

COMPLAINTS PANEL

MINUTES OF MEETING

For Website

27 November 2019 | 6.00 - 8.30pm | Meeting No. 11/2019

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="373 640 906 945"> <ol style="list-style-type: none"> 1. Henry Barlow (Chair - CCP) 2. Lim Sian Choo (LSC - Co Chair) 3. Michelle Desilets (MD) 4. Matthias Diemer (MDM) 5. Marieke Leegwater (ML) 6. Lanash Thanda (LT) 7. Robert Kruger (RK) </td> <td data-bbox="906 640 1439 945"> <ol style="list-style-type: none"> 8. Suzanne Hall (SH) 9. Frazer Lanier (FL) 10. Peter van der Werf (PVDW) 11. José den Toom (JDT) 12. Pieter Van Dessel (PVD) </td> </tr> </table>	<ol style="list-style-type: none"> 1. Henry Barlow (Chair - CCP) 2. Lim Sian Choo (LSC - Co Chair) 3. Michelle Desilets (MD) 4. Matthias Diemer (MDM) 5. Marieke Leegwater (ML) 6. Lanash Thanda (LT) 7. Robert Kruger (RK) 	<ol style="list-style-type: none"> 8. Suzanne Hall (SH) 9. Frazer Lanier (FL) 10. Peter van der Werf (PVDW) 11. José den Toom (JDT) 12. Pieter Van Dessel (PVD)
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<p>Agenda</p>	<p style="text-align: center;"><u>General Agenda: 6.00 pm to 6.05pm</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 23 October 2019 during the CP Meeting 4. New Allegations:- <ol style="list-style-type: none"> a. RSPO/2019/19/PR - PRESCO PLC b. RSPO/2019/20/PR - Norpalm Ghana Limited c. RSPO/2019/21/SW -PT Buana Wira Lestari 5. Complaints Statistics 6. Any other matters:- <ol style="list-style-type: none"> a. Dates for Complaints Panel meetings in 2020 b. Expansion of the Complaints Panel c. Collaboration with the Investigation & Monitoring Unit (IMU) d. DSF Updates 7. Amnesty International report on Wilmar International - a media enquiry by Sydney Morning Herald. 8. 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). 9. Commitment of Financial Institutions. 10. GA Resolution - GA15-6d: Discouraging RSPO members subject to complaints from avoiding their obligations by divesting or withdrawing their membership. 		

11. Complaints for deliberation:-

Group 1: 6.05pm - 7.35 pm

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. PMJM) - subsidiary of MP Evans vs Serbundo
6. PT. Mitra Austral Sejahtera (PT. MAS) - subsidiary of Sime Darby vs Transformasi untuk Keadilan (TuK-NGO)
7. Golden Veroleum Liberia (GVL) vs. Green Advocate for the Butaw Community & Forest Peoples Programme & SDI & SESDev & A-Bloteh
8. PT. Harapan Sawit Lestari (PT. HSL) - subsidiary of Cargill vs Link-AR Borneo
9. AMP Plantation a subsidiary of Wilmar vs KUD Dasra (represented by lawyer)
10. 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
11. Pacific Inter-Link (Papuan Concessions) vs Environmental Investigation Agency (EIA) & Greenpeace
12. PT. Berkat Sawit Sejati (subsidiary of Musim Mas) vs Hutan Kita Institute (HaKI)
13. Nacional Agro Industrial, S. A. (subsidiary of KH Regional Group Inc.) vs Consejo Nacional de Desplazados de Guatemala - CONDEG

