

GREENPEACE



FINAL COUNTDOWN



**NOW OR NEVER
TO REFORM THE
PALM OIL INDUSTRY**

***'We can produce palm oil in a way that protects forests, clean air and local communities, all while contributing to development and prosperity in palm oil growing regions. We know from our customers and other stakeholders that there is a strong and rapidly growing demand for traceable, deforestation-free palm oil, and we intend to meet it as a core element of our growth strategy.'*⁵**

Kuok Khoon Hong, CEO, Wilmar International



22 August 2018, PT Sumatera Unggul Makmur (Gama), Kalimantan, 0°10'54.01"S 109°20'10.09"E:

Greenpeace Southeast Asia volunteer firefighter in a Gama oil palm concession in West Kalimantan. The Indonesian Ministry of Environment and Forestry reportedly sealed off four concession areas controlled by the Gama group as a result of the fires and was considering criminal charges. Gama is a long-standing Wilmar supplier and the two groups are closely related.

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In this report and its annexes and appendices, mentions of 'Greenpeace' should be read as references to Greenpeace International, unless otherwise indicated.

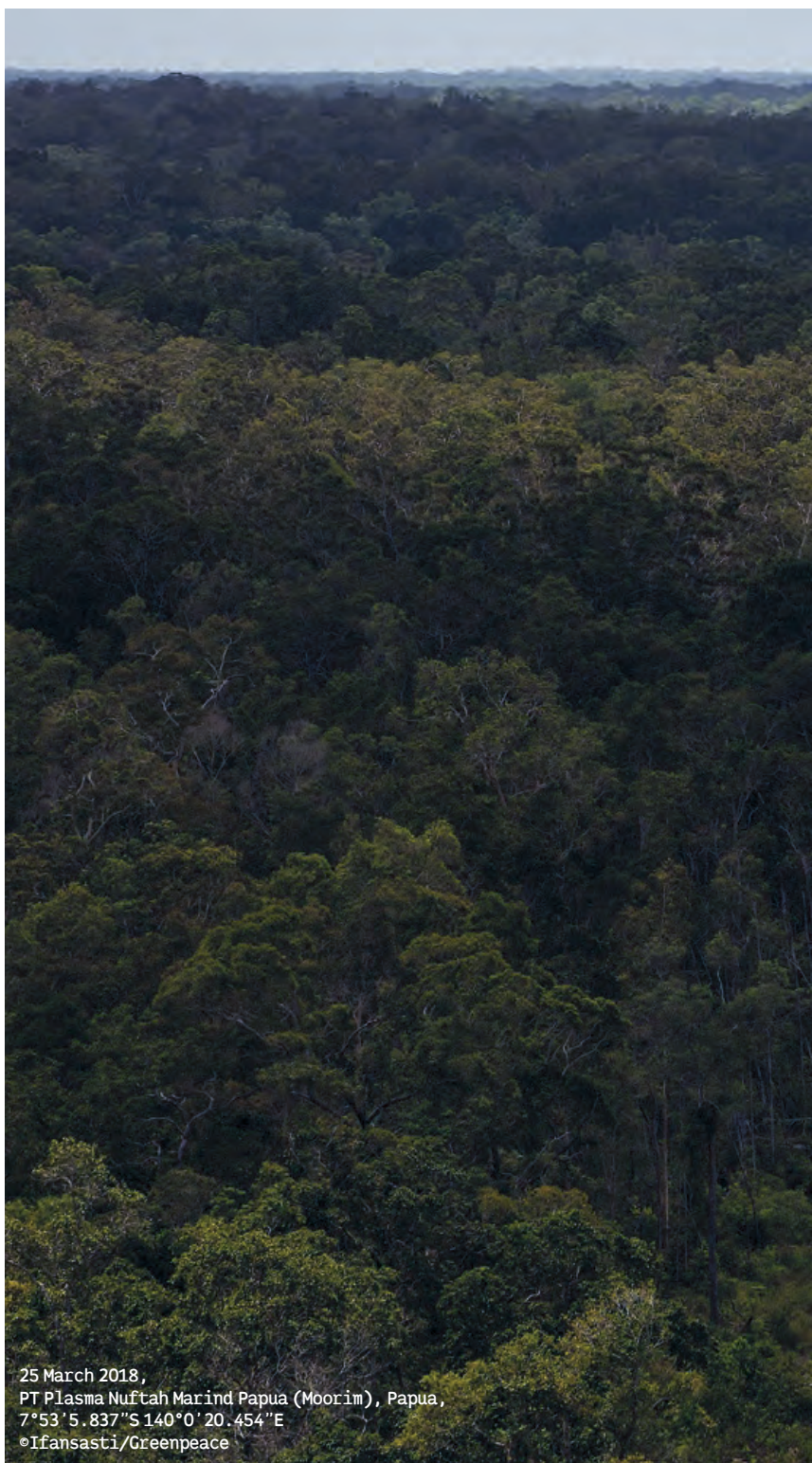
EXECUTIVE SUMMARY

In 2010, members of the Consumer Goods Forum pledged to clean up global commodity supply chains by 2020.¹ Their efforts did not get off to an auspicious start, being too limited in ambition and poorly enforced. But in December 2013, there was a significant development: the world's biggest palm oil trader, Wilmar International, made a commitment to 'no deforestation, no peat, no exploitation' (NDPE). Wilmar's CEO Kuok Khoon Hong promised that within two years the company would only be trading palm oil from responsible producers that protected the environment and respected human rights.²

This promise was a reaction to years of criticism of the palm oil industry's environmental and human rights abuses, which had continued despite the establishment of the Roundtable on Sustainable Palm Oil (RSPO) a decade earlier. Other traders and their customers followed suit, and within a year most major traders of Indonesian palm oil – and the brands they supplied – had published NDPE policies of their own. The traders' policies covered not only their own plantations, but those of the third-party producer groups from which most of their palm oil originates.

Since the end of 2014, all the conditions have been in place to make 'no deforestation' the new normal for the palm oil industry. The overwhelming majority of Indonesian and Malaysian palm oil now passes through companies that have committed to forest protection; recent analysis suggests that traders with NDPE policies operate 74% of the total refinery capacity in Indonesia and Malaysia.³ Yet deforestation for palm oil shows few signs of slowing down – because although brands and their suppliers have these policies, they have totally failed to implement them effectively.

The problems companies face when sourcing high-risk commodities like palm oil are well understood. The palm oil industry's expansion into rainforests and peatlands has had a devastating effect on Indonesia's people and wildlife, as well as our global climate. Yet years after announcing their NDPE policies, brands and traders are still falling at the first hurdle by failing to identify the producer groups in their supply chains and monitor them across their operations. In many cases, companies are sourcing palm oil from a producer's mature plantations while the same business is destroying forests for new plantations elsewhere. Yet brands and traders do not have – and do not require their suppliers to provide – the concession maps that would show whether the producer groups that supply them are compliant with their NDPE policies or are still clearing forest.



