

## COMPLAINTS PANEL MINUTES OF MEETING

for Website

Date: 23 February 2022 @ 5.00pm - 7.15pm (Meeting No.02/2022)

Meeting location: *via Zoom Link*

<p><b>List of Complaints Panel Member</b></p>	<table border="1"> <tr> <td data-bbox="373 528 906 797"> <ol style="list-style-type: none"> <li>1. Henry Barlow (Chair - CCP)</li> <li>2. Lim Sian Choo ( Co Chair)</li> <li>3. Michelle Desilets</li> <li>4. Matthias Diemer</li> <li>5. Marieke Leegwater</li> </ol> </td> <td data-bbox="906 528 1441 797"> <ol style="list-style-type: none"> <li>6. Lanash Thanda</li> <li>7. José den Toom</li> <li>8. Robert Kruger</li> <li>9. Nunik Maharani</li> </ol> </td> </tr> </table>	<ol style="list-style-type: none"> <li>1. Henry Barlow (Chair - CCP)</li> <li>2. Lim Sian Choo ( Co Chair)</li> <li>3. Michelle Desilets</li> <li>4. Matthias Diemer</li> <li>5. Marieke Leegwater</li> </ol>	<ol style="list-style-type: none"> <li>6. Lanash Thanda</li> <li>7. José den Toom</li> <li>8. Robert Kruger</li> <li>9. Nunik Maharani</li> </ol>
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<p><b>Agenda</b></p>	<p><b><u>General Agenda:- 5.00pm - 5.55pm</u></b></p> <ol style="list-style-type: none"> <li>1. Opening Remarks by Chairperson</li> <li>2. RSPO Antitrust Guidelines</li> <li>3. Declaration of Conflict of Interest</li> <li>4. To confirm and adopt the minutes of <b>19 January 2022</b> during the CP Meeting</li> <li>5. New Allegations</li> <li>6. Complaints Case Statistics</li> <li>7. Complaints Panel meeting Dates</li> </ol>		

	<p>7.1 Dates for CP monthly meetings in 2022</p> <p>7.2 Dates for CP Physical Meetings</p> <p>7.3 Expansion of the Complaints Panel</p> <p>8. Post Complaints Monitoring</p> <p>9. Dispute Settlement Facility (DSF)</p> <p>10. Commitment of Financial Institutions.</p> <p>11. GA Resolution - GA15-6d: Discouraging RSPO members subject to complaints from avoiding their obligations by divesting or withdrawing their membership.</p> <p>12. Any Other Matters</p>
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13. Complaints for deliberation:-

**Group 1:- 5.55pm to 6.20pm**

1. FELDA vs Orang Dusun Lahad Datu (Desa Begahak/Robin Balud)
2. PT. Mitra Austral Sejahtera (PT. MAS) - subsidiary of Sime Darby vs Transformasi untuk Keadilan (TuK-NGO)
3. Golden Veroleum Liberia (GVL) vs. Green Advocate for the Butaw Community & Forest Peoples Programme & SDI & SESDev & A-Bloteh
4. 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
5. Pacific Inter-Link (Papuan Concessions) vs Environmental Investigation Agency (EIA) & Greenpeace
6. PT Wahana Prima Sejati (subsidiary of First Resources) vs *requested for confidentiality*
7. PT Nabire Baru and PT Sariwana Adi Perkasa (subsidiary Goodhope Asia Holdings Ltd) vs Awasmifee, Greenpeace & FPP
8. PT. Mitra Karya Sentosa (a subsidiary of First Resources Limited) vs *requested for confidentiality*
9. Papaso Estate & PT Damai Nusa Sekawan - Sosa & Bukit Udang Estate (a subsidiary of Permata Hijau Group) vs *requested for confidentiality*
10. PT. Nabatindo Karya Utama (subsidiary of Bumitama Agri Limited) vs *requested for confidentiality*

**Group 2:- 6.25pm to 6.45pm**

1. PT. Hati Prima Agro (PT. HPA) - subsidiary of Bumitama vs Sawit Watch
2. Golden Agri Resources (GAR) vs Forest Peoples Programme & TuK - Indonesia
3. Presco PLC Nigeria (SIAT SA) vs *requested for confidentiality*
4. PT. Perkebunan Nusantara IV (PERSERO) vs Koalisi Organisasi Serikat Pekerja dan Lembaga Swadaya Masyarakat Kabupaten Labuhan Batu, FSMI. TIPAN-RI
5. PT. Perkebunan Nusantara IV (PERSERO) vs *requested for confidentiality*
6. PT. Perkebunan Nusantara IV (PERSERO) vs Federasi Serikat Pekerja Metal Indonesia (FSPMI)
7. Palmaceite S.A. vs *requested for confidentiality*
8. PT Agro Kati Lama - subsidiary of SIPEF group vs *requested for confidentiality*
9. PT Agrowiratama (a subsidiary of Musim Mas Holdings Pte. Ltd.) vs Tim Advokasi Dewan Pengurus Pusat Komite Nasional Pemuda Indonesia (DPP KNPI) on behalf of 4 Datuak (Batuah, Bonsu, Sati, and Malenggang) of customary community in Muara Kiawai, Pasaman Barat.
10. PT. Cipta Usaha Sejati (Subsidiary of Pasifik Agro Sentosa) vs Petrus Suwito (Binua Tingkajok Kalimantan) representing - Isak Aloka and Simon P. Liunesi
11. PT. Ramajaya Pramukti (subsidiary of Golden Agri Resources Ltd) vs *requested for confidentiality*

