

COMPLAINTS PANEL

MINUTES OF MEETING

For Website

29 May 2019 | 6.00 - 8.00 pm | Meeting No. 05/2019

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

<p>List of Complaints Panel Member</p>	<table border="1"> <tr> <td data-bbox="373 640 906 920"> <ol style="list-style-type: none"> 1. Henry Barlow (Honorary Member) 2. Michelle Desilet (Orangutan Land Trust) 3. Matthias Diemer (Affiliate Member) 4. Marieke Leegwater (Solidaridad) 5. Melizel Asuncion (Verite) 6. Frazer Lanier (Citibank) </td> <td data-bbox="906 640 1436 920"> <ol style="list-style-type: none"> 7. Lim Sian Choo (Bumitama) 8. Lanash Thanda (SEPA) 9. Robert Kruger (AAF) 10. Samantha Bramley (Standard Chartered) 11. Suzanne Hall (San Diego Zoo) </td> </tr> </table>	<ol style="list-style-type: none"> 1. Henry Barlow (Honorary Member) 2. Michelle Desilet (Orangutan Land Trust) 3. Matthias Diemer (Affiliate Member) 4. Marieke Leegwater (Solidaridad) 5. Melizel Asuncion (Verite) 6. Frazer Lanier (Citibank) 	<ol style="list-style-type: none"> 7. Lim Sian Choo (Bumitama) 8. Lanash Thanda (SEPA) 9. Robert Kruger (AAF) 10. Samantha Bramley (Standard Chartered) 11. Suzanne Hall (San Diego Zoo)
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<p>Agenda</p>	<p style="text-align: center;"><u>General Agenda: 6.00 pm - 6.30 pm</u></p> <ol style="list-style-type: none"> 1. Opening Remarks by Chairperson. 2. Declaration of Conflict of Interest. 3. To confirm and adopt the minutes of 24 April 2019 during the CP Meeting. 4. New Allegations:- <ol style="list-style-type: none"> a. RSPO/2019/04/RB - PT Berkas Sawit Sejati (PT Musim Mas) b. RSPO/2019/06/PR - Alicorp S.A.A c. RSPO/2019/07/RB - PT Perkebunan Nusantara IV d. RSPO/2019/08/PR - Biase Plantations Limited (Wilmar) e. RSPO/2019/09/RB - PT Smart Tbk (subsidiary of GAR) f. RSPO/2019/11/RB - PT Perkebunan Nusantara IV g. RSPO/2019/12/RB - PT Perkebunan Nusantara IV h. RSPO/2019/13/PR - Unico Desa Palm Oil Mill (IOI Corporation) 5. Incident reports from the Public Domain:- <ol style="list-style-type: none"> a. Greenpeace Report -"Dying for a Cookie" on shadow companies. 6. Complaints Case Statistics. 7. Any other matters:- <ol style="list-style-type: none"> a. Dates for Complaints Panel meetings in 2019; b. Expansion of the Complaints Panel; 		

	<ul style="list-style-type: none"> c. Follow up on the progress of DSF ; d. Collaboration with the Investigation and Monitoring Unit (IMU); e. Changes within the Complaints Unit in the RSPO Secretariat <ol style="list-style-type: none"> 8. Amnesty International report on Wilmar International - a media enquiry by Sydney Morning Herald. 9. Request for Re-opening the case of PT Gunta Samba Jaya/PT SIMP. 10. Research Report, "Palming Off Responsibility: Labour rights violations in the Indonesian palm oil sector, by SOMO and CNV International (Pt Aneka Inti Persada - Sime Darby; and PT Murini Sam Sam – Wilmar). 11. Commitment of Financial Institutions. 12. GA Resolution - GA15-6d: Discouraging RSPO members subject to complaints from avoiding their obligations by divesting or withdrawing their membership.
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13. Complaints for deliberation:-

Group 1: 6.30pm – 7.10pm

1. FELDA vs Orang Dusun Lahad Datu (Desa Begahak/Robin Balud)
2. Agropalma S.A vs José Maria Tabaranã da Costa and Aida Raimunda Maia da Costa
3. Hap Seng Plantations Holdings Bhd vs Sia Yi Chin
4. PT.Pusaka Agro Lestari (PT. PAL) - subsidiary of Noble Plantation vs RSPO Secretariat
5. PT. Prima Mitra Jaya Mandiri (PT. PJM) - subsidiary of MP Evans vs Serbundo
6. PT. Limpah Sejahtera (First Resources) vs Yayasan Indonesian Animal Rescue International
7. PT. Mitra Austral Sejahtera (PT. MAS) - subsidiary of Sime Darby vs Transformasi untuk Keadilan (TuK-NGO)
8. PT. Minamas Gemilang - subsidiary of Sime Darby vs Oky Wardianto
9. Golden Veroleum Liberia (GVL) vs. Green Advocate for the Butaw Community & Forest Peoples Programme & SDI & SESDev & A-Bloteh
10. PT Harapan Sawit Lestari (PT. HSL) - subsidiary of Cargill vs Link-AR Borneo
11. AMP Plantation a subsidiary of Wilmar vs KUD Dasra (represented by lawyer)
12. 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
13. Pacific Inter-Link (Papuan Concessions) vs Environmental Investigation Agency (EIA) & Greenpeace