25 March 2018,
PT Plasma Nufrah Marind Papua (Moorim), Papua,
7°53' 5.837"S 140°0' 20.454"E
©Ifansasti/Greenpeace

***'A lot of people think if you outsource your value chain you can outsource your responsibilities. I don't think so. We need to be at the forefront of change. This is why Unilever is committed to greater transparency and continues to work with our partners to drive positive change in the palm oil industry.'*⁶**

Paul Polman, CEO, Unilever





20 September 2015,
Gunung Palung National Park, Kalimantan,
1°17'7.269"S 110°4'6.644"E
©Greenpeace

'You fly over Indonesian rainforests, burning and clearing for the production of palm oil and hear so many tuts and "isn't that just awful". But we're to be held accountable. Palm oil is in so many of the products we eat [...] – we can't do without it. It's easy enough to [blame] the Indonesians, but we're buying into it; it's down to us.'

Sir David Attenborough



25 March 2018,
PT Plasma Nufrah Marind Papua (Moorim),
Papua, 7°53'13.823"S 140°0'19.158"E
©Ifansasti/Greenpeace



18 December 2017,
PT Pusaka Agro Lestari (Noble), Papua,
4°20'22.469"S 136°41'3.649"E
©Sukarno/Greenpeace



Without this information, they have no way to guarantee that they are not sourcing palm oil from rainforest destroyers.

Despite promising to clean up their supply chains by 2020, brands and their suppliers are still sourcing palm oil from producers that destroy rainforests. The second section of this report documents extensive deforestation and human rights abuses by 25 palm oil producer groups, all but one of which have supplied brands with palm oil in the last 12 months. Between them, those producers are known to have destroyed more than 130,000ha of forest and peatland since 2015,⁴ an area almost twice the size of Singapore – and that is almost certainly an underestimate of the full scale of devastation, because the total size of their collective landbank is unknown. 40% of this destruction – 56,000ha – took place in Indonesian Papua, the newest front in the palm oil industry’s war against the environment.

Prior to publication Greenpeace contacted all the producer groups discussed in this report to offer them the opportunity to comment on the findings. Methodology for our identification of groups and a link to responses received, both prior to publication and subsequently, can be found in Annex 2.

As the world’s largest palm oil trader – and the first to publish an NDPE policy – Wilmar International bears much of the blame for the ongoing destruction of Indonesia’s rainforests for palm oil. Greenpeace’s analysis indicates that not only does Wilmar trade palm oil from more destructive

producers than most of its competitors, but it is often their primary route to market. The Forest Trust (TFT) and other consultants that support companies in the implementation of their NDPE policies must also answer for their failure to hold clients to account.

It is now or never for the palm oil industry. As global temperatures rise and populations of endangered species dwindle, companies will come under increasing pressure to prove their supply chains are clean or ditch high-risk commodities altogether. The future of the palm oil industry and other sectors depends on their adoption of a new model of trade based on radical transparency, independent verification and zero tolerance for deforestation and human rights abuses.

Wilmar must lead from the front. It must prove it no longer sources from forest destroyers, by requiring all producer groups in its supply chain to publish mill location data and concession maps for their entire operations and cutting off any that refuse. Wilmar must then completely transform its supply chain, so that by 2020 it is only trading with producers whose entire operations have been independently verified as compliant with all aspects of its NDPE policy – even if that means it must sell less palm oil.

Wilmar’s CEO, Kuok Khoon Hong, promised in 2013 to supply the market with deforestation-free palm oil. With 2020 less than 500 days away, the final countdown has begun.



15 September 2003,
Pindaunde Lakes, Papua New Guinea
©Mauthe/Greenpeace

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TIME IS RUNNING OUT FOR INDONESIA'S RAINFORESTS

The plantation sector – palm oil and pulp – is the single largest driver of deforestation in both Indonesia and Malaysia.⁸ According to figures released by the Indonesian Ministry of Environment and Forestry (MoEF), around 24 million hectares (ha) of the country's rainforests were destroyed between 1990 and 2015⁹ – an area almost the size of the UK¹⁰ – with a further 1.6m ha lost between 2015 and 2017.¹¹ Around a fifth (19%) of Indonesia's 2015–2017 deforestation took place in palm oil concessions.¹²

The destruction of Indonesia's rainforests is a global crisis. Deforestation and peatland destruction are major sources of greenhouse gas emissions; rainforest destruction has pushed Indonesia into the top tier of global emitters, alongside the United States of America and China.

Plantation development is a root cause of Indonesia's forest and peatland fires, with many fires started deliberately to clear land before planting. In July 2015, devastating forest and peatland fires spread across large areas of Sumatra, Kalimantan and Papua, grounding flights and forcing the closure of schools and offices across the region. During September and October 2015, daily greenhouse gas emissions from the forest fires regularly surpassed those of the United States.¹³ These fires also produce a haze that affects millions of people across Southeast Asia: researchers at Harvard and Columbia Universities estimate that 100,000 people will die prematurely from respiratory diseases linked to the 2015 haze.¹⁴ The World Bank calculated the cost of the disaster at US\$16bn.¹⁵

Deforestation for pulp and oil palm plantations has devastated lowland forests in Sumatra and Borneo, destroying vital habitat for tigers, elephants, rhinoceroses, orangutans and other endangered species. Scientists estimate that just two robust breeding populations of Sumatran tigers are left in the wild.¹⁶ Bornean orangutan numbers fell by over 50% between





4 October 2007,
Kapuas river, Kalimantan
©Behring/Greenpeace



1 April 2018,
PT Megakarya Jaya Raya (HSA), Papua,
6°26'48.948"S 140°14'20.087"E
©Ifansasti/Greenpeace



1999 and 2015, with no more than 70,000–100,000 individuals remaining.¹⁷ In 2015–2017, over a quarter (28%) of the loss of forested Bornean orangutan habitat in Indonesia was in palm oil concessions.¹⁸ Over 69% of potential habitat for the Sumatran elephant has been destroyed within just one generation.¹⁹ The Sumatran rhinoceros is said to be ‘hanging on by a thread’,²⁰ with fewer than 100 left in the wild.²¹ The crisis within Indonesia risks being repeated as the palm oil industry expands into new countries and regions: according to the International Union for Conservation of Nature (IUCN), undeveloped areas suitable for palm oil production are home to half of the world’s threatened mammals, and almost two-thirds of all threatened birds.²²

Palm oil lobbyists talk up the sector’s contributions to Indonesia’s economy and present it as a lifeline to smallholder farmers. In reality, the economic benefits of the palm oil boom have fallen on the handful of already wealthy individuals that control the big plantation companies.²³ Even initiatives that are supposed to help smallholder farmers, such as the Indonesian government’s export levy, are misused to provide even more support to the largest players in the sector.²⁴

By contrast, many of the costs have been borne by workers and communities. Social conflicts between local people and plantation companies – including many owned by major traders – are widespread, brutal and unresolved.²⁵ Non-governmental organisations (NGOs) and unions report that even plantations that have been certified as ‘sustainable’ often show signs of child labour and forced labour.²⁶ Workers in the palm oil industry are routinely exposed to hazardous pesticides, paid below the minimum wage and deterred from forming unions to seek redress²⁷ – a far cry from the pictures of smiling plantation workers that dominate companies’ sustainability reports.