**Group 3:- 6.45pm to 7.15pm**

1. PT. Kartika Prima Cipta (PT. KPC) - subsidiary of Golden Agri Resources (GAR) vs Forest Peoples Programme & TuK Indonesia
2. Goodhope Asia Holdings Ltd vs RSPO Secretariat
3. IOI Pelita - subsidiary of IOI Group vs Community of Long Teran Kanan
4. Golden Agri Resources (GAR) vs Forest Peoples Programme & Elk Hills Foundation
5. Aceites Y Derivados Sociedad Anonima (ACEYDESA) vs *requested for confidentiality*
6. Benso Oil Palm Plantation (subsidiary of Wilmar International Limited) vs Mrs. Joseph Yankey & Mr Solomon Asante-Sefa
7. IOI Plantation Mekassar Estate (subsidiary of IOI Corporation Berhad) vs *requested for confidentiality*
8. PT Nubika Jaya (subsidiary of Permata Hijau Group) vs LSM-Baris Labuhanbatu Selatan
9. Palmas y Trabajo S.A.S; Progreso Palmero S.A.S and Oleaginosas de Yuma S.A.S (Daabon Group) vs Puerto Wilches Section Sintrainagro Deputy Director's Office
10. First Resources Limited vs *requested for confidentiality*
11. PT Inecda (a subsidiary of S&G Biofuel Pte. Ltd) vs *requested for confidentiality*
12. PT SMART TBK (Golden Agri Resources Ltd) vs *requested for confidentiality*

**DETAILS OF THE AGENDA:**

No.	Agenda
1.	Opening Remarks from Chairperson  <b>Opening speech by CCP and welcoming of new CP member.</b>
2.	RSPO Antitrust Guidelines  <b>RSPO Antitrust Guidelines were read to the Complaints Panel.</b>
3.	Declaration of “No Conflict of Interest”  <b>Declaration of conflict of interest made by new CP members and no new conflict of interest declared from the rest of CP members at this time of the meeting.</b>
4.	To confirm and adopt the minutes of <b>19th January 2022</b> during the Complaints Panel Meeting.  <b>Minutes of the meeting for the 19th of January 2022 adopted unanimously.</b>
5.	<b>New allegation submitted</b>
	<b>No new allegations submitted.</b>

**6. Complaints Cases Statistics**

**Total Cases in 2022**

	Jan-2022	Feb-2022	Mar-2022	Apr-2022
<b>Complaints received</b>	-	-	-	-
<b>Status</b>	-	-	-	-
<b>Country</b>	-	-	-	-
<b>Case Category</b>	-	-	-	-

**Total Active Cases by Country and Year (as of 18.02.2022)**

Country	Active Cases	Year	Active Cases
Indonesia	23	2010	1
Malaysia	3	2012	1
Colombia	2	2014	1
Nigeria	1	2015	2
Liberia	1	2017	3
Guatemala	0	2018	4
Ghana	1	2019	3
Cayman Island	1	2020	9
Honduras	1	2021	10
		2022	0
<b>TOTAL</b>	<b>33</b>	<b>TOTAL</b>	<b>33</b>

<b>7. Complaints Panel Meeting Dates</b>	
<b>7.1</b>	<b>Dates for Complaints Panel monthly meetings</b>
	<p>Discussion from 23 February 2022 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>The CP members have agreed to have the CP meetings on the last Wednesday of each month.</li> </ol>
<b>7.2</b>	<b>Dates for Complaints Panel Physical Meetings in 2020</b>
	<p>Discussion from 23 February 2022 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>The Complaints Desk is finalising the date and the agenda for the CP physical meeting.</li> </ol>
<b>7.3</b>	<b>Expansion of Complaints Panel</b>
	<p>Discussion from 23 February 2022 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>The CP selection interview proceeded on 25.02.2022.</li> </ol>
<b>8. Post Complaints Monitoring</b>	
<b>8.1</b>	<b>FELDA Global Venture - (Article by The Wall Street Journal)</b>
	<p>Discussion from 23 February 2022 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>Pending the review of and thereafter the delivery of letters from the CP.</li> </ol>
<b>8.2</b>	<b>PT Temila Agro Abadi - subsidiary of FGV - ( Article by Chain Reaction Research)</b>
	<p>Discussion from 23 February 2022 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>Pending delivery of final letter from the CP.</li> </ol>
<b>8.3</b>	<b>Poligrow Colombia SAS</b>
	<p>Discussion from 23 February 2022 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>Pending receipt of Surveillance Audit Report from the CB.</li> <li>The CB has updated that the surveillance audit report is currently under review with the certifier and they will verify the report to see if the matter of the Complaint has been looked into or otherwise.</li> </ol>