Group 2: 7.40pm to 7.55pm

1. Extractora La Gloria S.A.S. vs ASOCOL & ASOCADAR
2. PT. Bumitama Gunajaya Abadi (PT. BGA) - subsidiary of Bumitama vs Sawit Watch
3. PT. Hati Prima Agro (PT. HPA) - subsidiary of Bumitama vs Sawit Watch
4. Palmas Del Espino S.A. vs FREDEIALBA
5. FELDA Global Ventures Holding Berhad (FGV) vs RSPO Secretariat (on the basis of an article by Chain Reaction Research)
6. Golden Agri Resources (GAR) vs Forest Peoples Programme & TuK - Indonesia
7. Presco PLC Nigeria (SIAT SA) vs Indigenous People of Oruarivie-Abraka Kingdom
8. PT. Perkebunan Nusantara IV (PERSERO) vs Koalisi Organisasi Serikat Pekerja dan Lembaga Swadaya Masyarakat Kabupaten Labuhan Batu, FSMI. TIPAN-RI
9. PT. Perkebunan Nusantara IV (PERSERO) vs *requested for confidentiality*
10. PT. Perkebunan Nusantara IV (PERSERO) vs Federasi Serikat Pekerja Metal Indonesia (FSPMI)
11. PT. Bilah Platindo (MP Evans) vs Federasi Serikat Pekerja Metal Indonesia (FSPMI)
12. PRESCO PLC (a subsidiary of SIAT SA) vs Delta Agricultural Stakeholders Farmers Union
13. PT Socfin Indonesia (subsidiary of Socfin SA) vs Lembaga Swadaya Masyarakat Team Investigation Penyelamat Asset Negara Republik Indonesia

Group 3: 7.55pm to 8.30pm

1. PT. Kartika Prima Cipta (PT. KPC) - subsidiary of Golden Agri Resources (GAR) vs Forest Peoples Programme & TuK Indonesia
2. Poligrow vs Video by Environmental Investigation Agency (EIA)
3. Goodhope Asia Holdings Ltd vs RSPO Secretariat
4. IOI Pelita - subsidiary of IOI Group vs Community of Long Teran Kanan
5. Primatama Mulia Jaya vs Masyarakat Adat Luhak Saparampek Simpang Tigo
6. PT. Agro Lestari Mandiri (PT. ALM) - subsidiary of Sinarmas vs Serikat Buruh Sejahtera Indonesia Kabupaten Ketapang
7. PT. Perkebunan Nusantara III (PT. PN) vs Pimpinan Cabang Federasi Serikat Pekerja Metal Indonesia
8. PT. SMART Tbk - subsidiary of Golden Agri Resources (GAR) vs Masyarakat Dusun I/II/III Belongkut
9. Oleaginosas Del Peru S.A. (OLPESA) vs Community of Santa Clara de Uchunya
10. PT. Smart Tbk (subsidiary of GAR) vs Konsulat Cabang Federasi Serikat Pekerja Metal Indonesia.
11. Unico Desa Palm Oil Mill (IOI Corporation Berhad) vs Leap Spiral on behalf of Kampung Sri Ganda
12. PT. PHP/AMP Plantation (subsidiary of Wilmar) vs Represented by Lawyer on behalf local community
13. Boustead Rimba Nilai (subsidiary of Boustead Plantations Berhad) vs Mr Sauddin Che Lamin



DETAILS OF THE AGENDA:

No.	Agenda
1.0	Opening Remarks from Chairperson Opening speech by CCP.
2.0	Declaration of “No Conflict of Interest” No conflict of interest declared
3.0	To confirm and adopt the minutes of 23 October 2019 during the Complaints Panel Meeting. Minutes of 23 October 2019 adopted unanimously.

4.0 New allegation submitted

a. RSPO/2019/19/PR Presco Plc

Complainant :- Ovre Eku Community
 Complaint received :- 28 October 2019
 Location :- Nigeria
 Allegation :- Invasion forcible entry to Ovre-Eku Land by Presco Plc.

27 November 2019 (CP Meeting):-

1. Initial Diagnosis still in progress.

b. RSPO/2019/20/PR Norpalm Ghana Limited

Complainant :- Landowners of Ewusiejoe
 Complaint received :- 29 October 2019
 Location :- Ghana
 Allegations :- Non Transparency to landowners of Ewusiejoe.
 No minutes provided after meeting with Norpalm management.
 No information to Landowners on the arrival of the Inspectorate team from RSPO to enable them to participate and express their concerns.
 No information to Landowners on the demarcation made by Norpalm Ghana Ltd and no documents provided to the Complainant.
 Payments of monies to Landowners has not been fully made.