The palm oil industry’s failure to address deforestation and other notorious practices is putting its long-term future in doubt. Public opinion in many major markets is already turning against palm oil. In opinion polls worldwide, respondents consistently rate it as the most environmentally destructive vegetable oil,²⁸ even though other oils (such as soya oil) are equally problematic.²⁹ The European Union (EU) has debated removing subsidies for biofuels made from palm oil.³⁰ Some supermarkets in Austria³¹ and the United Kingdom³² have begun phasing palm oil out of their own-brand products; other European retailers are expected to follow suit. Calls for brands to stop using palm oil will only get louder until traders can demonstrate that they only source from responsible producers that comply with NDPE standards.

HOW BRANDS PERFORM ON NDPE IMPLEMENTATION

	NDPE POLICY 	TRADERS/ SUPPLIERS 	MILLS/ PRODUCERS 	100% CLEAN PALM OIL 
	✓	✓	✓	✗
	✓	✓	✓	✗
FERRERO	✓	✓	✓	✗
	✓	✓	✓	✗
HERSHEY'S	✓	✓	✓	✗
<i>Johnson & Johnson</i>	✓	✓	✓	✗
<i>Kellogg's</i>	✓	✓	✓	✗
Kraft Heinz	✓	✓	✓	✗
L'ORÉAL	✓	✓	✓	✗
<i>Mars</i>	✓	✓	✓	✗
	✓	✓	✓	✗
Nestlé	✓	✓	✓	✗
	✓	✓	✓	✗
P&G	✓	✓	✓	✗
	✓	✓	✓	✗
	✓	✓	✓	✗
	✓	✗	✗	✗
	✓	✓	✓	✗

POLICIES, PROMISES AND PLEDGES — BUT NO ACTION

On the first day of the Cancun climate summit in 2010, the Consumer Goods Forum acknowledged that deforestation for agricultural commodities is a major contributor to the global climate crisis and made an unequivocal commitment to eliminate rainforest destruction from palm oil and other high-risk commodity supply chains by no later than 2020.³³ By the end of 2016, 447 companies, including both brands and traders, had made public commitments to address deforestation in their supply chains.³⁴ Some companies have enshrined these commitments into commodity-specific NDPE policies that also have explicit 2020 deadlines.

At the start of 2018, Greenpeace International challenged leading consumer brands to demonstrate their progress towards responsible sourcing by revealing the mills that produced their palm oil and the names of the producer groups that controlled those mills. If disclosed, this information would show whether brands had forest destroyers in their supply chains. Many responded positively to this challenge; at the time of writing, 17 brands now disclose these data. In doing so, these brands have forced several previously non-transparent palm oil traders to divulge the producer groups and palm oil mills in their own supply chains, helping to establish a new baseline for transparency that all companies can expect to be held to.

At the same time, however, the supply chain information disclosed by brands and traders indicates that little progress has been made towards cleaning up the global palm oil trade. Every company that has opened its supply chain to public scrutiny is sourcing from producers that are known to be clearing rainforests, exploiting their workers and/or embroiled in land conflicts with local communities.

This should come as no surprise: as Greenpeace and other NGOs have consistently argued, brands have failed to take the lead when it comes to implementing their

NDPE policies.³⁵ Instead, they have outsourced much of the responsibility to their sustainability consultants, like TFT, and to their suppliers, including global commodities traders such as Golden Agri-Resources (GAR), Musim Mas and Wilmar. Many brands are in effect measuring progress in terms of the percentage of their suppliers that have published NDPE policies, rather than in terms of the successful implementation of those policies.

There is a world of difference between having a policy and implementing it. As Greenpeace showed in its November 2017 report, *Still Cooking the Climate*,³⁶ traders have largely failed to establish any meaningful systems, either individually or collectively, to enforce their NDPE commitments. The same is true of their customers.³⁷ Our analysis suggests that four years after making their commitments, traders and consumer brands are still:

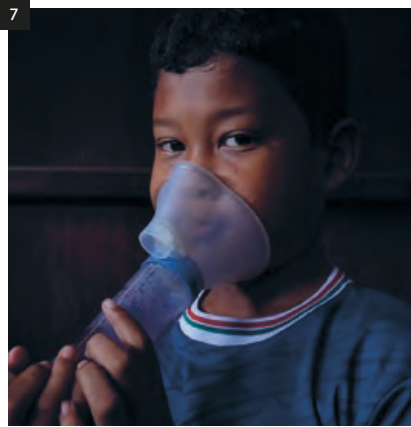
- failing to require the producer groups in their supply chains to publish concession maps and disclose the extent of their operations;
- failing to proactively monitor their entire supply chains to identify all producer groups that are still involved in deforestation;
- failing to ensure producer groups cease and then remedy their deforestation (and other non-compliant behaviour) in a transparent and timebound fashion;
- failing to exclude producer groups that miss deadlines or refuse to reform;
- failing to obtain independent verification that all remaining producer groups are fully compliant with NDPE standards across their operations.

As a result of these collective failures, the global market remains contaminated with palm oil from some of the most destructive producer groups in Southeast Asia. In other words, brands are not just complicit in rainforest destruction and exploitation, but – through their palm oil purchases – actively funding those responsible for it.