<b>8.4</b>	<p><b>PT Permata Hijau Sawit Kebun Papaso (subsidiary of Permata Hijau Group)</b></p> <p>Discussion from 23 February 2022 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>1. Pending review of documents by the Complaints Desk.</li> </ol>
<b>8.5</b>	<p><b>Extractor de la Gloria SAS</b></p> <p>Discussion from 23 February 2022 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>1. Pending receipt action plan and progress updates from the Respondent.</li> </ol>
<b>9.</b>	<b>Dispute Settlement Facility (DSF)</b>
	<p>Discussion from 23 February 2022 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>1. The DSF GoA meeting was conducted on 16.02.2022 and representatives from the Complaints Panel attended the same.</li> </ol>
<b>10.</b>	<b>Commitments of Financial Institution(s)</b>
	<p>Discussion from 23 February 2022 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>1. No further updates at this juncture.</li> </ol>
<b>11.</b>	<b>GA Resolution - GA15-6d - Discouraging RSPO members subject to complaints from avoiding their obligations by divesting or withdrawing their membership</b>
	<p>Discussion from 23 February 2022 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>1. Pending endorsement of the Resolution 6d proposals by the Board of Governors (BoG).</li> </ol>
<b>12.</b>	<b>Any Other Matters</b>
	<p><b>ASC-CP MEETING</b></p> <p>Discussion from 23 February 2022 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>1. The CP members are agreeable to continue with the joint ASC-CP meeting, at least twice a year with well defined agendas.</li> <li>2. The Complaints Desk is liaising with the relevant unit within the Secretariat to follow up on this matter.</li> </ol>

**COMPLAINTS FOR DELIBERATION:**

**GROUP 1**

<b>Complaint 1.1 FELDA vs Orang Dusun Lahad Datu (Desa Begahak/Robin Balud)</b>	
<b>Case Reference</b>	PreCAP/2015/05/PR
<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>	<ul style="list-style-type: none"> <li>● 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.</li> <li>● 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.</li> <li>● 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.</li> <li>● A police report has been made by the community and that is the source of the complaint.</li> </ul>
<b>Status</b>	(G) Decision delivered with period to appeal (60 WD)
<b>Decision / Justification</b>	<b>1. Pending expiry of the appeal period.</b>

<b>Complaint 1.2 PT. Mitra Austral Sejahtera (Sime Darby) vs NGO TuK</b>	
<b>Case Reference</b>	PreCAP/2012/06/PR
<b>Date Filed</b>	31 October 2012 (Under DSF) 9 June 2017 (Transferred to the CP)
<b>Respondent</b>	PT Mitra Austral Sejahtera (Sime Darby subsidiary)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Transformasi untuk Keadilan (TuK)
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>● The communities of Sanggau have alleged that the company PT Mitra Austral Sejahtera is operating without :               <ol style="list-style-type: none"> <li>1. Lack of Transparency on land status and partnership agreements;</li> <li>2. Lack of compliance to our customary land rights;</li> <li>3. The absence of (documented) compensation;</li> <li>4. Lack of compliance to local regulations;</li> </ol> </li> <li>● In acting so they are alleged to have breached RSPO Principles and Criteria specifically on:               <ol style="list-style-type: none"> <li>1. Principle 1 on Transparency,</li> <li>2. Principle 2 on Compliance with applicable laws and Principle 6 Responsible consideration of employees and individuals and communities affected by growers and mills.</li> </ol> </li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. The Secretariat is in the midst of finalising the Briefing Note.</b>

<b>Complaint 1.3 Golden Veroleum Liberia (GVL) vs. Green Advocate for the Butaw Community; FPP; SDI; SESDev; A-Bloteh</b>	
<b>Case Reference</b>	PreCAP/2012/09/PR
<b>Date Filed</b>	3 October 2012
<b>Respondent</b>	Golden Veroleum Liberia (GVL)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Liberia
<b>Complainant</b>	Green Advocate for the Butaw Community; FPP; SDI; SESDev; A-Bloteh
<b>Complaint description</b>	<p>Golden Veroleum Liberia:</p> <ul style="list-style-type: none"> <li>• has not provided public notification for a 30 day period consistent with the New Planting Procedures;</li> <li>• commencing land preparation new planting and infrastructure development prior to the expiry of the minimum 30-day period;</li> <li>• By not conducting a comprehensive and participatory independent social and environmental impact assessment(s) of the area concerned and incorporate the results into relevant action plans (see RSPO criteria 5.1, 6.1, 7.1 &amp; 7.4) including the identification of: (a) all primary forest, (b) any area required to maintain or enhance one or more High Conservation Values (HCVs), and (d) local peoples' land;</li> <li>• Clearing land without the free, prior and informed consent of the customary land owners as represented through representative organizations of their choice (P&amp;C 2.2, 2.3, 7.5 and 7.6).</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. This Complaint is to be taken over by a new Case Manager.</b>

<b>Complaint 1.4 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>Case Reference</b>	RSPO/2018/18/RB
<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>	Cayman Island
<b>Complainant</b>	Environmental Investigation Agency (EIA) & Greenpeace
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>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.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li><b>Pending internal discussion on the next course of action.</b></li> </ol>