Group 2: 7.15pm – 7.35pm

1. Extractora La Gloria S.A.S. vs ASOCOL & ASOCADAR
2. PT. Bumitama Gunajaya Agro (PT. BGA) - subsidiary of Bumitama vs Sawit Watch
3. PT. Hati Prima Agro (PT. HPA) - subsidiary of Bumitama vs Sawit Watch
4. PT. Bumi Sawit Kencana II (PT. BSK) - subsidiary of Wilmar International Ltd vs Community of Village Kapuk
5. Palmas Del Espino S.A. vs FREDEIALBA
6. FELDA Global Ventures Holding Berhad (FGV) vs RSPO Secretariat (on the basis of an article by Chain Reaction Research)
7. PT. Surya Agro Palma (PT. SAP) - subsidiary of Genting Plantation vs Link-AR Borneo
8. PT. Perkebunan Nusantara VI (PT. PN) vs PT. REKI
9. Golden Agri Resources (GAR) vs Forest Peoples Programme & SESDev & SDI
10. Presco PLC Nigeria (SIAT SA) vs Indigenous People of Oruarivie-Abraka Kingdom
11. Presco PLC Nigeria (SIAT SA) vs Oria-Abraka Community
12. PT. Agri Plus (PT.AP) - subsidiary of Bumitama Agri Ltd vs Link-AR Borneo

Group 3: 7.40pm – 8.00pm

1. PT. Kartika Prima Cipta (PT. KPC) - subsidiary of Golden Agri Resources (GAR) vs FPP & TuK Indonesia
2. PT. Kartika Prima Cipta (PT. KPC) - subsidiary of Golden Agri Resources (GAR) vs Link-AR Borneo
3. Poligrow vs Video by Environmental Investigation Agency (EIA)
4. Goodhope Asia Holdings Ltd vs RSPO Secretariat
5. IOI Pelita - subsidiary of IOI Group vs Community of Long Teran Kanan
6. Primatama Mulia Jaya vs Masyarakat Adat Luhak Saparampek Simpang Tigo
7. PT Agro Andalan (PT Dharma Satya Nusantara) v Link-AR Borneo
8. PT Agro Lestari Mandiri (PT. ALM) - subsidiary of Sinarmas vs Serikat Buruh Sejahtera Indonesia Kabupaten Ketapang
9. PT Kapuas Maju Jaya (PT. KMJ) - subsidiary of Genting Plantation Bhd vs Kelompok Tani Penghijauan Tingang Menteng
10. PT Perkebunan Nusantara III (PT. PN) vs Pimpinan Cabang Federasi Serikat Pekerja Metal Indonesia
11. PT SMART Tbk - subsidiary of Golden Agri Resources (GAR) vs Masyarakat Dusun I/II/III Belongkut
12. Oleaginosas Del Peru S.A. (OLPESA) vs Community of Santa Clara de Uchunya

DETAILS OF THE AGENDA:

No.	Agenda
1.0	Opening Remarks from Chairperson Opening speech by CCP
2.0	Declaration of “No Conflict of Interest” COI to be declared.
3.0	To confirm and adopt the minutes of 24 April 2019 during the Complaints Panel Meeting. Minutes of CP meeting on 24 April 2019 adopted.
4.0 New allegation submitted	
	<p>a. RSPO/2019/04/RB PT Berkat Sawit Sejati Complainant :- Hutan Kita Institute (HaKI)(Indonesia) Complaint received :- 12 March 2019 Location :- Palembang, South Sumatera Allegations :- indicated using the area of Dangku Wildlife Reserve (SM) approximately 2,600 Ha and production forest area (HP) of approximately 3,200 Ha.</p> <p>29 May 2019 (CP Meeting):-</p> <p>1. Initial Diagnosis in progress</p> <p>b. RSPO/2019/06/PR Alicorp S.A.A. Complainant :- Community of Santa Clara de Uchunya Complaint received :- 22 March 2019 Location :- Pucallpa, Peru Allegations :- sourcing CPO from unsustainable origin.</p> <p>29 May 2019 (CP Meeting):-</p> <p>1. Complaint has been rejected and both parties have been notified of the rejection.</p>

- c. RSPO/2019/07/RB PT Perkebunan Nusantara IV**
Complainant :- Koalisi Organisasi Serikat Pekerja dan Lembaga Swadaya Masyarakat Kabupaten Labuhan Batu, FSMI. TIPAN-RI
Complaint received :- 10 April 2019
Location :- North Sumatera
Allegations :- 1) Lack of adequate health and safety equipment;
2) Worker died due to lack of safety equipment; and
3) No festive holidays for temporary workers.

29 May 2019 (CP Meeting):-

- 1. Initial Diagnosis in progress.**

- d. RSPO/2019/08/PR Biase Plantations (subsidiary of Wilmar)**
Complainant :- Uvet Egwa
Complaint received :- 21 April 2019
Location :- Nigeria
Allegations :- Infringement of copyright of a song

29 May 2019 (CP Meeting):-

- 1. Complaint has been rejected and both parties have been notified.**

- e. RSPO/2019/09/RB PT Smart Tbk (subsidiary of GAR)**
Complainant :- Konsulat Cabang Federasi Serikat Pekerja Metal Indonesia
Complaint received :- 22 April 2019
Location :- North Sumatra, Indonesia
Allegations :- Discrimination and violation against women workers, wages and no holidays given to women workers.

29 May 2019 (CP Meeting):-

- 1. Initial Diagnosis has been endorsed by the CP.**

- f. RSPO/2019/11/RB** PT Perkebunan Nusantara IV
 Complainant :- *requested for confidentiality*
 Complaint received :- 29 April 2019
 Location :- North Sumatra, Indonesia
 Allegations :- Temporary workers contract and wages issues
 Intimidation of workers

29 May 2019 (CP Meeting):-

- 1. Initial Diagnosis in progress.**

- g. RSPO/2019/12/RB** PT Perkebunan Nusantara IV
 Complainant :- Federasi Serikat Pekerja Metal Indonesia (FSPMI)
 Complaint received :- 6 May 2019
 Location :- North Sumatra, Indonesia
 Allegations :- Alleged fraud of wages for 7 workers,
 No festive holidays and bonus for temporary workers

29 May 2019 (CP Meeting):-

- 1. Initial Diagnosis in progress.**

- h. RSPO/2019/13/PR** Unico Desa Palm Oil Mill (IOI Corporation Berhad)
 Complainant :- Leap Spiral on behalf of Kampung Sri Ganda
 Complaint received :- 6 May 2019
 Location :- Lahad Datu, Sabah
 Allegations :- Alleged utilisation of an area demarcated as a conservation area to
 address water issues in the village.