1 25 June 2005, MODIS satellite imagery of fire smoke over Riau **2** 23 June 2013, PT Rokan Adiraya, Riau, 1°10'8.4"N100°50'54.83"E ©Ifansasti/Greenpeace **3** 23 June 2013, PT Rokan Adiraya, Riau, 1°10'8.4"N100°50'54.85"E ©Ifansasti/Greenpeace

4 31 March 2018, PT Megakarya Jaya Raya (HSA), Papua, 6°26'9.25"S140°15'4.25"E ©Ifansasti/Greenpeace **5** 23 August 2018, Kubu Raya, Kalimantan ©Hernawan/Greenpeace **6** 18 June 2013, Singapore ©Natasya/Greenpeace **7** 4 June 2014, Malaysia ©Roslan/Greenpeace **8** 24 June 2013, PT Bumi Langgeng Perdanatrada

(Eagle High), Kalimantan, 2°46'28.799"S 111°50'30.7" ©Greenpeace **9** 19 September 2017, Kalimantan ©Sukarno/Greenpeace **10** 17 September 2013, PT Jatim Jaya Perkasa (Gama), Riau, 1°55'55.41"N 100°49'33.19"E ©Tambunan/Greenpeace



COMPLACENT TRADE OF A HIGH-RISK COMMODITY



The palm oil industry in general – and consumer brands in particular – continues to treat instances of deforestation as the exception, not the norm. Years after adopting NDPE policies brands and traders are still unable to monitor the producer groups in their supply chains, due in part to their failure to gather concession maps and other necessary data. Instead they rely on NGOs to identify deforestation or other policy breaches and file grievances. When NGOs raise instances of non-compliance by suppliers, brands and traders treat them as isolated cases meriting ‘engagement’ or ‘monitoring’. Producers that are not subject to complaints are presumed to comply with NDPE policies, even though there is little reason to believe this is the case and plenty of evidence that the opposite is often true.

In this climate, existing initiatives that should improve governance and transparency in the sector are often counterproductive, because they are hampering rather than speeding reform. The long-awaited publication of RSPO members’ concession maps³⁹ is a case in point – in theory this mapping database should be an invaluable tool, allowing stakeholders to get a complete picture of each producer group’s landholdings and any deforestation within their concession boundaries. However, the RSPO has chosen to release these maps in the most dysfunctional manner, with no working search function and no way to see a producer group’s complete holdings. It is completely unusable, yet producer groups and traders use it to justify their refusal to publish maps themselves in a format that *is* usable.



25 August 2006,
Riau,
©Dithajohn/Greenpeace

***'Greenpeace appears to be seeking a commitment to an ever-watchful Orwellian Big Brother approach to supply chain management with punitive measures against suppliers who are not yet meeting standards as their key method of delivering change.'*³⁸**

Golden Agri-Resources blog

All of this leaves brands and traders still sourcing palm oil from producer groups that are destroying rainforests, years after they've promised to stop. The second section of this report profiles 25 palm oil producer groups that are known to have violated NDPE policies. In most cases, evidence of these groups destroying rainforests or violating human rights was already in the public domain: covered in NGO reports or RSPO complaints, documented in media articles or reported by directly affected communities. Although this is by no means a comprehensive list of all non-compliant palm oil producers – and producers not profiled here should not be assumed to be compliant – these producers represent the greatest known threats to Indonesia's rainforests and local communities.

Prior to publication Greenpeace contacted all the producer groups discussed in this report to offer them the opportunity to comment on the findings. Methodology for our identification of groups and a link to responses received, both prior to publication and subsequently, can be found in Annex 2.

In November 2017, Greenpeace presented several traders with evidence that a number of these producer groups



were clearing rainforests, in violation of the traders' NDPE policies. In May 2018, Greenpeace wrote to 18 brands and 15 traders, asking each to confirm whether any of the 25 groups in this report were in its supply chain and the actions they had taken in response to their well-documented violations. Their responses, and our own analysis of public domain supply chain data, confirmed that all but one of these producers had supplied palm oil to major traders in the last year, and through them to global brands with NDPE policies.

Following their contact with Greenpeace, several traders began to record these cases as grievances on their websites and to log their efforts at dialogue, engagement and monitoring. No efforts appear to have been made to assess whether the producer groups were clearing rainforest except in the specific concessions identified by Greenpeace. Nor did brands and traders acknowledge the obvious conclusion that there is something fundamentally broken in their NDPE implementation procedures. Instead, they claimed that the system was working, despite the number of cases Greenpeace had raised, because several producers agreed to cease further deforestation and others were excluded from

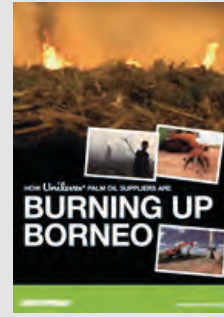
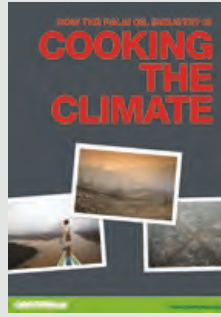
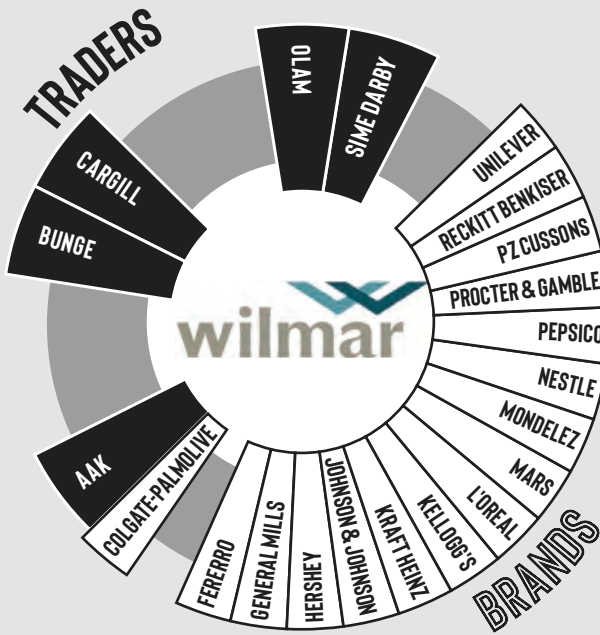
their supply chains. CEO Kuok Khoo Hong, for example, asserted that Wilmar was 'constantly engaging with non-compliant suppliers' and was 'on the right path'.⁴⁰

But this reactive approach, where brands and traders rely on NGOs to play 'supply chain cop', is treating the symptom, not the disease. Given how much evidence against these producers is in the public domain, brands and traders should never have allowed them into their supply chains in the first place. The sheer number of cases detailed in this report proves that the approach traders and brands are taking is not fit for purpose.

Brands and traders need to take responsibility for screening the producers in their supply chains to ensure they are not doing business with groups that are destroying rainforests. They need their own comprehensive monitoring system, based on their suppliers' mill location data and concession maps, to ensure that the producer groups in their supply chains comply fully with NDPE standards. Crucially, information regarding producer groups' landholdings and operations should be placed in the public domain to enable any claims to be independently verified.