27 November 2019 (CP Meeting):-

1. The Initial Diagnosis has been submitted for the CP's consideration.

c. RSPO/2019/21/SW :- PT Buana Wira Lestari

Complainant :- *requested for confidentiality*

Complaint received :- 29 October 2019

Location :- Indonesia

Allegations :- The Respondent planted oil palm trees outside the HGU;
The Respondents planted oil palm trees at the edge of the river which resulted in damage to the watershed;
The Respondent never watered the road traversed by its FFB and CPO transport trucks which affected the health of the community of two villages due to dust;
The Complainant alleges that the Respondent mill's chimney emits black smoke and causes air pollution;
The Respondent is polluting the river water and also the surrounding community settlement caused by the liquid waste from the palm oil mills; and
The Respondent did not provide proper social assistance to the local community.

27 November 2019 (CP Meeting):-

- 1. The Initial Diagnosis has been submitted for the CP's consideration.**

5.0 Complaints Cases Statistics

Total Cases in 2018:

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

	May-2018	June-2018	July-2018	Aug-2018
Complaints received	4	0	1	3
Status	Open (1) Closed (3)	-	Open (1)	Open (2) Closed (1)
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 (1) Closed (1)	Open (2) Closed (4)	-	-
Certified	-	-	-	-
Country	Indonesia (1) Nigeria (1)	Indonesia (3) Nigeria (1) Liberia (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	4
Status	Open (1) Closed (1)	Rejected (1)	Open (2) Rejected (1)	Open (3) Rejected (1)
Certified	-	-	-	-
Country	Indonesia (2)	Malaysia(1)	Indonesia (1) Peru (2)	Indonesia (3) 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	3	1	1
Status	Open (2)	Open (3)	Open (1)	Open (1)
Certified	-		-	
Country	Indonesia (1) Malaysia (1)	Indonesia (1) Guatemala (1) Nigeria (1)	Indonesia (1)	Malaysia(1)
Case Category	- Wages (1) -No Festive Holidays (1) -conservation area for water (1)	-Workers unjustifiably dismissed (1) - Social Benefits (1) -Customary rights (1)	-Customary rights (1)	Terminated based on mental health discrimination (1)

	Sept-2019	Oct-2019	Nov-2019	Dec-2019
Complaints received	0	3	0	-
Status	-	Open (3)	-	-
Certified	-	-	-	-
Country	-	Indonesia (1) Ghana (1) Nigeria (1)	-	-
Case Category	-	Breach of Code of Conduct (1) Compensation (1) Pollution (1)	-	-

Total Active Cases by Country and Year:- (as of 20.11.2019):-

Country	Active Cases	Year	Active Cases
Indonesia	24	2009	0
Malaysia	6	2010	1
Colombia	2	2011	0
Nigeria	2	2012	1
Singapore	0	2013	0
Peru	2	2014	1
Brazil	1	2015	6
Liberia	1	2016	0
Guatemala	1	2017	7
Ghana	1	2018	10
Others*	1	2019	16
TOTAL	42	TOTAL	42

***Others:** Pending group membership determination.

27 November 2019 (CP Meeting):-

1. The paper on the increase in labour related Complaints has been submitted to the Assurance Standing Committee (ASC) and that the ASC will be reviewing the same moving forward.
2. The ASC has indicated that the CP should remain independent and for that reason a CP member will not be on the ASC. The ASC has suggested having physical meetings with the CP, at least twice next year (2020) moving forward. The Secretariat is proposing that during the Physical Meeting next year, a meeting between the CP and the ASC be scheduled.

