

## COMPLAINTS PANEL MINUTES OF MEETING

for Website

Date: 25 May 2022 @ 5.00pm - 7.35pm (Meeting No.05/2022)

Meeting location: [via Zoom Link](#)

<p><b>List of Complaints Panel Members</b></p>	<table border="1"> <tr> <td data-bbox="376 528 906 799"> <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. Marieke Leegwater</li> <li>5. Lanash Thanda</li> </ol> </td> <td data-bbox="912 528 1439 799"> <ol style="list-style-type: none"> <li>6. Robert Kruger</li> <li>7. Nunik Maharani</li> <li>8. Florentine van den Eerenbeemt</li> <li>9. Laszlo Mathe</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. Marieke Leegwater</li> <li>5. Lanash Thanda</li> </ol>	<ol style="list-style-type: none"> <li>6. Robert Kruger</li> <li>7. Nunik Maharani</li> <li>8. Florentine van den Eerenbeemt</li> <li>9. Laszlo Mathe</li> </ol>
<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. Marieke Leegwater</li> <li>5. Lanash Thanda</li> </ol>	<ol style="list-style-type: none"> <li>6. Robert Kruger</li> <li>7. Nunik Maharani</li> <li>8. Florentine van den Eerenbeemt</li> <li>9. Laszlo Mathe</li> </ol>		
<p><b>Agenda</b></p>	<p><b><u>General Agenda:- 5.00pm to 5.35pm</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>29 April 2022</b> during the CP Meeting</li> <li>5. New Allegations</li> <li>6. Complaints Case Statistics</li> <li>7. Complaints Panel meeting Dates             <ol style="list-style-type: none"> <li>7.1 Dates for CP monthly meetings - 2022</li> <li>7.2 Dates for CP Physical Meetings - 2022</li> <li>7.3 Expansion of the Complaints Panel</li> </ol> </li> <li>8. Post Complaints Monitoring</li> <li>9. Dispute Settlement Facility (DSF)</li> <li>10. Commitment of Financial Institutions.</li> <li>11. GA Resolution - GA15-6d: Discouraging RSPO members subject to complaints from avoiding their obligations by divesting or withdrawing their membership</li> <li>12. Any Other Matters</li> </ol>		

13. Complaints for deliberation:-

**Group 1:- 5.35pm to 5.50pm**

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

**Group 2:- 5.50pm to 7.00pm**

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. PT. Perkebunan Nusantara IV (PERSERO) vs Koalisi Organisasi Serikat Pekerja dan Lembaga Swadaya Masyarakat Kabupaten Labuhan Batu, FSMI. TIPAN-RI
4. PT. Perkebunan Nusantara IV (PERSERO) vs *requested for confidentiality*
5. PT. Perkebunan Nusantara IV (PERSERO) vs Federasi Serikat Pekerja Metal Indonesia (FSPMI)
6. PT Agro Kati Lama - subsidiary of SIPEF group vs *requested for confidentiality*
7. 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.
8. PT. Cipta Usaha Sejati (Subsidiary of Pasifik Agro Sentosa) vs Petrus Suwito (Binua Tingkajok Kalimantan) representing - Isak Aloka and Simon P. Liunesi
9. PT. Ramajaya Pramukti (subsidiary of Golden Agri Resources Ltd) vs Lembaga Adat Kenegerian Petapahan (Ninik Mamak Kenegerian Petapahan), Bahtera Alam & Sawit Watch

**Group 3:- 7.00pm to 7.35pm**

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. IOI Plantation Mekassar Estate (subsidiary of IOI Corporation Berhad) vs *requested for confidentiality*
7. PT Nubika Jaya (subsidiary of Permata Hijau Group) vs LSM-Baris Labuhanbatu Selatan
8. 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
9. First Resources Limited vs *requested for confidentiality*
10. PT Inecda (a subsidiary of S&G Biofuel Pte. Ltd) vs *requested for confidentiality*
11. PT. Bumi Pratama Khatulistiwa (subsidiary of Wilmar International Limited) vs Teraju Foundation