29 May 2019 (CP Meeting):-

- 1. Initial Diagnosis in progress.**

5.0 Incident Report from the Public Domain

1. Greenpeace Report - “Dying for a Cookie”

Greenpeace released a report on 13 November 2018 on Bumitama’s alleged connection to numerous concessions in Indonesia which are allegedly proceeding with development without the required permits or in breach of RSPO rules. This includes Bumitama’s alleged involvement in shadow companies.

29 May 2019 (CP Meeting):-

1. Secretariat has received the update from Mondelez and in the midst of processing the response.

6.0 Complaints Cases Statistics

Total Cases in 2018:

	Jan-2018	Feb-2018	Mar-2018	Apr-2018
Complaints received	2	0	1	4
Status	Closed (1) Open (1)	-	Closed (1)	Open (3) Closed (1)
Certified	-	-	-	-
Country	Indonesia (2)	-	Indonesia (1)	Indonesia (4)
Case Category	-Plasma (1) -FPIC (1)	-	-HCV	-HCV (1) -Legality (0) -Plasma (2)

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

	Sept-2018	Oct-2018	Nov-2018	Dec-2018
Complaints received	2	6	0	0
Status	Open (2)	Open (5) Closed (1)	-	-
Certified	-	-	-	-
Country	Indonesia (1) Nigeria (1)	Indonesia (3) Liberia (0) Nigeria (1) Others (1)	-	-
Case Category	-Occupational Hazard (1) -FPIC (1)	-Breach of Code of Conduct (2) -FPIC (2) -Compensation (1) -Wage (1)	-	-

Total Cases in 2019:

	Jan-2019	Feb-2019	Mar-2019	Apr-2019
Complaints received	2	1	3	5
Status	Open (2)	Rejected (1)	Open (3)	Open (5)
Certified	-	-	-	-
Country	Indonesia (2)	Malaysia(1)	Indonesia (1) Peru (2)	Indonesia (4) Nigeria (1)
Case Category	-Occupational Hazard (1) -FPIC (1)	- FPIC (1)	-Deforestation (3) - FPIC (2)	-Occupational Hazard (1) -No Festive Holidays (3) - Infringement of copyright (1)

	May 2019	Jun 2019	July 2019	Aug 2019
Complaints received	2			
Status	Open (2)			
Certified	-	-	-	-
Country	Indonesia (1) Malaysia (1)			
Case Category	- Wages (1) -No Festive Holidays (1) -conservation area for water (1)			

Total Active Cases by Country and Year:-

Country	Active Cases
Indonesia	30
Malaysia	4
Colombia	2
Nigeria	3
Singapore	1
Peru	3
Brazil	1
Liberia	0
Others*	2
TOTAL	46

Year	Active Cases
2009	0
2010	2
2011	0
2012	3
2013	0
2014	1
2015	5
2016	1
2017	7
2018	15
2019	12
TOTAL	46

*Others: Pending group membership determination.

1. Complaints Panel members expressed their concern in the increased number of labour cases.

7.0 Any other matters

a. Dates for Complaints Panel Physical Meeting in 2019:

29 May 2019 (CP Meeting):-

1. Complaints Panel Physical Meeting is scheduled for 3 & 4 September 2019 in Jakarta.

b. Expansion of Complaints Panel

29 May 2019 (CP Meeting):-

1. The new CP candidates have been endorsed by the CP members and appointment is now pending BoG's approval at the meeting in June 2019.

c. Collaboration with the Investigation and Monitoring Unit

29 May 2019 (CP Meeting):-

1. IMU has furnished the SOPs to the CP for their perusal.

d. DSF Updates:

29 May 2019 (CP Meeting):-

1. DSF Group of Advisers is in the process of being reconstituted.

8.0 Media Inquiry: Amnesty International Investigation report on Wilmar International – Sydney Morning Herald on 28 November 2016

"Amnesty International interviewed 120 workers working on palm plantations owned by two Wilmar subsidiaries and three Wilmar suppliers in Kalimantan and Sumatra in Indonesia. The investigation exposed a wide range of abuses including:

- a. Women were forced to work long hours under the threat of having their pay cut, paid below minimum wage and kept in insecure employment without pensions or health insurance;
- b. Children as young as eight doing hazardous, hard physical work, sometimes dropping out of school to help their parents on the plantation;
- c. Workers suffering severe injuries from paraquat, an acutely toxic chemical banned by the EU and by Wilmar itself;
- d. Workers being made to work outdoors without adequate safety;
- e. Workers having to work long hours to meet ridiculously high targets, some of which involve highly physically demanding tasks".

29 May 2019 (CP Meeting):-

- 1. Meeting is scheduled on the 31st May 2019 between Amnesty International and Wilmar in London and the Secretariat will report on the outcome to the CP members with no COI.

9.0 Request for reopening of case: PT Gunta Samba Jaya / PT SIMP

Greenpeace, upon releasing their investigative report, Dirty Bankers, which exposes HSBC's role in funding palm oil companies linked to environmental and human rights abuses followed up with RSPO on the PT Gunta Samba Jaya and Indofood/PT SIMP filed in 2013. The case remains unresolved after Indofood CEO Mark Wakeford informed RSPO that "[Indofood does] not have any shareholding in PT Gunta Samba Jaya and it is not part of the IndoAgri or SIMP Group."

Greenpeace claims that their analysis of the company deeds and corporate structures revealed considerable overlap between PT GSJ and its parent companies, and other Salim Group businesses.

In light of this evidence they are formally requesting that the Complaints Panel re-examine the case against PT Gunta Samba Jaya / PT SIMP.

29 May 2019 (CP Meeting):-

- 1. Decision letter is in progress.