6.0 Any other matter

a. Dates for Complaints Panel Physical Meeting in 2019:

27 November 2019 (CP Meeting):-

1. The Secretariat will be issuing the CP meeting dates for the 2nd half of 2020 by the end of this year.
2. The Secretariat has proposed the next CP Physical Meeting meeting to be in March 2020 and to be held in Kuala Lumpur, Malaysia.
3. The CP members agreed that there will be no CP meeting in December 2019 and that all matters be dealt with by way of email or an ad hoc meeting for specific Complaints.

b. Expansion of Complaints Panel

27 November 2019 (CP Meeting):-

1. The Secretariat is still waiting for the requested information from the individuals it has approached to be on the CP. The due process shall follow upon receipt of the same.
2. The Co-Chairs together with the Secretariat will be attending a meeting with the Indonesian Growers Caucus on 18.12.2019 with a view of inviting Indonesian Growers to apply to serve on the Complaints Panel.

c. Collaboration with the Investigation and Monitoring Unit

27 November 2019 (CP Meeting):-

1. The Secretariat updated the Complaints Panel on the status of ongoing post complaints monitoring.

d. DSF Updates:

27 November 2019 (CP Meeting):-

1. DSF has engaged a consultant who will be starting on 1.12.2019. The Consultant is tasked with identifying at least 2 complaints cases to be mediated under the DSF.

e. 'Watchmen 2' Report and proposed meeting with authors

27 November 2019 (CP Meeting):-

1. The Secretariat informed the CP that the BOG has directed that the issues raised in this report is to be looked at by the Secretariat as a whole.
2. The CP has directed the Complaints Desk to prepare an internal report analysing the

“Watchmen 2” report for the CP’s perusal.

ANY OTHER MATTERS:-

A

1. The Secretariat introduced a Management Trainee who has rotated into the Complaints Department for his training.

B

1. The Secretariat will be preparing a list of potential individual/entities including Indonesian Unions and from the P & T sector to be considered for the purposes of serving on the Complaints Panel.

C

1. A Co-Chair will be meeting with the Indonesian branch of the Human Rights Defenders group and has invited the Complaints Desk and IMU to join the meeting. The Co-Chair is to update the Complaints Panel on the outcome of the meeting at the next CP meeting.

D

1. There is a report in the BBC World Service on a member company operating an oil palm estate in the Democratic Republic of Congo. It is a human rights watch report and alleges amongst other things, the use of dangerous pesticides, poor labour conditions and poor payment of wages. It also involved the investment banks investing in the company. An NGO member has initiated or taken the lead in proposing to hold a meeting with the Company on these issues. The NGO member informed that the Secretariat together with a few other NGOs would be proposing a call with Company next week and will be sending the calendar invite for this meeting and once the meeting proceeds, the Secretariat will update the CP member on the progress.

	<p>7.0 Media Inquiry: Amnesty International Investigation report on Wilmar International – Sydney Morning Herald on 28 November 2016</p> <p>"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:</p> <ol style="list-style-type: none"> 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". <p>27 November 2019 (CP Meeting):-</p> <ol style="list-style-type: none"> 1. Briefing Note to be submitted by 31 December 2019
	<p>8.0 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)</p> <p>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.</p> <p>The following violations were noted in the report:</p> <ol style="list-style-type: none"> 1. PT Murini Sam Sam <ul style="list-style-type: none"> ● 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: <ul style="list-style-type: none"> ● Temporary workers and contract issues ● Wages and workload ● Child labour ● Health and safety



- Gender equality
- Freedom of association

27 November 2019 (CP Meeting):-

1. **Review of audit reports ongoing.**

9.0 Commitments of Financial Institution(s)

27 November 2019 (CP Meeting):-

1. **The Secretariat is awaiting further information from the Outreach and Engagement Department on the issue on the Central Bank raised by the CP.**

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

27 November 2019 (CP Meeting):-

1. **The Secretariat updated the CP on the progress of Resolution 6d. As the current representative is now no longer serving on the CP, the seat is open to all CP members.**
2. **Interested CP members are to follow up with the opening and the Secretariat is to keep the CP updated on the progress.**



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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 enclaved 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	1. Status Quo. Pending outcome of the appeal at the Sabah Lands and Surveys Department.

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. Status quo. Pending outcome of the Court Process.

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. Status quo. Pending outcome of the Court Process.
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Complaint 1.4 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	1. Pending RaCP process.

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. The Appeal process is ongoing.