<b>Complaint 1.5 Pacific Inter-Link (Papuan Concessions) vs Environmental Investigation Agency (EIA) &amp; Greenpeace</b>	
<b>Case Reference</b>	RSPO/2018/19/RB
<b>Date Filed</b>	15 October 2018
<b>Respondent</b>	Pacific Inter-Link (Papuan Concessions)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Environmental Investigation Agency (EIA) & Greenpeace
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• Violation of the RSPO Code of Conduct because of their alleged involvement in the control/ownership and operational development of four palm oil plantation companies in Papua.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>Pending internal discussion on the next course of action.</b></li> </ol>

<b>Complaint 1.6 PT Wahana Prima Sejati (subsidiary of First Resources Limited) vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2020/12/EN
<b>Date Filed</b>	14 July 2020
<b>Respondent</b>	PT Wahana Prima Sejati (subsidiary of First Resources Limited)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	<i>requested for confidentiality</i>
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• Deforestation and land clearing including in the High Conservation Value Forest within the Respondent’s concession for construction;</li> <li>• Development of road cutting across one of the major wildlife corridors connecting two river systems – Berenga and Tempadung Rivers; and</li> <li>• Development of a jetty, which includes reclamation of the sea floor as long as 590 meters</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>The Secretariat is to prepare the Briefing Note along with the full chronology of the recent developments.</b></li> </ol>

<b>Complaint 1.7 PT Nabire Baru and PT Adi Perkasa (subsidiary of Goodhope Asia Holdings Ltd) vs Awasmiffee, Greenpeace and Forest Peoples Programme</b>	
<b>Case Reference</b>	RSPO/2020/17/SW
<b>Date Filed</b>	18 September 2020
<b>Respondent</b>	PT Nabire Baru and PT Sariwana Adi Perkasa (subsidiary of Goodhope Asia Holdings Ltd)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Awasmiffee, Greenpeace & FPP
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>The Complaint was lodged as a result of the comments that have been given by the Complainant during the Respondent's NPP consultation period have not been resolved. The allegations as below: "that the Respondent withheld two important documents which should have been made available to stakeholders under the RSPO principle on transparency. The documents are the original draft of the 2011 HCV assessment and the Respondent's legal review commissioned by the RSPO Secretariat."</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. The CP has endorsed the decision letter to be issued to the Parties.</b>



<b>Complaint 1.8 PT Mitra Karya Sentosa ( subsidiary of First Resources Limited) vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2021/07/SW
<b>Date Filed</b>	19 March 2021
<b>Respondent</b>	PT. Mitra Karya Sentosa (a subsidiary of First Resources Limited)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	requested for confidentiality
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• The Respondent did not pay the full land compensation to the six (6) individuals;</li> <li>• The Respondent unilaterally marking up the cost of plasma development and did not refer to the relevant regulations in deciding the cost of plasma development;</li> <li>• The Respondent did not pay the land compensation for the land identified as HCV and HCS area; and</li> <li>• The Respondent did not provide the complete map along with its coordinates for the land that has been handed over by the six (6) individuals.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation - ( Bilateral Engagement process)
<b>Decision / Justification</b>	<b>1. Pending confirmation from the Parties on the results of the Bilateral Engagement process.</b>

<b>Complaint 1.9 Papaso Estate &amp; PT Damai Nusa Sekawan - Soso &amp; Bukit Udang Estate (a subsidiary of Permata Hijau Group) vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2021/05/SW
<b>Date Filed</b>	19 March 2021
<b>Respondent</b>	Papaso Estate & PT Damai Nusa Sekawan - Sosa & Bukit Udang Estate (a subsidiary of Permata Hijau Group)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia

<b>Complainant</b>	requested for confidentiality
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>Complainant alleged that the Respondent prohibits the workers to conduct union activities (protest with regards to the Omnibus Law);</li> <li>Complainant alleged that the Respondent has conducted a unilateral termination of employment for the 2 (two) PT Permata Hijau Sawit workers; and</li> <li>Complainant alleged that the Respondent did not socialize the Company Regulations (<i>Peraturan Perusahaan</i>) to the workers in PT Damai Nusa Sekawan.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. The Complaints Panel in the midst of reviewing the facts and documents of this Complaint.</b>

<b>Complaint 1.10 PT. Nabatindo Karya Utama (subsidiary of Bumitama Agri Limited vs requested for confidentiality)</b>	
<b>Case Reference</b>	RSPO/2021/10/LSL
<b>Date Filed</b>	1 July 2021
<b>Respondent</b>	PT. Nabatindo Karya Utama (subsidiary of Bumitama Agri Limited)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	requested for confidentiality
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>It is alleged that the Respondent and Koperasi Koling Hapakat did not use the plasma area in accordance with the permission allocated.</li> <li>It is alleged that there is a transfer of ownership of community-owned SHM (“Sertifikat Hak Milik”) by Koperasi Koling Hapakat to the Respondent.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation - (adjourned)
<b>Decision / Justification</b>	<b>1. The Complaint is adjourned pending the outcome of the claims filed before the Police of Central Kalimantan and the Ministry of Environment and Forestry.</b>

**GROUP 2**

<b>Complaint 2.1 PT. Hati Prima Agro (PT.HPA - Bumitama) vs Sawit Watch</b>	
<b>Case Reference</b>	RSPO/2017/06/SW
<b>Date Filed</b>	13 October 2017
<b>Respondent</b>	PT Hati Prima Agro (subsidiary of Bumitama)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Sawit Watch
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> </ul>
<b>Status</b>	(G) Decision delivered with period to appeal (60 WD)
<b>Decision / Justification</b>	<b>1. Pending expiry of the appeal period.</b>