**DETAILS OF THE AGENDA:**

No.	Agenda										
1.	Opening Remarks from Chairperson  Opening speech by CCP.										
2.	RSPO Antitrust Guidelines  RSPO Antitrust Guidelines were read to the Complaints Panel.										
3.	Declaration of “No Conflict of Interest”  No new conflict of interest declared by the CP members at this time of the meeting.										
4.	To confirm and adopt the minutes of <b>29 April 2022</b> during the Complaints Panel Meeting.  Minutes of the meeting for 29 April 2022 adopted unanimously.										
<b>5. New allegation submitted</b>											
5.1	<table border="1" data-bbox="233 1236 1401 1659"> <tbody> <tr> <td data-bbox="233 1236 523 1308">RSPO/2022/03/CRP</td> <td data-bbox="523 1236 1401 1308">PT.Perkebunan Nusantara V (PERSERO)</td> </tr> <tr> <td data-bbox="233 1308 523 1379">Complainant</td> <td data-bbox="523 1308 1401 1379"><i>requested for confidentiality</i></td> </tr> <tr> <td data-bbox="233 1379 523 1451">Complaint received</td> <td data-bbox="523 1379 1401 1451">04 March 2022</td> </tr> <tr> <td data-bbox="233 1451 523 1523">Location</td> <td data-bbox="523 1451 1401 1523">Indonesia</td> </tr> <tr> <td data-bbox="233 1523 523 1659">Allegations</td> <td data-bbox="523 1523 1401 1659"> <ul style="list-style-type: none"> <li>● The Respondent is deemed to have violated the cooperation agreement with the Complainant.</li> <li>● The Respondent is not transparent.</li> </ul> </td> </tr> </tbody> </table> <p data-bbox="272 1697 815 1733"><b>Discussion from 25 May 2022 (CP Meeting):-</b></p> <ol style="list-style-type: none"> <li data-bbox="280 1771 983 1807">1. Pending submission of the Initial Diagnosis to the CP.</li> </ol>	RSPO/2022/03/CRP	PT.Perkebunan Nusantara V (PERSERO)	Complainant	<i>requested for confidentiality</i>	Complaint received	04 March 2022	Location	Indonesia	Allegations	<ul style="list-style-type: none"> <li>● The Respondent is deemed to have violated the cooperation agreement with the Complainant.</li> <li>● The Respondent is not transparent.</li> </ul>
RSPO/2022/03/CRP	PT.Perkebunan Nusantara V (PERSERO)										
Complainant	<i>requested for confidentiality</i>										
Complaint received	04 March 2022										
Location	Indonesia										
Allegations	<ul style="list-style-type: none"> <li>● The Respondent is deemed to have violated the cooperation agreement with the Complainant.</li> <li>● The Respondent is not transparent.</li> </ul>										

5.2

<b>RSPO/2022/05/HN</b>	<b>Mados's Holdings Sdn Bhd</b>
Complainant	Mighty Earth Inc.
Complaint received	09 May 2022
Location	Johor, Malaysia
Allegations	<ul style="list-style-type: none"> <li>● Mados's Holdings Sdn Bhd has not disclosed all potential non-compliant land development within the Company's own concessions and Related Entities' concessions (controlled and influenced by Mados's Holdings Sdn Bhd).</li> <li>● The potential RaCP liabilities associated with Mados's Holdings Sdn Bhd's RSPO membership (i.e. the 1 Management Unit referenced in the RaCP Tracker) does not currently extend to all non-compliant land clearing of HCVs/HCS within the company's own concessions and Related Entities' concessions: -             <ul style="list-style-type: none"> <li>○ Mados' Holdings Sdn Bhd</li> <li>○ Ibzi Holdings Sdn Bhd and its subsidiary, AA Sawit Sdn Bhd</li> <li>○ Nadi Mesra Sdn Bhd</li> </ul> </li> </ul>