Complaint 1.6 PT. Mitra Austral Sejahtera (Sime Darby) vs NGO TuK	
Date Filed	31 October 2012 (Under DSF) 9 June 2017 (Transferred to the CP)
Respondent	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. First draft of the legal review furnished to both parties for factual verification. Currently pending a response from parties on the outcome of the verification exercise.

Complaint 1.7 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> <ul 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	<ul style="list-style-type: none"> 1. As far as the implementation of the CP's decision in the Tarjuowon area, parties have agreed to the selection of the independent facilitator to proceed with the participatory mapping process. The ToR has been forwarded to the CP members for their comments. 2. The verification trip to Liberia is scheduled for January 2020 and the Secretariat will be liaising with the parties on the details of the trip.



Complaint 1.8 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	<ol style="list-style-type: none"> The Secretariat is currently waiting for the Certification Body to furnish the special audit report



Complaint 1.9 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	1. Briefing Note in progress.

Complaint 1.10 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	1. Briefing Note is in progress.



Complaint 1.11 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	Indonesia
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	1. Briefing Note is in progress.

Complaint 1.12 PT Berkat Sawit Sejati (subsidiary of Musim Mas) vs Hutan Kita Institute (HaKI)

Date Filed	12 March 2019
Respondent	PT Berkat Sawit Sejati (subsidiary of Musim Mas)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Hutan Kita Institute (HaKI)(Indonesia)
Complaint description	Allegations : 1. indicated using the area of Dangku Wildlife Reserve (SM) approximately 2,600 Ha and production forest area (HP) of approximately 3,200 Ha.
Status	(D) Investigation / deliberation
Decision / Justification	1. Review of supporting documents ongoing.

Complaint 1.13 Nacional Agro Industrial, S.A. (subsidiary of KH Regional Group Inc.) vs Consejo Nacional de Desplazados de Guatemala - CONDEG -(Guatemala)

Date Filed	8 June 2019
Respondent	Nacional Agro Industrial, S. A. (subsidiary of KH Regional Group Inc.)
Membership Category	Oil Palm Grower
Country	Guatemala
Complainant	Consejo Nacional de Desplazados de Guatemala - CONDEG
Complaint description	<p>Allegations :</p> <ol style="list-style-type: none"> 1. Unjustifiably dismissed 50 workers. 2. Naisa violates the code of ethical conduct through their contractor companies, 1) Hidrogen y oxigeno,SA. (2) Labores y Servicios, SA, (3) Sevicious Agricolas del Peten, SA.
Status	(D) Investigation / deliberation
Decision / Justification	<ol style="list-style-type: none"> 1. The Spanish version of the Respondent’s response has been forwarded to the Complainant and they have acknowledged receipt. 2. The Secretariat has instructed the CB to conduct a special audit.

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	1. Briefing Note is in progress.

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	1. Pending drafting of the 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"> Pending clarification from the legal expert to finalise the legal review before being forwarded to the CP members for further consideration.

Complaint 2.4 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	<p>1. The Secretariat is to seek further confirmation from the Respondent on the status of the land and the Court process as well as to seek confirmation from the Complainant.</p>



Complaint 2.5 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. Decision delivered. 2. Pending expiry of the appeals period.



Complaint 2.6 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. The Secretariat is in the process of identifying potential law firms without conflict of interest. 2. Due diligence exercise in progress.

Complaint 2.7 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	<ol style="list-style-type: none"> 1. Mediation is ongoing. The six (6) months adjournment granted by the CP has expired. 2. The Secretariat is to write to parties seeking confirmation on if they are still keen on proceeding with mediation and thereafter to update the CP.

Complaint 2.8 PT Perkebunan Nusantara IV (PERSERO) vs Koalisi Organisasi Serikat Pekerja dan Lembaga Swadaya Masyarakat Kabupaten Labuhan Batu, FSMI. TIPAN-RIPT

Date Filed	10 April 2019
Respondent	PT Perkebunan Nusantara IV (PERSERO)
Membership Category	Oil Palm Grower
Country	North Sumatera, Indonesia
Complainant	Koalisi Organisasi Serikat Pekerja dan Lembaga Swadaya Masyarakat Kabupaten Labuhan Batu, FSMI. TIPAN-RI
Complaint description	<ol style="list-style-type: none"> 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.
Status	(D) Investigation/Deliberation
Decision / Justification	1. Review of supporting documents ongoing.