<b>Complaint 2.2 Golden Agri Resources vs Forest Peoples Programme (FPP) &amp; TuK</b>	
<b>Case Reference</b>	RSPO/2018/14/IR
<b>Date Filed</b>	22 August 2018
<b>Respondent</b>	Golden Agri Resources
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Forest Peoples Programme (FPP) and Tuk- Indonesia
<b>Complaint</b>	<ul style="list-style-type: none"> <li>• GAR's shadow companies are actively clearing lands.</li> </ul>

<b>description</b>	
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. Pending receipt of report from the Consultant.</b>

<b>Complaint 2.3 Presco PLC Nigeria (SIAT SA) vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2018/17/PR
<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>	<i>requested for confidentiality</i>
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>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.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. Pending receipt of the signed settlement agreement by both parties.</b>

### Complaint 2.4 PT Perkebunan Nusantara IV (PERSERO) vs Koalisi Organisasi Serikat Pekerja dan Lembaga Swadaya Masyarakat Kabupaten Labuhan Batu, FSMI. TIPAN-RIPT

Case Reference	RSPO/2019/07/IR
Date Filed	10 April 2019
Respondent	PT Perkebunan Nusantara IV (PERSERO)
Membership Category	Oil Palm Grower
Country	North Sumatera, Indonesia
Complainant	Koalisi Organisasi Serikat Pekerja dan Lembaga Swadaya Masyarakat Kabupaten Labuhan Batu, FSMI. TIPAN-RI
Complaint description	<ul style="list-style-type: none"> <li>• Lack of adequate health and safety equipment;</li> <li>• Worker died due to lack of safety equipment; and</li> <li>• No festive holidays for temporary workers.</li> </ul>
Status	(D) Investigation/Deliberation
Decision / Justification	<b>1. The Secretariat is in the midst of finalising the Briefing Note.</b>

### Complaint 2.5 PT Perkebunan Nusantara IV (PERSERO) vs requested for confidentiality

Case Reference	RSPO/2019/11/IR
Date Filed	23 April 2019
Respondent	PT Perkebunan Nusantara IV (PERSERO)
Membership Category	Oil Palm Grower
Country	North Sumatera, Indonesia
Complainant	<i>requested for confidentiality</i>
Complaint description	<ul style="list-style-type: none"> <li>• Temporary workers contract and wages issues;</li> <li>• Intimidation of workers</li> </ul>
Status	(D) Investigation/Deliberation
Decision / Justification	<b>1. The Secretariat is in the midst of finalising the Briefing Note.</b>

<b>Complaint 2.6 PT Perkebunan Nusantara IV (PERSERO) vs Federasi Serikat Pekerja Metal Indonesia (FSPMI)</b>	
Case Reference	RSPO/2019/12/IR
Date Filed	6 May 2019
Respondent	PT Perkebunan Nusantara IV (PERSERO)
Membership Category	Oil Palm Grower
Country	North Sumatra, Indonesia
Complainant	Federasi Serikat Pekerja Metal Indonesia (FSPMI)
Complaint description	<ul style="list-style-type: none"> <li>Alleged fraud of wages for 7 workers,</li> <li>No festive holidays and bonus for temporary workers</li> </ul>
Status	(D) Investigation/Deliberation
Decision / Justification	<ol style="list-style-type: none"> <li>The Secretariat is in the midst of finalising the Briefing Note.</li> </ol>

<b>Complaint 2.7 Palmaceite S.A vs requested for confidentiality</b>	
Case Reference	RSPO/2020/05/HN
Date Filed	24 March 2020
Respondent	Palmaceite S.A.
Membership Category	Oil Palm Grower
Country	Colombia
Complainant	<i>requested for confidentiality</i>
Complaint description	<ul style="list-style-type: none"> <li>The Respondent has allegedly failed to fulfill the agreement with the Complainant to implement and monitor the operations of the Complainant's plantation which led to the collapse of the production within the plantation.</li> </ul>
Status	(H) Appeals Submitted
Decision / Justification	<ol style="list-style-type: none"> <li>The Appeals Panel meetings were conducted on 07.02.220 and 17.02.2022 respectively.</li> <li>The Appeals Panel has deliberated and this matter is pending the delivery of a decision letter.</li> </ol>

<b>Complaint 2.8 PT Agro Kati Lama (subsidiary of SIPEF group) vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2021/01/EN
<b>Date Filed</b>	22 January 2021
<b>Respondent</b>	PT Agro Kati Lama (subsidiary of SIPEF group)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	<i>requested for confidentiality</i>
<b>Complaint Description</b>	<ul style="list-style-type: none"> <li>• The daily casual workers are paid below the minimum wage set out by the Musi Rawas District Government;</li> <li>• The daily casual workers are not protected and no remedy available for work accidents;</li> <li>• The daily casual workers are not equipped with personal protection equipment [PPE] and are not equipped with working tools;</li> <li>• The daily casual workers did not receive festive allowance in accordance with the regulation;</li> <li>• The daily casual workers, who are hired through the third party, do not get a pay slip. The amount written in the payment receipt is without formal stamp and without the name of the party who rendered the payment.</li> </ul>
<b>Status</b>	(D) Investigation/Deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>This matter is under DSF for mediation.</b></li> <li>2. <b>The next mediation session has been scheduled in March 2022.</b></li> </ol>