10.0 Research Report, “Palming Off Responsibility: Labour rights violations in the Indonesian Palm Oil Sector, by SMO and CNV International (PT Aneka Inti Persada - Sime Darby; and PT Murini Sam Sam - Wilmar)

13 June 2017 – SOMO/CNV International published their report on labour violations at PT Murini Sam Sam and PT Aneka Inti Persada. The report was also forwarded to RSPO.

The following violations were noted in the report:

1. PT Murini Sam Sam
 - Temporary workers and contract issues
 - Wages and overwork
 - Child labour
 - Health and safety
 - Gender equality – mainly hired as plantation maintenance workers and as such employed on a seasonal basis. Day workers are denied their 3 months of paid maternity leave.
 - Freedom of association
2. PT Aneka Inti Persada:
 - Temporary workers and contract issues
 - Wages and workload
 - Child labour
 - Health and safety
 - Gender equality
 - Freedom of association

29 May 2019 (CP Meeting):-

1. **CB audit reports were received on 16 May 2019 and the Secretariat is in the midst of reviewing the audit reports.**

11.0 Commitments of Financial Institution(s)

29 May 2019 (CP Meeting):-

1. The CP has suggested to arrange a meeting by phone or in person with Sustainalytics and to invite the delegates from Hong Kong for a visit to Malaysia or Indonesia to see what is really happening in the palm oil industry.

12.0 GA Resolution - GA15-6d - Discouraging RSPO members subject to complaints from avoiding their obligations by divesting or withdrawing their membership

Update:

- **Adoption of Resolution GA15-6d:** Discouraging RSPO members subject to complaints from avoiding their obligations by divestment or withdrawing their membership.

29 May 2019 (CP Meeting):-

1. Announcement has already been published on the website on 28 of May 2019 calling for members to join the task force and the Secretariat is waiting to proceed with the selection of the candidates.

COMPLAINTS FOR DELIBERATION:

GROUP 1

Complaint 1.1 FELDA vs Orang Dusun Lahad Datu (Desa Begahak/Robin Balud)	
Date Filed	16 February 2015
Respondent	FELDA (Federal Land Development Authority) (Felda Ventures Bhd)
Membership Category	Oil Palm Grower
Country	Malaysia
Complainant	Orang Dusun Lahad Datu (Desa Begahak/Robin Balud)
Nature of Complaint	<p>According to the Enquiry National Hak Tanah Malaysia document, the state government had given 1260 acres of land to the Dusun Begahak community in 1981. At the same time, the same land was alienated to FELDA for development.</p> <p>The complainant raised the issue that FELDA has no right to develop their land and should return it to the community because the land originally belonged to the community. The complainant also stated that the cemetery area is being developed by FELDA.</p> <p>FELDA encaved 916 acres of the said land and gave it back to the community. The community planted fruits and other crops on the land.</p> <p>A police report has been made by the community and that is the source of the complaint.</p>
Status	(D) Investigation / deliberation
Decision / Justification	<ol style="list-style-type: none"> 1. The Secretariat has received a response from both parties following the issuance of the warning letter. 2. The Land Survey Department of Sabah has still not delivered the decision on the appeal and not concluded the grant which is still at the draft stage. 3. The Secretariat is to write to the Land Survey Department again to obtain an update on the progress of this matter.

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



Complaint 1.3 Hap Seng Plantations Holdings Bhd vs Sia Yi Chin	
Date Filed	11 November 2015
Respondent	Hap Seng Plantations Holdings Bhd
Membership Category	Oil Palm Grower
Country	Malaysia
Complainant	Sia Yi Chin of Lahad Datu, Sabah
Complaint description	<p>The complainant is claiming that Hap Seng Plantations Bhd is illegally occupying his property (River Estates) of 6,454 acres in Lahad Datu, Sabah.</p> <p>He says that he is the beneficial owner of the said land and the land office in Kota Kinabalu has confirmed that the said land is still in his name as beneficial owner.</p> <p>He has filed a civil suit against Hap Seng; originating summons: BKI-24-127/5 of 2012 filed on 30.07.2015</p>
Status	(D) Investigation / deliberation
Decision / Justification	1. Adjourned pending decision of the Court.

Complaint 1.4 PT. Pusaka Agro Lestari (PT. Pusaka Agro Lestari (PT. PAL - Noble Plantation) vs RSPO Secretariat	
Date Filed	20 June 2017
Respondent	PT Pusaka Agro Lestari
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	RSPO Secretariat
Complaint description	<ul style="list-style-type: none"> ● Potential risk on Clearance a large areas of Primary Forest in Papua; ● Official Complaint against one of HCV Assessors – Nyoto Susanto.
Status	(D) Investigation / deliberation
Decision / Justification	<ol style="list-style-type: none"> 1. Letter of warning has been issued to the Respondent and the deadline for the Respondent to provide the Compensation Plan is by 31 May 2019.

Complaint 1.5 PT. Prima Mitra Jaya Mandiri (PT PMJM - MP Evans) vs Serbundo	
Date Filed	20 April 2017
Respondent	PT. Prima Mitra Jaya Mandiri (PT PMJM)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Serbundo (Serikat Buruh Perkebunan Indonesia)
Complaint description	<p>Allegations: The company has breached National Labour Regulation by extending the workers' contract and terminate 7 of them as they refuse to sign a new contract.</p> <p>Demands from Serbundo:</p> <ol style="list-style-type: none"> 1. Request the Company instead of extended temporary employment agreement, make them as permanent workers, some of them have worked more than 1,5 years; 2. Rehire 7 workers and promote the status to become permanent, especially those who have been working on permanent basis work ie: Permanent/ Harvester.
Status	(F) Complaints Panel Decision
Decision / Justification	1. Pending the expiry of the appeals period on 19 July 2019.