Complaint 2.9 PT Perkebunan Nusantara IV (PERSERO) vs requested for confidentiality

Date Filed	29 April 2019
Respondent	PT Perkebunan Nusantara IV (PERSERO)
Membership Category	Oil Palm Grower
Country	North Sumatera, Indonesia
Complainant	<i>(requested for confidentiality)</i>
Complaint description	<ol style="list-style-type: none"> 1. Temporary workers contract and wages issues 2. Intimidation of workers
Status	(D) Investigation/Deliberation
Decision / Justification	<ol style="list-style-type: none"> 1. Review of supporting documents ongoing



Complaint 2.10 PT Perkebunan Nusantara IV (PERSERO) vs Federasi Serikat Pekerja Metal Indonesia (FSPMI)

Date Filed	6 May 2019
Respondent	PT Perkebunan Nusantara IV (PERSERO)
Membership Category	Oil Palm Grower
Country	North Sumatra, Indonesia
Complainant	Federasi Serikat Pekerja Metal Indonesia (FSPMI)
Complaint description	<ol style="list-style-type: none"> 1. Alleged fraud of wages for 7 workers, 2. No festive holidays and bonus for temporary workers
Status	(D) Investigation/Deliberation
Decision / Justification	<ol style="list-style-type: none"> 1. Review of supporting documents ongoing

Complaint 2.11 PT Bilah Platindo (subsidiary of MP Evans) vs Federasi Serikat Pekerja Metal Indonesia (FSPMI) - (Indonesia)

Date Filed	24 June 2019
Respondent	PT Bilah Platindo (subsidiary of MP Evans)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Federasi Serikat Pekerja Metal Indonesia (FSPMI)
Complaint description	<ol style="list-style-type: none"> 1. 2 daily workers died due to an accident happened on 23 February 2018. 2. Victims were not registered with Indonesia’s social insurance scheme and were not covered during the accident.
Status	(D) Investigation/Deliberation
Decision / Justification	<ol style="list-style-type: none"> 1. The Secretariat will issue a letter of warning to the Complainant



Complaint 2.12 Presco PLC Nigeria (SIAT SA) vs Delta Agricultural Stakeholders Farmers Union - Nigeria	
Date Filed	24 June 2019
Respondent	Presco PLC Nigeria (SIAT SA)
Membership Category	Oil Palm Grower
Country	Nigeria
Complainant	Delta Agricultural Stakeholders Farmers Union
Complaint description	There have been major unlawful invasion and forceful takeover of local farm lands by the Respondent.
Status	(D) Investigation/Deliberation
Decision / Justification	1. Briefing Note has been submitted to the CP for deliberation.

Complaint 2.13 PT. Socfin Indonesia (subsidiary of Socfin SA) vs Lembaga Swadaya Masyarakat Team Investigation Penyelamat Asset Negara Republik Indonesia (LSM.TIPAN-RI) (Indonesia)

Date Filed	26 July 2019
Respondent	PT Socfin Indonesia (subsidiary of Socfin SA)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Lembaga Swadaya Masyarakat Team Investigation Penyelamat Asset Negara Republik Indonesia (LSM.TIPAN-RI)
Complaint description	PT Socfin Indonesia used the land of 13 community members of Desa Negeri Lama Seberang without their express consent for the PT Socfin Indonesia water pipeline which is approximately 900 meters in length. The water pipeline extends from the Bilah River to the PT Socfin Indonesia palm oil mill.
Status	(D) Investigation/Deliberation
Decision / Justification	<ol style="list-style-type: none"> Both parties to the Complaint have agreed for the Complaint to be resolved by way of bilateral engagement. The deadline for the bilateral engagement process is on 20.01.2020.

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. Procurement of experts and review of supporting documents ongoing.