<b>Complaint 2.9 PT Agrowiratama ( a subsidiary of Musim Mas Holdings Pte. Ltd) vs Tim Advokasi DPPKNPI - (adjourned)</b>	
<b>Case Reference</b>	RSPO/2021/02/SW
<b>Date Filed</b>	27 January 2021
<b>Respondent</b>	PT Agrowiratama (a subsidiary of Musim Mas Holdings Pte. Ltd.)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Tim Advokasi Dewan Pengurus Pusat Komite Nasional Pemuda Indonesia (DPP KNPI) on behalf of 4 Datuak (Batuah, Bonsu, Sati, and Malenggang) of customary community in Muara Kiawai, Pasaman Barat.
<b>Complaint Description</b>	<ul style="list-style-type: none"> <li>● Operating in the protected forest area without having a license from the Ministry of Forestry;</li> <li>● Operating without having a HGU; and</li> <li>● Did not develop plasma plantations for the community as agreed</li> </ul>
<b>Status</b>	(D) Investigation/Deliberation - (adjourned)
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>Pending confirmation from the Complainant on the progress of the Court proceedings at the appellate stage.</b></li> </ol>



**Complaint 2.10 PT Cipta Usaha Sejati (subsidiary of Pasifik Agro Sentosa) vs Petrus Suwito (Binua Tinkakok Kalimantan) representing - Isak Aloka and Simon P.Luinesi**

<b>Case Reference</b>	RSPO/2021/09/EN
<b>Date Filed</b>	11 May 2021
<b>Respondent</b>	PT. Cipta Usaha Sejati (Subsidiary of Pasifik Agro Sentosa)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Petrus Suwito (Binua Tingkarak Kalimantan) representing - Isak Aloka and Simon P. Luinesi
<b>Complaint Description</b>	<ul style="list-style-type: none"> <li>• Embezzlement of severance payment of two retired workers by the Respondent's Head of Administration.</li> </ul>
<b>Status</b>	(D) Investigation/Deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. Pending preparation of the draft decision letter.</li> </ol>

<b>Complaint 2.11 PT Ramajaya Pramukti (subsidiary of Golden Agri Resources Ltd) vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2021/12/CRP
<b>Date Filed</b>	08 November 2021
<b>Respondent</b>	PT. Ramajaya Pramukti (subsidiary of Golden Agri Resources Ltd)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	<i>requested for confidentiality</i>
<b>Complaint Description</b>	<ul style="list-style-type: none"> <li>● that the Respondent conducted land expansion to about 167 hectares into the Imbo Putui Customary Forest;</li> <li>● that the Respondent's used their operational truck passing through the Customary Forest and disturbing the community with the noise and dust pollution, disturbing the growth of trees along the road, cutting off animal paths (bear, deer, pangolin, snake, monitor lizard, monkey), and cutting off water paths;</li> <li>● that the Respondent's action of planting oil palm up to the riverbank, even in the middle of the river (the company changed the waterway, then planted oil palm on the former river that was stockpiled);</li> <li>● that the Respondent is not taking the responsibility for the social, economic, and ecological damage that occurred in the Imbo Putui Customary Forest and Petapahan Village;</li> <li>● that the Respondent changed the natural shape of the rivers and made them straight;</li> <li>● that the Respondent is destroying the downstream river ecosystem in the Imbo Putui customary forest with fertilizers and pesticides; and</li> <li>● that the Respondent claimed the Imbo Putui Customary Forest as their conservation area (HCV).</li> </ul>
<b>Status</b>	(D) Investigation/Deliberation
<b>CP Discussion &amp; Decision of 23 February 2022</b>	<ol style="list-style-type: none"> <li><b>1. Complaint formally accepted on 14.02.2022.</b></li> <li><b>2. Parties have been informed of the formal acceptance. The Secretariat is at present waiting for the Parties to respond on whether they wish to activate the Bilateral Engagement process or the DSF mechanism.</b></li> </ol>

**GROUP 3**

<b>Complaint 3.1 PT. Kartika Prima Cipta (GAR) vs Forest Peoples Programme &amp; TuK</b>	
<b>Case Reference</b>	PreCAP/2014/03/IR
<b>Date Filed</b>	13 October 2014
<b>Respondent</b>	PT. Kartika Prima Cipta (PT.KPC) - Golden Agri Resources (GAR)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia – Kapuas Hulu, West Kalimantan
<b>Complainant</b>	Forest Peoples Programme (FPP) and (Transformasi untuk Keadilan) TuK Indonesia
<b>Complaint description</b>	<p><b><u>Points raised:-</u></b></p> <ul style="list-style-type: none"> <li>● PT KPC is in persistent violation of the RSPO P&amp;C pertaining HCV assessment, the recognition of customary land rights and free, prior, and informed consent (FPIC). Lack of FPIC of the local Dayak and Malay people in the process of land take over.</li> <li>● Land takeover was done without land tenure study and participatory mapping.</li> <li>● Late HCV assessment which was done by IPB, final consultation was in May 2014.</li> <li>● Dissatisfaction by smallholders and resentment because of reduced post facto set aside for HCV rather than getting plasma scheme (20%).</li> <li>● Set aside land as HCS area that made no provision for customary land uses and tenure and local people livelihood.</li> <li>● GAR as the parent company of all 18 subsidiaries listed in acting in violation of the New Planting Procedure (NPP) by submitting information which is known as false. No HGU in 16 of 18 NPP.</li> <li>● The assessors which have endorsed GAR’s HCV assessment, ESIA’s and social engagement actions, are in violation of their responsibility to provide impartial assessment of company compliance with RSPO P&amp;C.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<p><b>1. The Secretariat is in the midst of reviewing all necessary documentation before finalising the Briefing Note for Phases 3, 4 and 5 for the CP’s perusal.</b></p>

