style-type: none"> Bilateral Engagement process ongoing. |



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 | <p>1. The Secretariat has furnished the Draft Decision Letter for the CP’s perusal.</p> |



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 is still in the midst of peer reviewing the Briefing Note. |



| Complaint 3.3 First Resources Limited vs Requested for confidentiality | |
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| 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. • 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"> 1. The Secretariat has received the Draft Investigation Report from the Independent Investigator. 2. The Secretariat has furnished the Draft Investigation Report to the CP for its perusal. |



| Complaint 3.4 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 | 1. Briefing Note submitted to the CP. Deliberations in progress. |

| Complaint 3.5 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 | <ul style="list-style-type: none"> • Prosecution of union workers in order to lay off them and weaken the union. |



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| Description | <ul style="list-style-type: none"> ● 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. The Respondent submitted a resignation letter from the RSPO Membership. 2. Pending a directive from the CP following receipt of further clarification from the Membership Unit. |

| Complaint 3.6 Energy & Palma S.A. (subsidiary of HOLDING LA FABRIL S.A) vs Requested for confidentiality | |
|--|--|
| 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 - Independent investigation |
| Decision / Justification | <ol style="list-style-type: none"> 1. Independent Investigation by Independent Investigator ongoing. |



| Complaint 3.7 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 | 1. Pending receipt of the special audit report by the newly appointed CB. |

| Complaint 3.8 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. |



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|---------------------------------|---|
| | <ul style="list-style-type: none">● 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. Pending receipt of Special Audit report from CB. |