Complaint 1.6 PT Limpah Sejahtera (First Resources) vs Yayasan Indonesian Animal Rescue International	
Date Filed	1 May 2010
Respondent	PT Limpah Sejahtera / First Resources
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Yayasan Indonesian Animal Rescue International
Complaint description	<p>Violation of P&C 5.2 and P&C 7.3 - No HCV carried out and damaging habitats. The company is alleged to have destroyed Orangutan habitats and did not carry out a HCV assessment before the development of the plantation.</p> <p>On the 18th October 2009, International Animal Rescue (IAR) rescued two orangutans from the PT Limpah Sejahtera palm oil plantation in West Kalimantan, Indonesia, on the request of plantation workers. This plantation is owned by PT Borneo Ketapang Permai, a subsidiary of RSPO member First Resources Limited, who this grievance is against.</p> <p>IAR was originally contacted by plantation workers to rescue two baby orangutans from the PT Limpah Sejahtera plantation. On arrival at the plantation on the 18th October, we were informed by a worker that another baby had disappeared and all adult orangutans captured had been killed and eaten. We were able to rescue two juvenile orangutans, who, despite obvious signs of mistreatment and neglect, are doing well and currently awaiting release at our rescue facility in Ketapang, West Kalimantan. We were also informed that orangutan sightings were occurring frequently at the plantation and that at least 10 more orangutans were living in the area. We are afraid that, by now, these orangutans have been killed and/or eaten.</p>
Status	(D) Investigation / deliberation
Decision / Justification	1. RB briefed that the complaint has been transferred to IMU for monitoring on 10 May 2019.

Complaint 1.7 PT. Mitra Austral Sejahtera (Sime Darby) vs NGO TuK	
Date Filed	31 October 2012 (Under DSF) 9 June 2017 (Transferred to the CP)
Rendent	PT Mitra Austral Sejahtera (Sime Darby subsidiary)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Transformasi untuk Keadilan (TuK)
Complaint description	<p>The communities of Sanggau have alleged that the company PT Mitra Austral Sejahtera is operating without :</p> <ol style="list-style-type: none"> 1. Lack of Transparency on land status and partnership agreements 2. Lack of compliance to our customary land rights 3. The absence of (documented) compensation 4. Lack of compliance to local regulations <p>In acting so they are alleged to have breached RSPO Principles and Criteria specifically on:</p> <p>Principle 1 on Transparency,</p> <p>Principle 2 on Compliance with applicable laws and Principle 6 Responsible consideration of employees and individuals and communities affected by growers and mills.</p>
Status	(D) Investigation / deliberation
Decision / Justification	<ol style="list-style-type: none"> 1. Pending further documents from the Company as requested by the legal reviewer for the completion of the legal review.

Complaint 1.8 PT. Minamas Gemilang (Sime Darby) vs Oky Wardianto	
Date Filed	19 November 2017
Respondent	PT Minamas Gemilang (Sime Darby)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Mr. Oky Wardianto
Complaint description	The Complainant is an individual, Mr Oky Wardianto and the allegations are with regards to non-payment of salary to the Complainant in his position as Director and Commissioner.
Status	(D) Investigation / deliberation
Decision / Justification	1. Letter of warning has been issued and the deadline for the Respondent to provide the remaining requested documents is by 31 May 2019.

Complaint 1.9 Golden Veroleum Liberia (GVL) vs. Green Advocate for the Butaw Community; FPP; SDI; SESDev; A-Bloteh	
Date Filed	2 October 2012
Respondent	Golden Veroleum Liberia (GVL)
Membership Category	Oil Palm Grower
Country	Liberia
Complainant	Green Advocate for the Butaw Community; FPP; SDI; SESDev; A-Bloteh
Complaint description	<p>Golden Veroleum Liberia:</p> <ol style="list-style-type: none"> a. has not provided public notification for a 30 day period consistent with the New Planting Procedures; b. commencing land preparation new planting and infrastructure development prior to the expiry of the minimum 30-day period; c. By not conducting a comprehensive and participatory independent social and environmental impact assessment(s) of the area concerned and incorporate the results into relevant action plans (see RSPO criteria 5.1, 6.1, 7.1 & 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; d. Clearing land without the free, prior and informed consent of the customary land owners as represented through representative organizations of their choice (P&C 2.2, 2.3, 7.5 and 7.6).
Status	(D) Investigation / deliberation
Decision / Justification	1. Secretariat in the midst of preparing a Briefing Note to update the CP on the latest developments.

Complaint 1.10 PT. Harapan Sawit Lestari (Cargill) vs Link-AR Borneo	
Date Filed	25 May 2018
Respondent	PT Harapan Sawit Lestari (Cargill)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Link-AR Borneo
Complaint description	PT Harapan Sawit Lestari allegedly commenced the re-planting activities without proper consent from the local community of Asam Besar in West Kalimantan.
Status	(D) Investigation / deliberation
Decision / Justification	1. Briefing Note in progress to update the CP on the latest developments.

Complaint 1.11 AMP Plantation (Wilmar) vs KUD Dasra (represented by lawyer)	
Date Filed	30 April 2018
Respondent	AMP Plantation (Wilmar)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Represented by lawyer on behalf of KUD Dasra
Complaint description	Dispute regarding plasma cooperation with KUD Dasra.
Status	(D) Investigation / deliberation
Decision / Justification	<ol style="list-style-type: none"> The Secretariat has received a response from the Respondent and will proceed with the briefing note for the CP's further action.

Complaint 1.12 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	
Date Filed	15 October 2018
Respondent	HSA Group (Pacific Inter-Link, Pacific Oils & Fats Industries Sdn Bhd, PT. Pacific Indopalm Industries, PT. Pacific Medan Industri, PT. Pacific Palmindo Industri)
Membership Category	Oil Palm Grower
Country	Malaysia / Cayman Island
Complainant	Environmental Investigation Agency (EIA) & Greenpeace
Complaint description	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.
Status	(C) CP constituted
Decision / Justification	<ol style="list-style-type: none"> 1. CP to issue a directive to the Respondent in order to direct the Respondent to provide the necessary documents to finalise the membership due diligence.