**Discussion from 25 May 2022 (CP Meeting): -**

- 1. The Secretariat is in the midst of preparing the Initial Diagnosis following withdrawal and resubmission of a fresh Complaint.**
- 2. The deadline for the submission of the Initial Diagnosis is on 20-June-2022.**

## 6. Complaints Cases Statistics

### Total Cases in 2022

	Jan-2022	Feb-2022	Mar-2022	Apr-2022
<b>Complaints received</b>	0	1	3	0
<b>Status</b>	-	Open (0) Withdrawn(1)	Open (2) Rejected (1)	-
<b>Country</b>	-	Malaysia (1)	Indonesia (3)	-
<b>Case Category</b>	-	land clearing without prior HCV assessment	FPIC	-

	May-2022	Jun-2022	Jul-2022	Aug-2022
<b>Complaints received</b>	1	-	-	-
<b>Status</b>	Open (1)	-	-	-
<b>Country</b>	Malaysia	-	-	-
<b>Case Category</b>	land clearing without prior HCV assessment	-	-	-

### Total Active Cases by Country and Year (as of 20.05.2022)

Country	Active Cases	Year	Active Cases
Indonesia	24	2010	1
Malaysia	3	2012	1
Colombia	1	2014	1
Liberia	1	2017	3
Cayman Island	1	2018	3
Honduras	1	2019	3



			<b>2020</b>	<b>7</b>
			<b>2021</b>	<b>9</b>
			<b>2022</b>	<b>3</b>
		<b>TOTAL</b>	<b>TOTAL</b>	<b>31</b>

<b>7.</b>	<b>Complaints Panel Meeting Dates</b>
<b>7.1</b>	<b>Dates for Complaints Panel monthly meetings</b>
	<p>Discussion from 25 May 2022 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>All CP meeting dates for the rest of the year have been finalised subject to the availability of CP members.</li> </ol>
<b>7.2</b>	<b>Dates for Complaints Panel Physical Meetings in 2022</b>
	<p>Discussion from 25 May 2022 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>Date for the Complaints Panel Physical Meeting has been finalised based on the availability of CP members.</li> </ol>
<b>7.3</b>	<b>Expansion of Complaints Panel</b>
	<p>Discussion from 25 May 2022 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>An individual from the ENGO sector is keen on applying to be a member of the CP. The Secretariat has written to the individual informing the said individual of the next steps with respect to the application and the Secretariat has also received a complete application from a grower member in Indonesia. The Secretariat will review the application.</li> <li>One other individual has expressed interest in applying to be a CP member. Pending completion of the said individual's application to be an affiliate member.</li> <li>The Secretariat has also approached a local bank to explore their interest in applying to be an RSPO member and thereafter to consider having them apply to be a member of the Complaints Panel.</li> </ol>



<b>8. Post Complaints Monitoring</b>	
<b>8.1</b>	<p><b>FELDA Global Venture - (Article by The Wall Street Journal)</b></p> <p>Discussion from 25 May 2022 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>1. The CP has deliberated and reached a decision.</li> <li>2. The Secretariat is to draft the decision letter.</li> </ol>
<b>8.2</b>	<p><b>PT Temila Agro Abadi - subsidiary of FGV - ( Article by Chain Reaction Research)</b></p> <p>Discussion from 25 May 2022 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>1. The draft decision letter has been submitted to the CP.</li> <li>2. Pending endorsement by the CP members.</li> </ol>
<b>8.3</b>	<p><b>Poligrow Colombia SAS</b></p> <p>Discussion from 25 May 2022 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>1. The Certification Unit furnished (by way of email on 17-May-2022) an amended audit report by the CB which incorporates a specific section on the implementation of the Respondent’s Action Plan as part of the Post Complaint’s Monitoring requirement by the Complaints Panel.</li> <li>2. The Secretariat sought clarification from the CB on 17-May-2022 on the status of the follow-up on-site verification. Pending a response from the CB.</li> </ol>
<b>8.4</b>	<p><b>PT Permata Hijau Sawit Kebun Papaso (subsidiary of Permata Hijau Group)</b></p> <p>Discussion from 25 May 2022 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>1. The Secretariat has furnished the Respondent’s response and the relevant supporting documents to the Complainant to verify whether the specific comments raised by the Complainant have been properly addressed based on the evidence provided by the Respondent.</li> <li>2. Pending response from the Complainant.</li> </ol>
<b>8.5</b>	<p><b>Extractor de la Gloria SAS</b></p> <p>Discussion from 25 May 2022 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>1. The Secretariat has received the translated Social Impacts report and the monthly update for April 2022.</li> </ol>