WILMAR INTERNATIONAL: ROGUE TRADER

MARKET LINKS TO TRADERS AND BRANDS



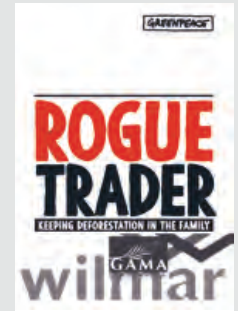
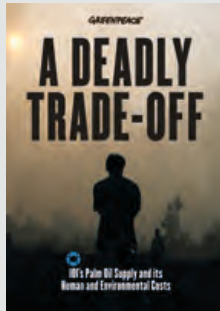
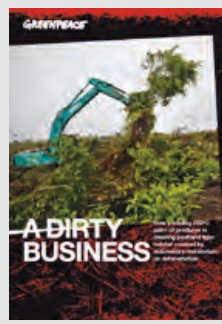
Wilmar International is the world's largest palm oil trader, responsible for around 40% of global trade.⁴¹ It is listed on the Singapore Exchange.⁴²

Wilmar has been an RSPO member since 2005.⁴³ In December 2013, it led the field by adopting an NDPE policy that applied both to its own operations as a producer and to those of its suppliers.⁴⁴ Wilmar is co-chair of the High Carbon Stock Approach (HCSA) steering group, although its NDPE policy has yet to explicitly reference the HCSA – a requirement of members since 2015.⁴⁵ Wilmar has not made maps of its concession boundaries publicly available in a usable format.

Wilmar was founded by Kuok Khoo Hong and Martua Sitorus; Sitorus is also the CEO of the highly destructive Gama group (see case study below).⁴⁶ In addition to a large amount of managerial overlap between the two groups, Wilmar has a history of selling problematic concessions to Gama when serious human rights or environmental violations are exposed in its own operations.⁴⁷ In July 2018, Sitorus and his brother-in-law, Hendri Saksti (Wilmar's Country Head for Indonesia),⁴⁸ resigned from Wilmar following the publication of a report by Greenpeace into deforestation in Gama concessions.⁴⁹

At the end of 2017, Wilmar had a total planted area of 239,935ha of oil palm, around 68% of which was in Indonesia, 24% in Malaysian Borneo and 8% in Africa. Its Indonesian plantations are located mainly in Sumatra and Central and West Kalimantan,⁵⁰ with some in the Bangka Belitung Islands and Sulawesi.⁵¹ Wilmar also owns Australian foods company Goodman Fielder jointly with First Pacific,⁵² the majority shareholder of Indofood,⁵³ part of the Salim Group (see case study below).

Although Wilmar was the first trader to adopt an NDPE policy, it has yet to bring its own operations into full compliance. Several of Wilmar's concessions have unresolved land conflicts that involve intimidation of and violence against local communities. The dispute concerning PT Permata Hijau Pasaman 1, which operates concessions in West Sumatra, has been especially lengthy.⁵⁴ Similarly,



Since 2007, Greenpeace reports have exposed Wilmar as a key player in the dirty palm oil sector.

PT Bumi Sawit Kencana II, based in Central Kalimantan, has reportedly been at the centre of a land conflict for more than a decade, with repeated violence towards local residents.⁵⁵ On 19 December 2017, members of the police mobile brigade (Brimob) shot and wounded two farmers within the concession, after local people had gone to the company offices to demonstrate about the land issue.⁵⁶

Wilmar also faces serious allegations of worker exploitation. In November 2016 Amnesty International reported systematic abuses in the North Sumatra estates of PT Perkebunan Milano and PT Daya Labuhan Indah, including unrealistic targets that resulted in excessive workloads and meant that employees' children were being asked to help with dangerous tasks on the plantation.⁵⁷ Failure to meet the targets resulted in financial penalties, and Amnesty concluded that the extra workload constituted forced labour. There was also discrimination against women, who were not given contracts but only employed as casual labourers. Similarly, in April 2017, SOMO and CNV International investigated labour issues in PT Murini Sam Sam's concession in Riau and found many workers in insecure employment, along with possible evidence of forced labour.⁵⁸

Approximately 10–20% of Wilmar's palm oil supply comes from its own concessions: more than 80% comes from third-party suppliers.⁵⁹ Wilmar's NDPE policy explicitly applies to those producer groups; indeed, it states that suppliers are expected to be 'fully compliant with all provisions of this policy' by 31 December 2015.⁶⁰ That deadline has come and gone, yet Wilmar still fails to monitor its suppliers across all of their operations to determine whether they comply with its policy or are destroying forests. This negligence is especially problematic in the case of suppliers' concessions in frontier areas from which Wilmar does not yet source – exactly where deforestation is most likely to be taking place.

Responding to Greenpeace's investigation into Gama, CEO Kuok Khoon Hong admitted that Wilmar had failed to identify the extent of Gama operations, that 'there should

have been more stringent oversight on the ownership verification process' and that Wilmar was 'still awaiting the specific list of companies within Gama'.⁶¹ In earlier correspondence, Wilmar could only complain that 'it is very difficult [to take action against suppliers] when there is no information that backs up an allegation'⁶² – even though it could have found plenty of evidence through a simple internet search. At the same time, Wilmar's grievance tracker suggests that it knew many of the producer groups profiled in this report were problematic but only acted when presented with the evidence by Greenpeace.⁶³ Even when problems within particular concessions are brought to its attention Wilmar appears unwilling to investigate beyond those specific concessions – almost as if it would prefer not to know the extent of its suppliers' transgressions.

As a result of its failure to adequately screen and monitor its suppliers at group level, Wilmar is supplying its customers with palm oil from producer groups that destroy rainforests and exploit local communities. Supply chain analysis indicates that Wilmar has been sourcing from 18 of the 25 producer groups profiled in this report;⁶⁴ its own disclosures reveal that trade with most of these companies continues. Wilmar is often these producer groups' primary route to market, supplying their palm oil to brands both directly and indirectly via other traders. Given its size and pivotal role within the palm oil industry, Wilmar is too big – and too important – to be allowed to fail. Its customers, sustainability consultants and other stakeholders must hold it to account.

The first step is for Wilmar to prove it no longer sources from forest destroyers, by requiring all producer groups in its supply chain to publish mill location data and concession maps for their entire operations and cutting off any that refuse. Wilmar must then completely transform its supply chain, so that by 2020 it is only trading with producers whose entire operations have been independently verified as compliant with all aspects of its NDPE policy – even if that means it must sell less palm oil.