Complaint 1.13 Pacific Inter-Link (Papuan Concessions) vs Environmental Investigation Agency (EIA) & Greenpeace	
Date Filed	15 October 2018
Respondent	Pacific Inter-Link (Papuan Concessions)
Membership Category	Oil Palm Grower
Country	Malaysia / Cayman Island
Complainant	Environmental Investigation Agency (EIA) & Greenpeace
Complaint description	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	(C) CP constituted
Decision / Justification	<ol style="list-style-type: none"> The Secretariat is preparing a response on the issue of confidentiality to both parties.

GROUP 2

Complaint 2.1 Extractora de La Gloria SAS vs ASOCOL, ASOCADAR	
Date Filed	19 November 2015
Respondent	Extractora de la Gloria SAS
Membership Category	Oil Palm Grower
Country	Colombia
Complainant	Fredy Antonio Corrales, representative of the Colombian Association for Displaced Peoples’ Prospects (ASOCOL), Adelfo Segundo Rodríguez, representative of the Association of Returning Displaced Farmers (ASOCADAR), Senator Iván Cepeda, Senator Alberto Castilla, and Representative Alirio Uribe
Complaint description	<p>Extractora La Gloria SAS, in planting palm oil in the former Hacienda Bellacruz- today Hacienda La Gloria- occupies 9,000 hectares in the municipalities of La Gloria, Pelaya and Tamalameque, in southern Cesar Department without following RSPO rules. It does not comply with the following RSPO principles:</p> <ul style="list-style-type: none"> ● Principle 1.1. Given that is does not provide clear and sufficient information regarding the Business Group. ● Principle 2.1. The Business Group has not declared itself to Colombian authorities and the crops were planted without an Environmental Management Plan for the Forest Reserve, which goes against national business and environmental regulations. ● Principle 2.2. Property ownership claims in the areas where Extractora La Gloria grows the majority of its crops have been called into question at national and international judicial bodies. Farming communities have demanded the formalization of their customary land rights, which were violently denied by paramilitary groups. ● Principle 2.3. Business operations have not recognized the rights of farmers who are also displacement victims, in contravention of businesses’ duty to guarantee free, prior and informed consent regarding land use. ● Principle 4.4. While installing and processing palm crops, Extractora La Gloria affected the Caño Alonso Forest Reserve Buffer Zone and the Singararé, El Carmen and Simaña streams. ● Principle 5.2. The company has not avoided damaging the Caño Alonso Forest Reserve Buffer Zone, a specially protected habitat such as installing palm crops over the Reserve’s environmental buffer zone. ● Principle 6.4. The company has neglected the claimants, despite the fact that they have been the most affected by its business activities. The company has also refused to create negotiation platforms. ● Principle 6.13. The company has benefited from grave human rights violations of vulnerable farmers, who were also forcefully displaced by illegal armed actors. The company has not publicly rejected the threats and intimidations against the claimants. It even requested that the Constitutional Court lift the cautionary measures protecting the victims.



Status	(D) Investigation / deliberation
Decision / Justification	<ol style="list-style-type: none"><li data-bbox="469 277 1423 383">1. Awaiting a response from the land authorities. The Secretariat's office in Latin America to meet with the land authorities to obtain further updates.

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

Complaint 2.3 PT. Hati Prima Agro (PT.HPA - Bumitama) vs Sawit Watch	
Date Filed	13 October 2017
Respondent	PT Hati Prima Agro (Bumitama)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Sawit Watch
Complaint description	<p>A complaint was initially lodged in 2012 on allegations related to land matters. It was dismissed in April 2015 when Bumitama said that they were planning to divest the property and no longer had management control. However, in this request for reopening of the complaint, the complainant (Sawit Watch, EIA, and Greenpeace) has made allegations that although Bumitama claimed to have divested the property they continued to have management control. Further, in July 2016 Bumitama had repurchased the concession unit.</p> <p>Thus, the request for reopening is on the basis that Bumitama allegedly made deceptive claims before the Complaints Panel. The Complainants further claim that Bumitama had not submitted NPP despite the land clearance.</p>
Status	(F) Complaints Panel Decision
Decision / Justification	<ol style="list-style-type: none"> The issue of the NDA has been resolved and both the Secretariat and the independent legal experts have issued statement letters on confidentiality. The deadline for the Respondent to furnish the requested documents is by 31 May 2019.

Complaint 2.4 PT. Bumi Sawit Kencana II (PT.BSK-Wilmar International Ltd.) vs Village Kapuk	
Date Filed	22 July 2016
Respondent	PT Bumi Sawit Kencana II (Wilmar International Ltd)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Community of Village Kapuk & NGO Progress
Complaint description	Community of Kapuk Village demand the company to give the compensation on 78 Ha land owned by the Farmers Group.
Status	(F) Complaints Panel Decision
Decision / Justification	1. Pending expiry of the appeals period on 19.06.2019.

Complaint 2.5 Palmas Del Espino SA. vs FREDEIALBA	
Date Filed	4 July 2017
Respondent	Palmas Del Espino SA
Membership Category	Oil Palm Grower
Country	Peru
Complainant	FREDEIALBA
Complaint description	<p>Allegations:-</p> <ul style="list-style-type: none"> ● The company and their group member developing the plantation without proper NPP process; ● Developing plantation without informing the local communities; ● The company has failed to comply with national law on the forest conversion. ● Mistreatment of employees including arbitrary dismissal. ● New plantings established without EIA and HCV assessment.
Status	(D) Investigation / deliberation
Decision / Justification	<ol style="list-style-type: none"> 1. The Secretariat had a meeting with the Respondent and was informed that the case is still pending at the Constitutional Court. 2. The Secretariat has been informed that this will take a few more months before its disposal.