<b>9. Dispute Settlement Facility (DSF)</b>	
	<p>Discussion from 25 May 2022 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>The Secretariat is in the midst of scheduling the next DSF GoA online meeting, tentatively during the third week of June.</li> </ol>
<b>10. Commitments of Financial Institution(s)</b>	
	<p>Discussion from 25 May 2022 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>The Secretariat has approached a local bank to explore their interest in applying to be an RSPO member</li> </ol>
<b>11. GA Resolution - GA15-6d - Discouraging RSPO members subject to complaints from avoiding their obligations by divesting or withdrawing their membership</b>	
	<p>Discussion from 25 May 2022 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>This matter is to be brought forward for deliberation during the upcoming Board meeting.</li> </ol>
<b>12. Any Other Matters</b>	
	<p><b>ASC-CP MEETING</b></p> <p>Discussion from 25 May 2022 (CP Meeting):-</p> <ol style="list-style-type: none"> <li>Meeting tentatively to be fixed on either the 15th or 16th of June 2022 subject to the availability of both ASC and CP members.</li> </ol>

**COMPLAINTS FOR DELIBERATION:**

**GROUP 1**

<b>Complaint 1.1 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>	<ol style="list-style-type: none"> <li>1. Pending review of Briefing Note prior submission to the CP.</li> <li>2. The Secretariat and CP to identify a CP member from the other group to join the deliberation process for this particular Complaint as some of the CP members are conflicted.</li> </ol>

<b>Complaint 1.2 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>	<ol style="list-style-type: none"> <li>1. <b>The Secretariat has furnished the CP with a summarised version of the findings of the independent facilitator's interim report.</b></li> <li>2. <b>Pending fixing of a meeting between the Independent Facilitator and the CP members on the next course of action.</b></li> </ol>

<b>Complaint 1.3 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>	Processors and / or Traders
<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 review of Briefing Note prior to submission.</b></li> </ol>

<b>Complaint 1.4 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>	Processors and / or Traders
<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>The Secretariat is in the process of preparing the ToR and thereafter identifying the Consultant for an independent investigation.</b></li> </ol>

<b>Complaint 1.5 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>	<b>1. Pending review of Briefing Note prior to submission.</b>

<b>Complaint 1.6 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>	(H) Appeals Submitted
<b>Decision / Justification</b>	<b>1. The Secretariat is in the midst of processing the appeal.</b>



<b>Complaint 1.7 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>	<ol style="list-style-type: none"> <li>1. <b>The Parties have been informed that the CP has endorsed the extension of the Bilateral Engagement period for an additional 60 working days (i.e. until 10.08.2022).</b></li> </ol>

<b>Complaint 1.8 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>	<ol style="list-style-type: none"> <li>1. <b>The Secretariat has obtained further clarification from the Complainant on developments in the Complaint and will schedule a further online meeting with the Respondent for further clarity.</b></li> </ol>

<b>Complaint 1.9 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>	<ol style="list-style-type: none"> <li>1. <b>The Complaint is adjourned pending an outcome of the claim lodged before the Police of Kalimantan and the Ministry of Environment and Forestry.</b></li> <li>2. <b>The Respondent wishes to pursue the Bilateral Engagement instead of DSF Mediation.</b></li> <li>3. <b>The aforementioned decision has been conveyed to the Complainant and pending a response from the Complainant.</b></li> </ol>

**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>	(H) Appeals Submitted
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>The Appeals Panel has been constituted.</b></li> <li>2. <b>The 1st Appeals Panel meeting is scheduled on the 2nd of June 2022.</b></li> </ol>

