

RSPO Complaint Cases
Updated: 21 June 2018

RSPO Case Tracker Ref.	Date Filed	Member / Supplier	Complainant	Allegations	Progress updates
R116	19 November 2017	PT Minamas Gemilang (Sime Darby)	Mr. Oky Wardianto	The Complainant alleges that he has not been paid his salary as the Director and Commissioner since 2010. On the basis of the allegations, there are potential breaches of the P&C.	Summary and latest update is available here
R115	6 October 2017	Sarana Esa Cita (Musim Mas)	M. Ali Napiah	The complainant has stated that the company has operated on his land without compensation.	Summary and latest update is available here
R111	26 September 2017	PT. Prima Mitra Jaya Mandiri (MP Evans)	Serbundo (Serikat Buruh Perkebunan Indonesia).	The company has terminated 7 workers as they refuse to sign temporary employment agreement. They want to be a permanent workers, as some of them have worked for the company more than 1,5 years. Demands from Serbundo: 1. Request the Company instead of extended temporary employment agreement, make them as permanent workers, some of them has worked over than 1,5 years; 2. Rehire 7 workers and promote the status to become permanent, especially those who have been working in permanent basis work ie: Permanent/ Harvester.	Summary and latest update is available here
R114	25 September 2017	PT Hari Sawit Jaya (Asian Agri)	Konsulat cabang Federasi Serikat Pekerja Metal Indonesia (FSPMI) Selabuhanbatu Raya.	This is an issue on casual labour, discrimination of casual workers, bonus system, minimum wages and workers bringing family members to complete tasks to achieve targets.	Summary and latest update is available here
R117	11 August 2017	Aceites S.A	Complainant confidential.	One of ACEITES mills is allegedly purchasing its FFB from an operation run by Mrs. Alva Yiseth Villamizar Navas in the Maria la Baja area since May 2016. Alva Navas is allegedly collecting FFB from palm growers who accepted her offer of paying them below the market price, without invoices and also offered to harvest the fruit for them. Further, she also made several trucks available to	Summary and latest update is available here

				<p>transport the FFB from the field to the collection site. It is also alleged that she buys fruits from anyone, regardless of their ownership. Due to this, people started stealing fruit in the area, because she purchases fruit regardless of its origin, collecting the fruit without any type of sanitary control and with staff hired outside the rules laid down by the Ministry of Labor. The vehicles that collect the fruit do so during the night, a time when restrictions apply on mobility imposed by the City Hall. The FFB has been transferred to the mills located in the department of Magdalena, belonging to Aceites S.A and Palma Aceite.</p>	
R107	08 June 2017	PT Agro Indomas (Goodhope)	NA	<p>The Complainant worked at PT Agro Indomas, a subsidiary of Goodhope, in Indonesia since 1999. In mid-June 2002 new management of PT Agro Indomas dismissed over 1200 workers and transferred them and their families back to Jaya, Kalimantan. When the Complainant (as the manager then) objected to this move and requested 2 weeks to address the root cause of the employees strike, the management had told him off. His employment was subsequently terminated 3 – 4 months later. The Complainant had filed a wrongful dismissal case.</p> <p>The Administrative High Court of Indonesia found in favour of the complainant, ordering the P4P to revise the decisions. The content of the decisions are awarding him payment of compensation by the Company. This decisions haven't execute due to implementation of Law No. 2/2004 that negates P4P institution. The complainant has also failed in his numerous attempts to have the award executed by the courts in Indonesia.</p>	Summary and latest update is available here
R108	17 May 2017	PT Agro Muara Rupit (SIPEF)	Edhy Wardhana (an individual)	<p>The complainant brought forward the issue of fraudulent land title to RSPO. The complainant claimed that his land was fraudulently sold by his cousin to PT Agro Muara Rupit, a subsidiary of SIPEF.</p>	Summary and latest update is available here
R113	19 April 2017	Felda Global Venture Holding Berhad	Secretariat of RSPO, on the basis of Chain Reaction Research article.	<p>There was a report issued by Chain Reaction which informed the fact of FGV in Kalimantan's 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 on a shallow depth.</p>	Summary and latest update is available here