MATURE PALM OIL PLANTATIONS
AND DEFORESTATION OWNED
BY THE SAME GROUPS



wilmar



Kraft Heinz

Kellogg's

FERRERO

P&G

HERSHEY'S

Johnson & Johnson

Nestlé



COLGATE-PALMOLIVE

L'OREAL

Mondelez International

PZ CUSSENS



Reckitt Benckiser

Mars



PEPSICO



General Mills



Unilever

HIDING IN PLAIN SIGHT: HOW PRODUCER GROUPS OBSCURE LINKS TO DEFORESTATION

A large segment of the plantation industry, especially in Southeast Asia, has always been controlled by complex conglomerates owned by individuals and families. Groups and their owners use these structures for a number of reasons, often including illegitimate ones: to evade tax, to avoid liability for fires or other illegal practices, to circumvent other laws (such as one that prevents a group controlling more than 100,000ha of land in Indonesia or laws preventing foreign ownership; see Annex 1) or to conceal their links with a member company whose destructive or exploitative activities breach either the RSPO's Principles and Criteria⁶⁶ or their own (or their customers') NDPE policies.

Brands and traders, along with government and regulatory bodies such as the RSPO, must therefore look beyond the specific plantations from which they source to the individuals, families or corporate groups that own, control or manage them.

In many cases, a group has no single ultimate parent company. It may consist largely of privately held companies, not listed on any stock exchange and therefore not subject to even basic financial transparency requirements. The resulting group structures are often complicated, informal and opaque. The concept of a group as used in the profiles and case studies in this report reflects this complexity, which goes beyond formal parent–subsidiary company relationships, as described in the following paragraphs.

Companies with common ownership may be part of formally distinct corporate entities; companies may be owned via multi-layered shell structures of holding companies; different family members may be the direct or ultimate owners of companies within the group; or parts of the group may be held offshore, rendering the ultimate

owner unknowable. The use of nominees – individuals in whose name companies are registered but who act as custodians only – is another option for the concealment of the beneficial owners who in fact control the company.

However, there are other criteria beyond explicit ownership that indicate that companies within the palm oil sector should be considered as part of the same group. Indicators of an otherwise hidden overlap in beneficial ownership include:

- financial control (eg when one company can oblige another to act under its direction as a result of a financial contract);
- managerial control (when the same individuals, or their family members or known associates, serve as senior officers or directors of different companies – even if these companies belong to formally distinct corporate structures);
- operational control (eg when one company's employees manage another company's plantations, or when different companies share the same offices).


If corporate NDPE policies are to be effective in transforming the industry, palm oil traders and their customers will need to take a broad view of what constitutes a group, including the various types of control and ownership links described above, and conduct effective due diligence in order to identify those links.

While most NDPE commitments explicitly apply at the group level – meaning they should apply to the entirety of a producer group's plantation and refinery operations, landholdings, joint ventures and third-party suppliers – many brands and traders still continue to avoid responsibility for acting on non-compliance when




PENJELASAN AGENDA
RAPAT UMUM PEMEGANG SAHAM TAHUNAN
DAN
RAPAT UMUM PEMEGANG SAHAM LUAR BIASA
PT SALIM IVOMAS PRATAMA Tbk





(RSPO) Indonesia
secretariat Sdn. Bhd.

Indonesia
Complaints Coordinator

(ILRF) and RSPO Complaints

and 27th January 2017 regarding the meeting
complainants (RAN, OPPUK, ILRF). We are
meet and setting certain conditions for the

on our side will be myself as the Group
Head of Risk management. IndoAgri
attend this meeting. We are all senior
company to take any decisions during



'A corporate group is a set of individuals or legal entities in the plantation sector that are connected to each other through ownership, management and/or financial links.'⁶⁵

Indonesian Ministry of Agriculture,
2013 regulation

it occurs outside their direct supply chain. This creates a significant loophole: NDPE breaches such as deforestation and peatland drainage occur during the early stages of plantation development, when the concession in question may not be producing palm oil at all. Commercial pressure must therefore be applied to all other companies in the group if there is to be any chance of stopping environmentally or socially harmful development.

Thankfully, the concept of group-level responsibility is gaining traction. For example, a 2013 regulation from the Indonesian Ministry of Agriculture governing plantation licences (IUPs; see Annex 1) partly acknowledges this range of possibilities: 'A corporate group is a set of individuals or legal entities in the plantation sector that are connected to each other through ownership, management and/or financial links.'⁶⁷ The principle was also highlighted in the 2015 decision of Norway's Government Pension Fund Global (GPF) to refrain from investing in Korean conglomerate POSCO and its subsidiary Daewoo following evidence of Daewoo palm oil subsidiary PT Bio Inti Agrindo clearing primary forest in Indonesia:

*The [GPF] follows the guiding principle that if a parent company is the controlling owner of a subsidiary, the parent company must also be excluded if the subsidiary breaches the guidelines. As the controlling owner, the parent company has deciding influence on the activities of the subsidiary.*⁶⁸

Within the palm oil sector itself, the RSPO has since March 2017 required all members to register at the parent group level, though it has yet to show itself willing to enforce the requirement even in relatively straightforward cases. Its membership rules define a parent group in terms not only of ownership but also of management or operational control.⁶⁹ Moreover, some traders (such as Wilmar⁷⁰) and consumer companies have

included the principle of group-level responsibility in their sustainability policies as they apply to their own and third-party suppliers' operations.

There has even been some acknowledgement of this extended sense of corporate responsibility from palm oil companies themselves. Bumitama's 2015 sustainability policy advised its executive directors to embrace an NDPE policy comparable to its own when investing in palm oil companies on their own account⁷¹ (although as our case study shows, the group has failed to respect its own policy).

A new Indonesian presidential regulation,⁷² effective since March 2018, requires every corporation (defined as 'an organised group of persons or assets, whether or not it takes the form of a legal entity')⁷³ to provide the government with information on its beneficial owners.⁷⁴ This information will be accessible to third parties under freedom of information legislation.⁷⁵ Brands and traders should insist on disclosure of such information to them by their suppliers.

Ultimately, requiring producers to disclose their corporate ownership and management structures is necessary to improve governance, implement NDPE policies and limit the opportunities for corruption and other unacceptable activities. This must include disclosure of beneficial owners and informal structures of family or managerial control. Brands and traders must impose contractual obligations on producer groups to disclose the extent and location of their group operations, and strong penalties – notably contract cancellation – whenever a producer is found to have concealed the full extent of its operations. If the palm oil industry is serious about NDPE then stakeholders need to be able to hold it to account; the information producer groups disclose, including mill locations and concession maps, must be placed in the public domain, either by producers or their customers.