<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 description</b>	<ul style="list-style-type: none"> <li>• GAR's shadow companies are actively clearing lands.</li> </ul>
<b>Status</b>	(D) Investigation / deliberation
<b>Decision / Justification</b>	<p><b>1. The Service Agreement has been executed by the Consultant. Independent investigation to be commenced by the Consultant.</b></p>

<b>Complaint 2.3 PT Perkebunan Nusantara IV (PERSERO) vs Koalisi Organisasi Serikat Pekerja dan Lembaga Swadaya Masyarakat Kabupaten Labuhan Batu, FSMI. TIPAN-RIPT</b>	
<b>Case Reference</b>	RSPO/2019/07/IR
<b>Date Filed</b>	10 April 2019
<b>Respondent</b>	PT Perkebunan Nusantara IV (PERSERO)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	North Sumatera, Indonesia
<b>Complainant</b>	Koalisi Organisasi Serikat Pekerja dan Lembaga Swadaya Masyarakat Kabupaten Labuhan Batu, FSMI. TIPAN-RI
<b>Complaint</b>	<ul style="list-style-type: none"> <li>• Lack of adequate health and safety equipment;</li> </ul>

<b>description</b>	<ul style="list-style-type: none"> <li>• Worker died due to lack of safety equipment; and</li> <li>• No festive holidays for temporary workers.</li> </ul>
<b>Status</b>	(D) Investigation/Deliberation
<b>Decision / Justification</b>	<b>1. The Secretariat held an internal meeting for the finalisation of the Briefing Note on 20.05.2022. Pending finalisation of Briefing Note.</b>

#### Complaint 2.4 PT Perkebunan Nusantara IV (PERSERO) vs requested for confidentiality

<b>Case Reference</b>	RSPO/2019/11/IR
<b>Date Filed</b>	23 April 2019
<b>Respondent</b>	PT Perkebunan Nusantara IV (PERSERO)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	North Sumatera, Indonesia
<b>Complainant</b>	<i>requested for confidentiality</i>
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• Temporary workers contract and wages issues;</li> <li>• Intimidation of workers</li> </ul>
<b>Status</b>	(D) Investigation/Deliberation
<b>Decision / Justification</b>	<b>1. The Secretariat held an internal meeting for the finalisation of the Briefing Note on 20.05.2022. Pending finalisation of Briefing Note.</b>

#### Complaint 2.5 PT Perkebunan Nusantara IV (PERSERO) vs Federasi Serikat Pekerja Metal Indonesia (FSPMI)

<b>Case Reference</b>	RSPO/2019/12/IR
<b>Date Filed</b>	6 May 2019
<b>Respondent</b>	PT Perkebunan Nusantara IV (PERSERO)
<b>Membership Category</b>	Oil Palm Grower
<b>Country</b>	North Sumatra, Indonesia
<b>Complainant</b>	Federasi Serikat Pekerja Metal Indonesia (FSPMI)

<b>Complaint description</b>	<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>
<b>Status</b>	(D) Investigation/Deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>The Secretariat held an internal meeting for the finalisation of the Briefing Note on 20.05.2022. Pending finalisation of Briefing Note.</b></li> </ol>

<b>Complaint 2.6 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 (DSF process)
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>The parties signed a Settlement Agreement on 11 May 2022.</b></li> <li>2. <b>The CP has agreed to close this Complaint. Pending preparation of decision letter.</b></li> </ol>

<b>Complaint 2.7 PT Agrowiratama ( a subsidiary of Musim Mas Holdings Pte. Ltd) vs Tim Advokasi DPPKNPI</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
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. <b>The analysis of the Court decision has been concluded and the findings by the Secretariat has been furnished to the CP.</b></li> <li>2. <b>The CP directs the Secretariat to request the Respondent to respond to the Complainant’s allegations.</b></li> </ol>