R103	19 April 2017	Goodhope Asia Holdings Ltd.	RSPO Secretariat	<p>The notification of PT Nabire Baru's NPP on the RSPO website triggered joint objections from Environmental Investigation Agency (EIA), Forest Peoples' Programme (FPP), Greenpeace and PUSAKA, critiquing the poor quality of the HCV Assessment, amongst others. The Complaints Panel received an official letter from the RSPO Secretariat on the basis of the General Assembly 12 Resolution 6(H), which requires the Secretariat to, "Monitor RSPO members' adherence to required procedures and report all members that omit submitting NPP notifications before clearing lands to the Complaints Panel."</p> <p>The Complaints Panel, within its mandate, has deliberated on this case on the basis of the i) RSPO Secretariat's letter; ii) official joint objections on PT Nabire Baru by EIA, FPP, Greenpeace and PUSAKA; iii) external independent review of HCV Assessments; iv) internal reviews of the NPP submissions; v) the fundamental objectives of the RSPO Complaints System¹; and vi) GA 12 Resolution 6(H).</p>	Summary and latest update is available here
R102	31 March 2017	PT Susantri Permai	Borneo Orangutan Survival Foundation	<p>An Orangutan found killed and eaten in the concession of PT Susantri Permai, a subsidiary of Genting Plantation. It is alleged that the killing was done by the plantation workers. The complainant requested RSPO to suspend the membership of PT Susantri Permai until a proper socialisation on the endangered species protection to the workers has been conducted.</p>	Summary and latest update is available here
R105	17 February 2017	PT Kartika Prima Cipta (Golden Agri Resources)	Link-Ar Borneo	<ol style="list-style-type: none"> 1. Land Claim by 1 community member of Nanga Suhaid, Mr. Saudi; 2. Land compensation claim by 1 community member of Nanga Suhaid, H. Kutai; 3. Water Pollution in the Kapuas river which affecting the fish farmers' business production; 4. Conflict between residents and Village Head of Tanjung regarding water quality; 5. Conflict between residents and Village head of Emperiang regarding the land acquisition process. 	Summary and latest update is available here
R104	18 December 2016	Genting Plantation Berhad (PT Susantri	Anonymous	PT. Susantri Permai, PT. Kapuas Maju Jaya and PT. Dwie Warna Karya are illegally operating and planting palm in the area of Productive Forest. The three companies were alleged to break the	Summary and latest update is available here

		Permai, PT Kapuas Maju Jaya and PT Dwie Warna Karya)		Indonesian law specifically UU No. 41 Tahun 1999, UU No. 18 Tahun 2013, and UU No. 39 Tahun 2014. The 3 companies have not obtained forest land swap area or Forest Area Release Permit and Business Permit (HGU).	
R92	11 October 2016	PT PP London Sumatra Indonesia Tbk	Indonesian Labour Rights Association (OPPUK), Rainforest Action Network (RAN), and International Labour Rights Forum (ILRF)	A report published by RAN, OPPUK, and ILRF titled, " <i>The Human Cost of Conflict Palm Oil: Indofood, PepsiCo's Hidden Link to Worker Exploitation in Indonesia.</i> " alleged human rights and labour abuses in two oil palm plantations owned by the Indofood Group. The full report available at ran.org/indofood .	Summary and latest update is available here
R95	21 July 2016	Bumitama Gunajaya Abadi	Sawit Watch	1.Dispute on plasma scheme mechanism; 2.Cooperative issues; 3.Claims from 15 members of communities (14 villagers from Kinjil Village and 1 Villager of Sukajaya Village).	Summary and latest update is available here
R100	19 July 2016	PT Karunia Kencana Permai Sejati II & III (Wilmar)	Kelompok Masyarakat Desa Tangar/Kelompok Tani Berkat Hapakat & Lampang Tarung	1. The company has not yet paid the compensation for 1099 Ha land owned by Kelompok Tani Berkat Harapan and Lampung Tarung; 2. The company has not yet paid the compensation for 110 Ha owned by Kelompok Masyarakat Desa Tangar (Sukarsih cs); 3. The company has not yet given 20% plasma for the community of Desa Tangar	Case close due to lack of evidence from the complainant. Summary and latest update is available here
R101	18 July 2016	PT Mustika Sembuluh (Wilmar)	Serikat Tani Desa Pondok Damar & NGO Progress	The complainant demanded the company to: 1. to provide 20% plasma for Desa Pondok Damar; 2. to enclave 6 ha land owned by Desa Pondok Damar; 3. to enclave location of ex Kampung Padas; 4. to re-negotiate the land dispute inside the plantation with the community; 5. to develop the capacity of uncultivated land in Desa Pondok Damar; 6. to provide job opportunities; 7. to help the development of local fisheries and farms owned by the local community.	Case close due to lack of evidence from the complainant. Summary and latest update is available here

R99	27 June 2016	PT Bumi Sawit Kencana II (Wilmar)	6 villagers of Desa Kapuk and NGO Progress	It is alleged that the company has not yet paid compensation for 78 Ha land owned by the villagers.	Summary and latest update is available here
R98	27 June 2016	PT. Bumi Pratama Khatulistiwa (Wilmar)	Serikat Tani Desa Pantap and NGO Progress	It is alleged that the company has not yet paid the compensation for 1482,90 Ha land.	Case close due to lack of evidence from the complainant. Summary and latest update is available here
R94	19 April 2016	PT Nabire Baru	Yayasan Pusaka	The company was allegedly violated RSPO Principles & Criteria: - Deforestation and plantings on peatlands; - Irregularities including development without an Environmental Impact Assessment; - Sima Village within PT Nabire Baru concession are suffered from severe flooding; - Failure in following proper FPIC process; - Excessive use of force including using of state security forces.	Summary and latest update is available here
R89	24 November 2015	Hap Seng Plantations Holdings Bhd	Dato Sia Yi Chin	The company was allegedly occupied the complainants land illegally in breach of RSPO rules.	Summary and latest update is available here
R87	19 November 2015	Extractora la Gloria SAS	Fredy Antonio Corrales, representative of the Colombian Association for Displaced Peoples' Prospects (ASOCOL), Adelfo Segundo Rodríguez, representative of the Association of Returning Displaced Farmers	The company was allegedly acquired land without following the law and not recognising the customary rights of the people. It is also accused of not observing conservation practices in the planting of oil palms in its concession.	Summary and latest update is available here

