

SUSTAINABILITY BRIEF

October 2019

Progress of Community Conflict cases in West Sumatra

As of end October 2019, there are currently 3 active RSPO complaints cases involving Wilmar in West Sumatra, Indonesia. We are currently cooperating with the RSPO complaints desk and the IMU to ensure that the cases are handled well and with accountability. A summary of the cases can be found below, with full details on both the RSPO complaints tracker¹, and the Wilmar grievance dashboard (RSPO complaints listing)².

Despite delays in the process, Wilmar continues to be fully cooperative and open with the investigations being conducted by the RSPO.

1) RSPO case number: RSPO/2018/12/RB/

Full case available on

<https://askrspo.force.com/Complaint/s/case/50090000028EoXsAAK/detail>

Date Complaints Submitted	12 Jul 2018
Date Complaints Accepted	26 Sep 2018
Status	Investigation
Respondent	PT Primatama Mulia Jaya (Wilmar International Limited)
Complainant	Masyarakat Adat Luhak
Complaint	The issuance of Right of Utilization of the Respondent issued without prior information to the Complainant.
Summarized update as of 31 October 2019	<p>Since July 2019, the RSPO secretariat is in the process of finalizing the Briefing Note of the case for the Complaints Panel. This is pending additional information from a Special Audit undertaken by an appointed certification body.</p> <p>Wilmar has provided all documents and evidence for this case since February 2019.</p>

¹ <https://askrspo.force.com/Complaint/s/casetracker>

² <https://www.wilmar-international.com/sustainability/grievance-procedure>

2) RSPO Case number: RSPO/2018/06/RB

Full case available on

<https://askrspo.force.com/Complaint/s/case/5009000002AtWekAAF/detail>

Date Complaints Submitted	30 Apr 2018
Date Complaints Accepted	24 Oct 2018
Status	Investigation
Respondent	PT AMP Plantation - AMP Palm Oil Mill (a subsidiary of Wilmar International Limited)
Complainant	Complainant has requested confidentiality
Complaint	<p>The respondent allegedly has breached the Plasma scheme arrangement based on a plasma agreement in 1997. The respondent did not perform the necessary land certificate arrangement.</p> <p>The Respondent allegedly did not share the profit sales for FFB starting from 2002 until 2014.</p> <p>There is also an allegation that the respondent embezzled funds for the process of land certification approximately for 100 ha.</p>
Summarized update as of 31 October 2019	<p>Since July 2018, the RSPO secretariat is in the process of finalizing the Briefing Note of the case for the Complaints Panel.</p> <p>Wilmar last provided comments based on request from the RSPO complaints desk in February 2019.</p>

3) RSPO Case number: RSPO/2018/07/SW

Full case available on

<https://askrspo.force.com/Complaint/s/case/5009000002AtWgMAAV/>

Date Complaints Submitted	30 Apr 2018
Date Complaints Accepted	23 Sep 2019
Status	Investigation
Respondent	PT Permata Hijau Pasaman (a subsidiary of Wilmar International Limited)
Complainant	Represented by Lawyer on behalf of the local community
Complaint	Dispute regarding plasma cooperation with local community.
Summarized update as of 31 October 2019	<p>The complaint was formally accepted by the RSPO on 25th September 2019.</p> <p>Wilmar is awaiting further next steps in the investigation</p>

Court case linked to complaint case of PT PMJ

On 29th October 2010, the Dastra Village Cooperative (KUD Dastra) plasma smallholders partnering PT Primatama Mulia Jaya (PT PMJ), brought to the company's attention that their plantations were being trespassed and the oil palm in their estates were being illegally harvested by Syahrul Ramadhan Tanjung.

There has been a longstanding land dispute between KUD Dastra and Syahrul Ramadhan Tanjung, who claims the title of leader of the Nagari Simpang Tigo Koto Baru indigenous people. PT PMJ subsequently lodged a police report, on behalf of KUD Dastra to seek legal recourse for the continuous trespassing and illegal harvesting of their crops.

However, the trespassing and illegal harvesting continued for the next seven years till 2017, at which point, KUD Dastra smallholders requested PT PMJ to escalate the matter to the regional police. This led to a comprehensive investigation which resulted in the apprehension of Syahrul Ramadhan Tanjung and his associates.

He was then trialled at the district court for charges of looting and after careful examinations of the evidences brought before the courts, he was found guilty and given a nine-month jail sentence. Subsequent appeals to the High Court and the Supreme Court upheld the guilty verdict.

There is an ongoing grievance case with the RSPO (see above case related to PMJ) and is currently undergoing the relevant due process, of which all parties involved are awaiting for its outcome as well as the proposed next steps for resolution.

Forest Peoples Programme (FPP) published a statement on December 2018³ alleging Wilmar's criminalizing of community leaders in the West Pasaman region, specifically highlighting Syahrul Ramadhan Tanjung. Wilmar refutes the allegations of criminalization, which the statement heavily implies was used in response to Syahrul Ramadhan Tanjung raising the complaint.

Making progress on resolving existing conflicts

Wilmar has strict policies and procedures in relation to protecting Human Rights Defenders, regardless of their claims or campaign. Further we are currently developing with CORE, and NGO stakeholders on developing a specific No Exploitation grievance mechanism to improve the handling of grievance cases (for Wilmar and all our suppliers) can be made consistent with globally recognized guidelines.

Further to that, through our collaborative efforts with conflict resolution expert in the region, Wilmar has been closely engaging the affected members of the community in order to identify and develop a long-term resolution that is mutually agreed upon and beneficial for all parties. A report on the current work in the region will be made public in November 2019.

³ <https://www.forestpeoples.org/en/agribusiness-palm-oil-rspo/press-release/2018/press-release-palm-oil-plantations-linked>