



Wilmar Respects RSPO's Decision on PT Permata Hijau Pasaman I

Singapore, 6 February 2017 - Wilmar International Limited (Wilmar) refers to the decisions of the Roundtable on Sustainable Palm Oil (RSPO) regarding the case of PT Permata Hijau Pasaman I (PT PHP I) released on 1 February 2017. The RSPO Complaints Panel has made the following decisions:

1. The disputed land shall be measured through participatory mapping, with the participation of the community of Nagari Kapa and surrounding settlements (*nagari*), as well as the complainants and local authority. PT PHP I shall assign an independent expert to conduct participatory mapping, for which expert will be discussed with the complainants. The cost will be borne by the company and RSPO. The assignment of the independent expert will be consulted with the complainants.
2. The result of the participatory mapping shall be brought by the involved parties to the National Land Agency (BPN).
3. The involved parties can renegotiate the partnership, e.g. by land leasing or shareholding, based on the results of participatory mapping, decisions or recommendations from the National Land Agency (BPN) with respect to the regulation on customary lands such as Local Regulation of West Sumatra No. 16/2008 on the *Ulayat* Land and its Utilisation.

Wilmar respects the decisions of the RSPO Complaints Panel and will act accordingly. As a committed member of the RSPO, Wilmar has always followed the due process of the RSPO Complaints Panel and has been cooperative in their investigations of PT PHP I. This includes many respectful meetings, consultations and engagements with the complainant and Forest Peoples Programme since the case was raised in 2014 (<http://www.rspo.org/members/complaints/status-of-complaints/view/76>). Wilmar remains fully committed to working with the RSPO and all parties concerned to resolve the case in a transparent and equitable manner.

Background and timeline of the case

October 2014

Gampo Alam filed a complaint to the RSPO on PT PHP I's failure to obtain Free, Prior and Informed Consent (FPIC) from the communities to release their land rights.

The RSPO Complaints Panel carried out an investigation which included meetings between RSPO, the communities, the Regional Land office and Wilmar. Wilmar was fully cooperative throughout the investigation process. The timeline of the investigation is tracked on the RSPO website at <http://www.rspo.org/members/complaints/status-of-complaints/view/76>.

10 March 2015

The RSPO Complaints Panel issued a preliminary decision stating that Wilmar was in compliance with RSPO principles, and had acted in accordance with the law. The decision clearly states that:

- i. The Cultivation Right on Land (Hak Guna Usaha - HGU) Certificate was issued to PT PHP I in accordance with the law; and hence the company is also in compliance with the RSPO requirements.
- ii. Land acquisition was done by the local government with the two local communities. As such, any discrepancies found should be raised with the local government. This issue of land boundary dispute between the two communities - Kapar and Sasak - is therefore a matter that should be discussed and resolved between the communities and the local government. Such disputes should be directed to the local administrative court rather than to Wilmar.

20 March 2015

Gampo Alam wrote to the RSPO Complaints Panel to reject the Panel's decision. The letter can be found at <http://www.rspo.org/files/download/5020840527d5997>.

4 May 2015

In response to Gampo Alam's letter, the RSPO informed Wilmar and all parties involved in the complaint that it has sought the support of the assistant of the Governor of West Sumatra in arranging a meeting between the RSPO and the related stakeholders in the Government of Pasaman Barat. An appointment with the related government personnel to meet after the Muslim festival of Lebaran or Eid (in August 2015) was secured. The purpose of the meeting was to address the following matters:

- i. To settle the land boundary dispute between the communities of Sasak and Kappa;
- ii. To explore alternatives for PT PHP I to operate legally without having a HGU (land use permit);
- iii. To confirm whether the area in question, under the PT PHP I HGU, will be returned to the local community upon expiry of the HGU.

20 May 2015

Forest Peoples Programme complained to the RSPO, alleging that Wilmar was behind the police's detention of Gampo Alam.

The RSPO has since confirmed that the police detention was not related to PT PHP I or Wilmar.

29 July 2015

All parties agreed to conduct ground-checking in order to have a clear understanding of the case. RSPO Secretariat sought for an independent consultant.

28 October 2016

The independent consultant conducted a stakeholders meeting in Pasaman Barat.

8 December 2016

At a follow-up meeting with the independent consultant, all parties tabled their offers and agreed to wait for the RSPO Complaints Panel's decision.