1 April 2013, Kalimantan ©Alejo Sabugo/
International Animal Rescue Indonesia

2 24 February 2014, PT Karya
Makmur Abadi Estate II (KLK),
Kalimantan, 1°56'50.742"S 112°26'27.27"E
©Ifansasti/Greenpeace

3 4 May 2013, PT Tunggul Perkasa
Plantations (Astra Agro Lestari), Riau,
0°17'58.8"S 102°11'3.42"E ©Jufri/
Greenpeace 4 26 October 2007, Riau
©Budhi/Greenpeace 5 15 May 2012, Riau
©Novis/Greenpeace 6 8 November 2008,
Wilmar mill, Riau ©Novis/Greenpeace

7 1 April 2018, Korindo bulking
terminal, Papua, 6°39'3.252"S
140°24'51.27"E ©Ifansasti/Greenpeace
8 14 November 2008, Dumai, Riau ©Rante/
Greenpeace 9 ©Hamilton/Greenpeace



LEAKAGE REFINERIES



Palm oil refineries have been described as ‘the bottleneck in the supply chain’: a relatively small number of companies handle large volumes of palm oil.⁷⁶ Although the majority of palm oil refineries in Indonesia and Malaysia are controlled by companies with NDPE policies, over a quarter of capacity is operated by companies that have made no such commitments.⁷⁷ This is known in the industry as the ‘leakage’ market, and Chain Reaction Research provides a useful definition: ‘any activity in the palm oil industry, production, trade and/or consumption, that is not subject to any NDPE policy requirements.’⁷⁸

Chain Reaction Research has identified a total of 52 leakage refiners⁷⁹ (see Appendix 1 for the full list). The bulk of the leakage refining capacity is controlled by a handful of producer groups: BEST Group, Felda IFFCO, Hayel Saeed Anam Group (HSA), Incasi Raya, Intercontinental Specialty Fats/Nisshin Oil and Tunas Baru Lampung.⁸⁰ Some of these groups are profiled in the second section of this report.

Refiners without NDPE policies represent a significant challenge to efforts to clean up the sector, because they provide a market for producers that have been excluded by other traders. This gives traders with NDPE policies an excuse to continue sourcing from non-compliant producer groups, on the spurious grounds that they need to maintain leverage with them in order to encourage them to comply. Consultants take a similar line: TFT argues that excluding producers is counterproductive because ‘suspended suppliers can continue to clear forests while selling to other refinery companies that are not committed to responsible sourcing’.⁸¹

Although the leakage market has been well documented, Chain Reaction Research’s analysis indicates that brands and traders with NDPE policies remain an important market for leakage producer groups with refinery capacity. Wilmar trades extensively with refiners in the leakage market, even as it uses those companies as an excuse for not properly implementing its own NDPE policy. The same is true of many other traders. Similarly, many brands receive palm oil from refiners in the leakage market, directly or via supposedly responsible traders with NDPE policies.

In terms of outcomes, there is no difference between companies that knowingly source from forest-destroying palm oil producers and those that do so through negligence. Either way, companies with NDPE policies must close the leakage loophole by sourcing only from producer groups and traders with NDPE policies that have taken the necessary steps to prove that all the palm oil in their supply chains complies with NDPE commitments.



SUSTAINABILITY CONSULTANTS — FRIEND OR FOE?

***'We are not auditors. Nor do we tell companies what to do. We help them develop policy responses to issues that concern them. We help them to come up with policies they are happy with, and then go into the field with them to build their capacity to carry them through.'*⁸²**

Scott Poynton, founder, TFT

Companies have always turned to sustainability consultants to help them implement their environmental commitments. These organisations, often referred to as 'implementation partners', claim to accelerate supply chain transformation and to offer brands and traders economies of scale and opportunities for sharing solutions. Two organisations dominate the palm oil sector: TFT, which lists almost 100 clients spanning 13 commodities and all tiers of the supply chain;⁸³ and Proforest, which does not list its clients but claims to work 'throughout the supply chain with farmers, plantation and forest managers, processors and traders, as well as consumer goods companies, investors and retailers'.⁸⁴

It is understandable that companies should seek outside expertise and support. Major brands and traders cannot become proficient at responsible sourcing overnight, and they stand to benefit from the advice and experience of credible experts. However, it is often unclear whether sustainability consultants are being hired to help a company change or to protect it from criticism by NGOs and other stakeholders. Indeed, sustainability consultants are increasingly hindering reform of the palm oil industry, especially when it comes to making the sector more transparent. In some cases, they appear to be prioritising the defence of their clients and the long-term viability of their own existing business model over the reforms that are needed to protect the environment and meet their clients'

NDPE commitments before the 2020 deadline. This may be good for business, but it is a disaster for rainforests.

Sustainability consultants work across all tiers of the palm oil supply chain, from producers to traders to brands. This is presented as an advantage, especially to companies higher up the chain: brands are told they can trust the traders they buy from because they have all hired the same consultants. However, despite their common NDPE commitments, producers, traders and brands have different and often conflicting interests, notably regarding the implementation of those commitments. If companies outsource their NDPE implementation they will want to know their interests are being prioritised over those of their customers or suppliers. It is unclear whose agenda TFT and other sustainability consultants are promoting.

NGOs advocate for data – notably, comprehensive lists and maps of each producer group's mills and concessions, and information on ultimate beneficial ownership – to be made public so that producers and their customers can be held accountable for their actions and any claims companies make can be verified. By contrast, one of the services sustainability consultants provide is a 'safe space' for clients to examine their supply chains in private and control what information is disclosed. As TFT puts it, its services are 'private and independent, in order to let companies be in control [and] choose how they use the information'.⁸⁵ Symptomatic of this is traders' practice of having two



17 May 2009,
Kalimantan
©Rante/Greenpeace

grievance lists, one public (including only violations that have been the subject of public complaints by NGOs or stakeholders) and one private (additionally including violations of which they are aware but that have not been raised publicly by third parties).

When asked by Greenpeace to confirm their exposure to the problematic producer groups discussed in this report, many brands claimed information regarding the producer groups in their supply chains was held by their sustainability consultants. Some brands claimed their consultants would only provide yes/no confirmation when provided with a list of specific producer groups and would not provide brands with a comprehensive list. By blocking access to data in this way, sustainability consultants are preventing brands from taking meaningful action to clean up their palm oil supply chains – the opposite of what sustainability consultants are supposed to be being paid to do.