<b>Complaint 3.2 Goodhope Asia Holdings vs RSPO Secretariat</b>	
<b>Case Reference</b>	PreCAP/2017/06/SW
<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>	<ul style="list-style-type: none"> <li>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).</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li><b>Pending response from the Secretariat to the Respondent’s letter on the FCL calculation.</b></li> </ol>

<b>Complaint 3.3 IOI Pelita (IOI Group) vs Community of Long Teran Kanan</b>	
<b>Case Reference</b>	PreCAP/2010/01/PR
<b>Date Filed</b>	15 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>	<ul style="list-style-type: none"> <li>• Infringement of P&amp;C No.2.2 – the right to land use disputed.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. This Complaint is to be taken over by a new Case Manager.</b>

<b>Complaint 3.4 Golden Agri Resources (GAR) vs Forest Peoples Programme &amp; Elk Hills Foundation</b>	
<b>Case Reference</b>	RSPO/2020/04/IR
<b>Date Filed</b>	2 March 2020
<b>Respondent</b>	Golden Agri Resource (GAR)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	Forest Peoples Programme & Elk Hills Foundation
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• The Respondent, through its subsidiaries located in Central Kalimantan, operate its plantations with permits which never had the force of law;</li> <li>• The Respondent, through its employees have been involved in the payment of bribes to provincial officials in Central Kalimantan.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. Pending completion of review of documents by the Secretariat.</b>

<b>Complaint 3.5 Aceites Y Derivados Sociedad Anonima (ACEYDESA) vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2020/07/LSL
<b>Date Filed</b>	6 April 2020
<b>Respondent</b>	Aceites Y Derivados Sociedad Anonima (ACEYDESA)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Honduras
<b>Complainant</b>	<i>requested for confidentiality</i>
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>● Modification of property deeds to remove areas identified by the government as environmental protection zone;</li> <li>● Employees not paid minimum wage; not provided with equipment; and not given workers' benefits;</li> <li>● Non-compliance with labour laws;</li> <li>● Threatening of workers to suppress information from auditors;</li> <li>● Bribing workers and government agencies;</li> <li>● Manipulation of scale systems; Falsification of data;</li> <li>● Operating without an environmental license.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<p><b>1. The Secretariat has received the revised special audit report and is currently in the midst of reviewing the same.</b></p>

**Complaint 3.6 Benso Oil Palm Plantations (subsidiary of Wilmar International Limited) vs Mrs Joseph Yankey & Mr Solomon Asante-Sefa**

<b>Case Reference</b>	RSPO/2020/15/LSL
<b>Date Filed</b>	25 August 2020
<b>Respondent</b>	Benso Oil Palm Plantation (subsidiary of Wilmar International Limited)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Ghana
<b>Complainant</b>	Mrs. Joseph Yankey & Mr Solomon Asante-Sefa
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>● The Respondent has acquired land to develop oil palm in Ghana;</li> <li>● The Respondent has destroyed farmers' rubber plantation;</li> <li>● The Respondent is not willing to pay for the damages caused to the rubber farmers;</li> <li>● The Respondent is still cutting down rubber farms to plant oil palm;</li> <li>● The remaining uncultivated lands have been taken over for the Respondent's project;</li> <li>● The Respondent has shown no interest in resolving these issues despite several Complaints made to the Respondent by the Complainants.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<p><b>1. The Secretariat has since received endorsement from the CP on the decision letter and the same will be furnished to the Parties in due course.</b></p>

**Complaint 3.7 IOI Plantation Mekassar Estate (subsidiary of IOI Corporation Berhad) vs requested for confidentiality**

<b>Case Reference</b>	RSPO/2020/19/IR
<b>Date Filed</b>	5 October 2020
<b>Respondent</b>	IOI Plantation Mekassar Estate (subsidiary of IOI Corporation Berhad)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Malaysia
<b>Complainant</b>	<i>requested for confidentiality</i>
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>● Unilateral pay cut by the Respondent</li> <li>● Poor living conditions for the labourers</li> <li>● Intimidation of workers</li> <li>● Forced labour</li> <li>● Lack of transparent grievance system</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>The CP's letter in response to IOI's letter (dated 2-Nov-2021) has been furnished to the Respondent on 17.02.2022.</b></li> <li>2. <b>Pending response from the Respondent with respect to the Secretariat's query on the status of the recent Audit report.</b></li> </ol>