Complaint 2.6 Felda Global Ventures Holding Berhad vs RSPO Secretariat	
Date Filed	19 April 2017
Respondent	Felda Global Ventures Holding Berhad
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	RSPO Secretariat (on the basis of Article by Chain Reaction Research)
Complaint description	<p>There was a report issued by Chain Reaction which reported the fact that FGV in their Kalimantan concession had cleared 1600 Ha peat forest. On 25th April 2017 Secretariat had a meeting with FGV and they claimed that they only planted on less than 100 Ha of shallow peat. We had requested them to give an update.</p> <p>The update on an independent audit done by Aksenta showed that there was no deforestation. At the moment, we are still waiting for written clarification from FGV and their further actions.</p>
Status	(D) Investigation / deliberation
Decision / Justification	<ol style="list-style-type: none"> 1. Pending clarification from the Respondent. 2. A reminder will be sent to provide clarification in writing within 14 working days.

Complaint 2.7 PT. Surya Agro Palma (Genting Plantation) vs Link-AR Borneo	
Date Filed	21 January 2018
Respondent	PT. Surya Agro Palma (Genting Plantation)
Membership Category	Oil Palm Grower
Country	West Kalimantan, Indonesia
Complainant	Link-AR Borneo
Complaint description	<p>Allegations:</p> <ul style="list-style-type: none"> • Lack of transparency on the Plasma Scheme. • Locations: Tapang Tingang Village dan Kiungkang Village, Sanggau, West Kalimantan.
Status	(F) Complaints Panel Decision
Decision / Justification	<p>1. Pending expiry of the appeals period on 16.07.2019.</p>

Complaint 2.8 PT. Perkebunan Nusantara VI vs PT REKI	
Date Filed	16 April 2018
Respondent	PT Perkebunan Nusantara VI
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	PT REKI
Complaint description	<p>Allegation:- The complainant claims that PT.PN VI has bought illegal FFB from the communities. The complainant informed that the communities have planted palm oil plantations on their concession area and sold FFB to members of RSPO (PT.PN VI). The complainant has provided the evidence for these allegations.</p>
Status	(F) Complaints Panel Decision
Decision / Justification	<ol style="list-style-type: none"> Pending expiry of the appeals period on 4.06.2019



Complaint 2.9 Golden Agri Resources vs Forest Peoples Programme (FPP) & TuK	
Date Filed	22 August 2018
Respondent	Golden Agri Resources
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Forest Peoples Programme (FPP) and Tuk- Indonesia
Complaint description	GAR's shadow companies are actively clearing lands.
Status	(C) CP constituted
Decision / Justification	<ol style="list-style-type: none"> 1. Both parties have agreed to the ToR. 2. The Secretariat will proceed with the procurement process of engaging the legal expert.

Complaint 2.10 Presco PLC Nigeria (SIAT SA) vs Indigenous People of Oruarivie-Abraka Kingdom	
Date Filed	17 September 2018
Respondent	Presco PLC Nigeria (SIAT SA)
Membership Category	Oil Palm Grower
Country	Nigeria
Complainant	Indigenous People of Oruarivie-Abraka Kingdom
Complaint description	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.
Status	(C) CP constituted
Decision / Justification	1. Adjourned pending mediation.



Complaint 2.11 Presco PLC Nigeria (SIAT SA) vs Oria-Abraka Community	
Date Filed	16 October 2018
Respondent	Presco PLC Nigeria (SIAT SA)
Membership Category	Oil Palm Grower
Country	Nigeria
Complainant	Oria-Abraka Community
Complaint description	Infringement of customary rights of the local community.
Status	(C) CP constituted
Decision / Justification	<ol style="list-style-type: none"> 1. Adjourned pending mediation. 2. The Secretariat is waiting for the Respondent to update on the progress of the mediation held on 24 May 2019.

Complaint 2.12 PT. Agri Plus (Bumitama Agri Ltd) vs Link-AR Borneo	
Date Filed	25 January 2019
Respondent	PT Agri Plus
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Link-AR Borneo
Complaint description	FPIC Process, EIA/SIA Pollution
Status	(D) Investigation/Deliberation
Decision / Justification	<ol style="list-style-type: none"> 1. The Complainant (Link-AR Borneo) responded stating that they wish to withdraw the complaint and to proceed with bilateral engagement in accordance with their own timeline and with liberty to file a fresh complaint if their attempts outside the RSPO Complaints system does not provide mutually desired results. 2. Link-AR Borneo will be submitting a formal letter of withdrawal in due course. The Secretariat has reminded them to obtain the community's written consent before withdrawing the Complaint.

GROUP 3

Complaint 3.1 PT. Kartika Prima Cipta (GAR) vs Forest Peoples Programme & TuK	
Date Filed	14 October 2014
Respondent	Golden Agri Resources (GAR) – PT Kartika Prima Cipta (KPC)
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> <ol style="list-style-type: none"> 1. 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. 2. Land takeover was done without land tenure study and participatory mapping. 3. Late HCV assessment which was done by IPB, final consultation was in May 2014. 4. Dissatisfaction by smallholders and resentment because of reduced post facto set aside for HCV rather than getting plasma scheme (20%). 5. Set aside land as HCS area that made no provision for customary land uses and tenure and local people livelihood. 6. GAR as the parent company of all 18 subsidiaries listed in acting in violation of the New Planting Procedure (NPP) by submitting information which is known as false. No HGU in 16 of 18 NPP. 7. The assessors which have endorsed GAR’s HCV assessment, ESIA’s and social engagement actions, are in violation of their responsibility to provide impartial assessment of company compliance with RSPO P&C.
Status	(D) Investigation / deliberation
Decision / Justification	1. The ToR is in review.