Complaint 3.2 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 Sikuni 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	1. Pending drafting of the decision letter.

Complaint 3.3 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. RaCP has informed the Secretariat that they have received the confirmation from the Respondent that they have conducted a drone survey. 2. The Respondent is working to resubmit the updated information for LUCA and upon completion, this will be moved forward to the Compensation Panel.



Complaint 3.4 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. 2nd Phase of Resolution Plan ongoing.



Complaint 3.5 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"> Pending clarification from the Certification Body on the Special Audit report.

Complaint 3.6 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	<ol style="list-style-type: none"> 1. The Industrial Court has issued a decision in favour of the Respondent. 2. The Secretariat is waiting for a confirmation by the Complainant as to whether the Complainant has submitted an appeal to the Supreme Court regarding the Industrial court's decision.

Complaint 3.7 PT. Perkebunan Nusantara III vs Pemimpin Cabang Federasi Serikat Pekerja Metal Indonesia	
Date Filed	18 January 2019
Respondent	PT Perkebunan Nusantara III
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Pemimpin 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 Briefing Note has been submitted to the CP for deliberation.

Complaint 3.8 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	<ol style="list-style-type: none"> 1. The Complainant has failed to furnish the Secretariat with all of the mandate from all workers and only can show the mandate from one worker. 2. Therefore, the Complaint shall proceed for only one worker.



Complaint 3.9 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. Pending internal review of the documents furnished by the Respondent.

Complaint 3.10 PT Smart Tbk (subsidiary of GAR) vs Konsulat Cabang Federasi Serikat Pekerja Metal Indonesia

Date Filed	22 April 2019
Respondent	PT Smart Tbk (subsidiary of GAR)
Membership Category	Oil Palm Grower
Country	North Sumatra, Indonesia
Complainant	Konsulat Cabang Federasi Serikat Pekerja Metal Indonesia.
Complaint description	Discrimination and violation against women workers, wages and no holidays given to women workers
Status	(D) Investigation / deliberation
Decision / Justification	1. Briefing Note is in progress.

Complaint 3.11 Unico Desa Palm Oil Mill (subsidiary of IOI Corporation Berhad) vs Leap Spiral on behalf of Kampung Sri Ganda

Date Filed	6 May 2019
Respondent	Unico Desa Palm Oil Mill (IOI Corporation Berhad)
Membership Category	Oil Palm Grower
Country	Lahad Datu, Sabah, Malaysia
Complainant	Leap Spiral on behalf of Kampung Sri Ganda
Complaint description	Alleged utilisation of an area demarcated as a conservation area to address water issues in the village.
Status	(D) Investigation / deliberation
Decision / Justification	<ol style="list-style-type: none"> 1. Briefing Notes submitted to the Complaints Panel for deliberation. 2. The Secretariat is to obtain further information from the Respondent for the CP’s deliberation and subsequent decision making.



Complaint 3.12 PT. PHP/AMP Plantation (subsidiary of Wilmar) vs Represented by Lawyer on behalf of Local Community - (Indonesia)	
Date Filed	20 August 2018
Respondent	PT. PHP/AMP Plantation (subsidiary of Wilmar)
Membership Category	Oil Palm Grower
Country	Indonesia
Complainant	Represented by Lawyer on behalf of local community
Complaint description	Dispute regarding plasma cooperation with local community
Status	(D) Investigation / deliberation
Decision / Justification	1. The draft warning letter for the Complainant has been submitted for the CP's consideration.



Complaint 3.13 Boustead Rimba Nilai (subsidiary of Boustead Plantations Berhad) vs Mr

Sauddin Che Lamin - (Malaysia)

Date Filed	12 August 2019
Respondent	Boustead Rimba Nilai (subsidiary of Boustead Plantations Berhad)
Membership Category	Oil Palm Grower
Country	Malaysia
Complainant	Mr Sauddin Che Lamin
Complaint description	Complainant was terminated on 2 July 2019 via letter without salary for 3 consecutive months based on mental health discrimination.
Status	(D) Investigation / deliberation
Decision / Justification	1. Review of supporting documents ongoing.