<b>Complaint 3.8 PT Nubika Jaya (subsidiary of Permata Hijau Group) vs LSM-Baris Labuhanbatu Selatan</b>	
<b>Case Reference</b>	RSPO/2020/20/SW
<b>Date Filed</b>	12 November 2020
<b>Respondent</b>	PT Nubika Jaya (subsidiary of Permata Hijau Group)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	LSM-Baris Labuhanbatu Selatan
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>● No Domestic Wastewater Treatment Plant;</li> <li>● The Oleochemical equalization pool was not built with concrete;</li> <li>● Sludge from the Oleochemical Wastewater Treatment Plant has never been transported to a designated waste processing agency.</li> <li>● Dispose of liquid waste without permit;</li> </ul>



	<ul style="list-style-type: none"> <li>● Inconsistency on the volume of Hazardous Waste transported to a designated waste processing agency;</li> <li>● A sparring equipment has yet installed at the Wastewater Treatment Plant;</li> <li>● No certified Wastewater Treatment Operational Responsible and Water Pollution Control Officer onsite;</li> <li>● Processing fresh fruit bunches from non-RSPO certified plantations.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>The Secretariat has since received the verification report and is currently in the midst of reviewing the same.</b></li> </ol>

<b>Complaint 3.9 Palmas y Trabajo S.A.S; Progreso Palmero S.A.S and Oleaginosas de Yuma S.A.S (Subsidiary of Daabon Group) - (Adjourned)</b>	
<b>Case Reference</b>	RSPO/2020/16/LSL
<b>Date Filed</b>	10 September 2020
<b>Respondent</b>	Palmas y Trabajo S.A.S; Progreso Palmero S.A.S and Oleaginosas de Yuma S.A.S (subsidiary of Daabon Group)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Colombia
<b>Complainant</b>	Puerto Wilches Section Sintrainagro Deputy Director's Office
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>● Non-compliance with labour rights/laws;</li> <li>● Anti-union practices; and</li> <li>● Employees not provided sufficient protection equipment.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation (adjourned)
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>The Respondent has furnished the resolution of the claims lodged before the Ministry of Labour.</b></li> <li>2. <b>The Complaints Desk is in the midst of translating the said resolution for the CP's perusal.</b></li> </ol>

<b>Complaint 3.10 First Resources Limited vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2021/04/EN
<b>Date Filed</b>	8 March 2021
<b>Respondent</b>	First Resources Limited
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	<i>requested for confidentiality</i>
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• The Respondent allegedly has ownership, control and influence over a company called Fangiono Agro Plantation (FAP) Agri, a non-RSPO member who was not declared in the Respondent’s RSPO Group Membership.</li> <li>• The Respondent also allegedly has ownership, control and influence of an Indonesian company, Ciliandry Anky Abadi (CAA) who is a subsidiary of a British Virgin Islands registered company by the name of Sima Capital. This company too was not declared to be a part of the Respondent’s RSPO Group Membership.</li> <li>• The Respondent, via FAP or by FAP’s 11 subsidiaries have violated the RSPO Principles and Criteria by deforestation, peatland degradation, using lands for plantation without FPIC, river pollution, and unilateral layoffs of workers.</li> <li>• The Respondent, via CAA, have violated the RSPO Principles and Criteria by deforestation, peatland degradation, using lands for plantation without FPIC, and river pollution</li> <li>• The Respondent is violating its NDPE Commitments, the RSPO Principle and Criteria, the RSPO Code of Conduct, and RSPO membership rules.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. Pending consideration by the CP on the method of investigation.</b>

<b>Complaint 3.11 PT Inecda ( a subsidiary of S&amp;G Biofuel Pte. Ltd) vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2021/06/SW
<b>Date Filed</b>	19 March 2021
<b>Respondent</b>	PT Inecda (a subsidiary of S&G Biofuel Pte. Ltd)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	<i>requested for confidentiality</i>
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>● Respondent is operating in the area own by the Luak Talang Parit Community without obtaining prior consent from the community;</li> <li>● Respondent did not develop the plasma plantations for the community; and</li> <li>● Respondent did not have an internal grievance mechanism that the stakeholders can access</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<b>1. The Secretariat has since received the verification report and is currently in the midst of reviewing the same.</b>

<b>Complaint 3.12 PT SMART TBK ( a subsidiary of Golden Agri Resources Ltd) vs requested for confidentiality</b>	
<b>Case Reference</b>	RSPO/2021/11/HN
<b>Date Filed</b>	11 July 2021
<b>Respondent</b>	PT SMART TBK (subsidiary of Golden Agri Resources Ltd)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	Indonesia
<b>Complainant</b>	<i>requested for confidentiality</i>
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• Supply CPO &amp; FFB from unsustainable sources.</li> <li>• The Respondent supplies FFB and CPO from PT Kapuasindo Palm Industri (a subsidiary of Kencana Group), a non-RSPO member, which has a series of conflicts with the local community and violations to the RSPO standards.</li> </ul>
<b>Status</b>	(G) Decision delivered with period to appeal (60 WD)
<b>Decision / Justification</b>	<b>1. Pending expiry of the appeal period.</b>