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



Complaint 3.3 Poligrow vs Video by Environmental Investigation Agency	
Date Filed	13 August 2015
Respondent	Poligrow Colombia
Membership Category	Oil Palm Grower
Country	Colombia
Complainant	Environmental Investigation Agency
Complaint description	EIA’s video, “Between Water and Oil Palm,” is a collaboration with Colombian group La Comisión Intereclesial de Justicia y Paz (Justicia y Paz) and has documented how investments have come at the expense of indigenous rights in Mapiripán, Meta, Colombia. One company, the Italian-owned Poligrow Ltd, has prohibited the Jiw and Sikuaní indigenous communities from using traditional hunting and fishing lands, and prevented access to a culturally revered site, Las Toninas—a lake considered sacred and home to pink dolphins. The Jiw report that no free, prior, or informed consultation has taken place regarding Poligrow’s operations and that the company’s expansion limits their right to freedom of movement. The video above alleged abuses by RSPO Italian member in Colombia.
Status	(D) Investigation / deliberation
Decision / Justification	<ol style="list-style-type: none"> 1. The Respondent has submitted the action plan on 3 May 2019 with annexures addressing the HCV assessment as well as social & environmental assessments. 2. The Secretariat is to prepare a briefing note for the CP updating the CP on the latest submission of the action plan.

Complaint 3.4 Goodhope Asia Holdings vs RSPO Secretariat	
Date Filed	19 April 2017
Respondent	Goodhope Asia Holdings
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	RSPO Secretariat (Following Joint Comment by FPP, Greenpeace, EIA and PUSAKA on the NPP Posting of PT Nabire Baru / Goodhope)
Complaint description	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).
Status	(D) Investigation / deliberation
Decision / Justification	<ol style="list-style-type: none"> 1. The Secretariat received 2 letters from Goodhope on 24 May 2019 and on 27 May 2019 . 2. In the letter dated 24 May 2019, Goodhope accepted the condition of Sintang region. 3. In the letter letter on 27 May 2019, Goodhope submitted an appeal to the CP on the calculation of the FCL in the Ketapang region. 4. The Secretariat will establish an Appeals Panel in accordance with the Complaints and Appeals Procedure 2017.

Complaint 3.5 IOI Pelita (IOI Group) vs Community of Long Teran Kanan	
Date Filed	10 March 2010 Transferred back from DSF to Complaints Panel on 17 January 2017
Respondent	IOI Pelita (IOI Group)
Membership Category	Oil Palm Grower
Country	Sarawak, Malaysia
Complainant	Community of Long Teran Kanan
Complaint description	Infringement of P&C No.2.2 – the right to land use disputed
Status	(D) Investigation / deliberation
Decision / Justification	1. Pending receipt of the revised action plan and survey reports from the Respondent.

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

Complaint 3.7 PT. Agro Andalan (PT. Dharma Satya Nusantara) v Link-AR Borneo

Date Filed	7 September 2018
Respondent	PT Agro Andalan (PT Dharma Satya Nusantara)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Link-AR Borneo
Complaint description	Labourer died due to pesticides poisoning.
Status	(C) CP constituted
Decision / Justification	<ol style="list-style-type: none"> 1. The Complainant has withdrawn the complaint. 2. Secretariat received a letter from Link-AR Borneo seeking to withdraw and close the complaint lodged with RSPO based on the improvement of the health and safety conditions in the mill. 3. Secretariat to prepare a Briefing Note for the CP regarding the withdrawal.

Complaint 3.8 PT. Agro Lestari Mandiri (Sinar Mas) vs Serikat Buruh Sejahtera Indonesia Kabupaten Ketapang

Date Filed	30 August 2018
Respondent	PT Agro Lestari Mandiri (Sinar Mas)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Serikat Buruh Sejahtera Indonesia Kabupaten Ketapang
Complaint description	PT Agro Lestari Mandiri allegedly terminated workers in violation of the Indonesian Employment Law.
Status	(C) CP constituted
Decision / Justification	1. The briefing note is still in progress

Complaint 3.9 PT. Kapuas Maju Jaya (Genting Plantation Bhd) vs Kelompok Tani Penghijauan Tingang Menteng	
Date Filed	12 October 2018
Respondent	PT Kapuas Maju Jaya (Genting Plantation Bhd)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Kelompok Tani Penghijauan Tingang Menteng
Complaint description	Operation on community land with a coverage of approximately 150 Ha, hence causing destruction of a total of 124,500 rattan trees on the community's rattan plantation without any compensation paid.
Status	(C) CP constituted
Update on Actions	Both Parties agree to proceed with Bilateral Engagement.
Decision / Justification	<ol style="list-style-type: none"> 1. The Secretariat did not receive any response from the Complainant and there is no longer a representative for the Complainant. 2. CP to close the case.

Complaint 3.10 PT. Perkebunan Nusantara III vs Pemimpinan Cabang Federasi Serikat Pekerja Metal Indonesia	
Date Filed	18 January 2019
Respondent	PT Perkebunan Nusantara III
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Pemimpinan Cabang Federasi Serikat Pekerja Metal Indonesia
Complaint description	Minimum wage Wage withholding/Deduction Occupational Hazard, Unsafe working conditions, exposure to chemicals.
Status	(D) Investigation / deliberation
Decision / Justification	1. The Secretariat has received the special audit report from the CB and is in the midst of reviewing the special audit report.

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

Complaint 3.12 Oleaginosas Del Peru S.A (OLPESA) vs Community of Santa Clara de Uchunya	
Date Filed	22 March 2019
Respondent	Oleaginosas Del Peru S.A. (OLPESA)
Membership Category	Oil Palm Grower
Country	Peru
Complainant	Community of Santa Clara de Uchunya
Complaint description	<ol style="list-style-type: none"> 1. Sourcing FFB from unsustainable origin. 2. Failure to conduct SIA.
Status	(D) Investigation / deliberation
Decision / Justification	<ol style="list-style-type: none"> 1. The Secretariat has issued an email to the Complainant seeking clarification and the Complainant is to respond by Friday (31.05.2019).