			(ASOCADAR), Senator Iván Cepeda, Senator Alberto Castilla, and Representative Alirio Uribe		
R91	13 November 2015	Bumitama Gunajaya Abadi	Sawit Watch	<p>The company was allegedly violated Principle No.2.2, 5, 6 and 7:</p> <ul style="list-style-type: none"> - Destroying graves and planting trees surrounding the graves; - Dispute on plasma scheme mechanism; - Termination of labourers and the status of labourers i.e. are they casual or permanent - Compensation not paid directly to the land owner; - Unauthorized use of trans-migrant land and the loss of land certificate; - Criminalisation of Gusti Gelombang, a former Company Public Relation officer and now the Head of Cooperative Body. <p>This case has been handled bilaterally since 2014. It was escalated to RSPO because police came to Sawit Watch's office to arrest Gusti Gelombang, who was in their office.</p>	Summary and latest update is available here
R86	13 August 2015	Poligrow Colombia Ltda	<p>La Comision Intereclesial de Justicia y Paz(Justicia y Paz) together with the Environmental Investigation Agency of the USA.</p> <p>The Complaints Panel of the RSPO decided to investigate the complaint, as a matter of public interest as the allegations against the member casts doubts on the</p>	<p>EIA's video, "Between Water and Oil Palm," is a collaboration with Colombian group La Comisión Intereclesial de Justicia y Paz (Justicia y Paz) which alleges that Italian -owned Poligrow Ltd has taken over land of the indigenous people in Mapiripan without free, prior,informed consent and also restricting their movement and access to sacred sites.The are also concerns about the environmental impact of Poligrow's expansion on the local landscape.</p>	Summary and latest update is available here

			integrity of the RSPO.		
R83	13 August 2015	Agropalma SA	José Maria Tabaranã da Costa and Aida Raimunda Maia da Costa.	Agropalma was allegedly acquired land and planted oil palm in violation of the RSPO Principles and Criteria.	Summary and latest update is available here
R80	03 April 2015	PT Sawit Nabati Agro/ PT Sukses Karya Sawit/ PT Berkat Nabati Sawit/ PT Bumi Sawit Sejahtera (IOI Group) – Ketapang	Aid Environment	<p>IOI Group was allegedly violated RSPO Principles & Criteria, as well as RSPO procedures:</p> <p>PT Sukses Karya Sawit (PT SKS): No NPP published, no challenging time-bound plan, substandard review by Certification Body, land clearing without Plantation Business Permit/ Ijin Usaha Perkebunan (IUP) and Location Permit/ Ijin Lokasi in 2009, fraudulent statement on activity on the ground issued to Provincial authority, no concession boundary filed in ACOP 2013-2014</p> <p>PT Berkat Nabati Sawit (PT BNS): No NPP published, no proper review of time-bound plan by Certification Body, land clearing without Plantation Business Permit/ Ijin Usaha Perkebunan (IUP) and Location Permit/ Ijin Lokasi in 2009, fraudulent statement on activity on the ground issued to Provincial authority in 2009, no concession boundary filed in ACOP 2013-2014, encroachment in Manis Mata Production Forest (present), local media report report alleges encroachment outside IUP boundary (September 2014).</p> <p>PT Bumi Sawit Sejahtera (PT BSS): HCV site #2 and forest cleared, canal constructed through HCV #2 prior to New Planting Procedure (NPP), not reported in NPP, deep peat clearance (after signing up to a peat restoration project), land scheduled for development in 2015 already cleared in 2014, incorrect categorization of NPP as "on going" because not all permits were obtained on 1 January 2010, land development prior to NPP, no concession boundary filed in ACOP 2013-2014,</p>	Summary and latest update is available here
R79	16 February 2015	Lembaga Kemajuan Tanah Persekutuan (FELDA)	Community of Desa Begahak	The company has breached the community's user rights to the land in breach of Principle 2.2	Summary and latest update is available here

R76	30 October 2014	PT Permata Hijau Pasaman 1 (Wilmar International Ltd)	Alman, S.H Gampo Alam, Pucuak Adat Nagari Kapa (indigenous leader of Nagari Kapa)	Clarity of the extent of PT. PHP 1's nucleus estate in Nagari Kapa. Rejection on PT. PHP 1's application to the National Land Agency for an HGU certificate over the customary (<i>ulayat</i>) land of Nagari Kapa.	Summary and latest update is available here
R75	13 October 2014	PT Kartika Prima Cipta/ Golden Agri Resource (GAR)	Forest People Programme and TUK	Golden Agri-Resources Ltd's subsidiary PT Kartika Prima Cipta was allegedly breached the RSPO Principles and Criteria on : <ul style="list-style-type: none"> i. Free Prior Informed Consent ii. Failure to do a proper HCV assessment prior to development. iii. non-compliance with national laws of Indonesia. 	Summary and latest update is available here