<b>Complaint 2.8 PT Cipta Usaha Sejati (subsidiary of Pasifik Agro Sentosa) vs Petrus Suwito (Binua Tinkakok Kalimantan) representing - Isak Aloka and Simon P.Luinesi</b>	
<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. <b>The Secretariat received a directive from the CP to proceed with the drafting of a decision letter.</b></li> </ol>

<b>Complaint 2.9 PT Ramajaya Pramukti (subsidiary of Golden Agri Resources Ltd) vs Lembaga Adat Kenegerian Petapahan (Ninik Mamak Kenegerian Petapahan), Bahtera Alam &amp; Sawit Watch</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>	Lembaga Adat Kenegerian Petapahan (Ninik Mamak Kenegerian Petapahan), Bahtera Alam & Sawit Watch
<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 (Bilateral Engagement process)
<b>Decision / Justification</b>	<b>1. Bilateral Engagement process ongoing.</b>

**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. An ad hoc meeting is to be scheduled in due course for further discussion with CP members.</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 a response from the Secretariat to the Respondent's letter raising queries 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>	<ol style="list-style-type: none"> <li>The signing ceremony is on 30th of May 2022 in Miri, Sarawak. A CP member and a representative from the Secretariat will be attending the signing ceremony.</li> </ol>

<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>	<ol style="list-style-type: none"> <li>The Secretariat is in the midst of preparing the ToR &amp; identifying a Consultant with relevant background.</li> </ol>

<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>	<ol style="list-style-type: none"> <li>1. <b>The letter requesting for a Compliance Audit and the comments on the revised special audit report have been forwarded to the Certification Unit for further action.</b></li> <li>2. <b>The Certification Unit will have a meeting with ASI to discuss the planning and arrangement for the Compliance Audit.</b></li> </ol>

<b>Complaint 3.6 IOI Plantation Mekassar Estate (subsidiary of IOI Corporation Berhad) vs requested for confidentiality</b>	
<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 Secretariat had a meeting with the Respondent on 10-May-2022. The salient points of the discussion were furnished to the Respondent by way of email on the same day.</b></li> <li>2. <b>The Respondent is to fix a meeting with the Certification Body and the Certification Unit to obtain further clarification which is to be conveyed to the Complaints Panel through the Secretariat.</b></li> </ol>

<b>Complaint 3.7 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> <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>	<b>1. Pending review of Briefing Note prior to submission.</b>

<b>Complaint 3.8 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><b>The Complainant decided to continue with the Complaint before the RSPO.</b></li> <li><b>The translation of the resolution from the Ministry of Labour will be ready by 27.05.2022.</b></li> </ol>

<b>Complaint 3.9 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>	<ol style="list-style-type: none"> <li><b>The Secretariat is to issue a fresh set of dates for an ad hoc meeting with the CP.</b></li> </ol>

<b>Complaint 3.10 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>	<ol style="list-style-type: none"> <li>1. <b>The Secretariat has reviewed the CB’s verification report and further queries may need to be posed to the CB to obtain clarification on the contents of the said report.</b></li> </ol>

<b>Complaint 3.11 PT Bumi Pratama Khatulistiwa (subsidiary of Wilmar International Limited vs Teraju Foundation - Indonesia</b>	
<b>Case Reference</b>	RSPO/2022/02/HN
<b>Date Filed</b>	4 March 2022
<b>Respondent</b>	PT. Bumi Pratama Khatulistiwa (subsidiary of Wilmar International Limited)
<b>Membership Category</b>	Processors and / or Traders
<b>Country</b>	Kalimantan Barat, Indonesia
<b>Complainant</b>	Teraju Foundation
<b>Complaint description</b>	<ul style="list-style-type: none"> <li>• The Respondent forced a community to give up the rights to their land in order to develop the land into an oil palm plantation.</li> <li>• The company then refused to return the land to the community by involving the police.</li> </ul>
<b>Status</b>	(D) Investigation / Deliberation
<b>Decision / Justification</b>	<ol style="list-style-type: none"> <li>1. Pending receipt of a formal response to the allegations from the Respondent.</li> <li>2. The deadline for the formal response to be furnished to the Secretariat is on 30-May-2022.</li> </ol>