Withholding access to data appears to be part of a deliberate strategy. Defending its trader clients' refusal to operate transparently by disclosing 'high-risk' producers and mills in their supply chains, TFT acknowledged that 'it may be tempting for some brands to ... pick and choose which palm oil mills should be allowed in their supply chain with the goal of excluding the ones perceived as risky' but asserted that this process was best outsourced to traders: '[a] brand's best assurance that a supplier is aligned with their policy is if the supplier is carrying out and acting on a prioritisation

process throughout its own global supply chain'.⁸⁶

Greenpeace does not agree. Brands must take responsibility for ensuring that the palm oil they use comes solely from responsible producers that meet NDPE standards. Further, brands must insist that the traders they source from are not contributing to the leakage market by continuing to buy from destructive or exploitative producers, *even if those producers are not in brands' own supply chains*. Sustainability consultants should hold their clients to achieving these objectives – by no later than 2020 – and they and their clients must operate transparently so any claimed results can be independently verified. Naturally, this requires concession maps and other supply chain data to be made public so that brands (and stakeholders) can monitor producer groups and determine whether they comply with NDPE standards.

Ultimately, sustainability consultants are not ensuring their clients deliver a deforestation-free palm oil industry by 2020. Nor are they prepared to work in a way that allows that goal to be achieved. Instead, TFT and other sustainability consultants are promoting a model that amounts in practice to incremental progress through secrecy and unverified (and unverifiable) reporting. As a result, the international market is far more exposed to problematic producer groups than companies either know or are willing to disclose – as Greenpeace's analysis of trader and brand disclosures indicates.





*'Publicity is justly commended as a remedy for social and industrial diseases. Sunlight is said to be the best of disinfectants; electric light the most efficient policeman.'*⁸⁷

Louis Brandeis, *Other People's Money and How the Bankers Use It*

NOW OR NEVER FOR THE PALM OIL INDUSTRY



2020 is ground zero for ending deforestation. Governments and many of the world's largest companies have promised to break the links between forest destruction and agricultural commodities by 2020. Governments will also make new and ambitious climate and biodiversity commitments in 2020. The United Nations (UN) will hold the Convention on Biological Diversity (CBD) to set targets for the next ten years. At the 26th UN Climate Change Conference (UNFCCC COP), world leaders are expected to strengthen the commitments they made in 2015 at the Paris COP.

As 2020 approaches, companies and governments will be eager to claim progress on social, environmental and biodiversity goals. Yet the focus on the next decade cannot be allowed to bury the bad news that, despite countless pledges, far too little has changed in places like Indonesia this decade. Deforestation and its associated ills will only be arrested when governments and companies are held accountable for what happens on the ground and not just agreements at global summits. The true measure of progress can only be how much of the world's forests have been protected.

The systemic problems that the numerous case studies in this report illustrate are not unique to the palm oil sector. Brands and traders – and indeed, governments – are failing in their commitments to end deforestation for other commodities, notably pulp and paper, beef



©International Animal Rescue Indonesia

and soya. Much more can and must be done to ensure companies do not evade their supply chain commitments.

It is time for an honest conversation about the global commodities trade, and how the land we have is used and for whose benefit. As global temperatures rise and populations of endangered species dwindle, companies will come under increasing pressure to prove their supply chains are clean or ditch high-risk commodities altogether.

The future of the palm oil industry and other sectors depends on their adoption of a new model of trade based on radical transparency, independent verification and zero tolerance for deforestation and human rights abuses.

As the world's largest palm oil trader, and the first to make an NDPE commitment, Wilmar must lead from the front. Wilmar must prove it no longer sources from forest destroyers, by requiring all producer groups in its supply

chain to publish mill location data and concession maps for their entire operations and cutting off any that refuse. Wilmar must then completely transform its supply chain, so that by 2020 it is only trading with producers whose entire operations have been independently verified as compliant with all aspects of its NDPE policy – even if that means it must sell less palm oil.

Wilmar's CEO, Kuok Khoon Hong, promised in 2013 to supply the market with deforestation-free palm oil. With 2020 less than 500 days away, this is his last chance to deliver.

1 12 November 2009, Riau ©Rante/
Greenpeace 2 14 November 2013, Wilmar
office, Jakarta ©Rante/Greenpeace
3 10 November 2008, Dumai, Riau
©Novis/Greenpeace

4 12 November 2009, Riau ©Rante/
Greenpeace 5 20 October 2013, PT
Agrindo Indah Persada (Wilmar), Riau,
1°53'53.501"S 102°4'31.301"E
©Hilton/Greenpeace



TIME FOR ACTION

COMPANIES MUST:

ADOPT STRONG STANDARDS

- Publish a strong NDPE policy that requires compliance with the HCS Approach toolkit,⁸⁹ the integrated HCV–HCSA assessment manual⁹⁰ and credible human rights and labour standards.
- Adopt and enforce a conversion cut-off date of no later than 31 December 2015.⁹¹
- Publish an engagement protocol for dealing with non-compliant producers, including trade restrictions and suspensions along with time-bound milestones that non-compliant producers must meet for these to be lifted.

STOP THE PROBLEM

- Publish and implement a plan to ensure a clean palm oil supply chain by 2020, with all producers independently verified as compliant with NDPE standards⁹² across their operations.
- Monitor the producers in their supply chain at group level to identify deforestation and other policy violations.
- Report non-compliant producers to the relevant suppliers, and require them to resolve each case in line with the brand's engagement protocol or to exclude the producer from their supply chains.
- Support and fund forest conservation and restoration initiatives, along with rights recognition and livelihoods for local communities.

VERIFY RESULTS

- Require independent verification that non-compliant producers have come into compliance with NDPE standards across their operations, including restoring all areas cleared since the brand's conversion cut-off date.
- By 2020, require traders and other suppliers to provide independent verification that all producer groups in their supply chain are compliant with NDPE standards.

BE TRANSPARENT

- Publish and maintain a comprehensive list of all mills and producer groups whose palm oil entered their supply chain in the previous year.
- Disclose annually the percentage of their palm oil coming from producer groups whose entire operations have been independently verified as compliant with NDPE standards.
- By the end of 2018, require suppliers to publish maps of all concessions controlled by the producer groups in their supply chain.
- Publish and maintain a list of all non-compliant producers in their supply chain, including the time-bound actions each is being required to take to address its non-compliance.
- Report annually on the results of their initiatives to deliver forest conservation and restoration and to support community rights and livelihoods.

TRADER EXPOSURE TO DIRTY PRODUCER GROUPS

	AAK	AAL	APICAL	BUNGE (PREVIOUSLY IOI LC)	CARGILL	GAR	MUSIMMAS	OLAM	SIME DARBY	WILMAR
ANGLO-EASTERN PLANTATIONS	×		×	×	×	×	×	×	×	×
AUSTINDO NUSANTARA JAYA				×	×			×		
BUMITAMA	×		×	×	×	×	×	×	×	×
CENTRAL CIPTA MURDAYA	×			×	×		×	×		×
CITRA BORNEO INDAH				×				×		
DJARUM	×			×	×	×		×		×
DTK OPPORTUNITY			×	×	×	×	×	×		×
FANGIONO FAMILY / FIRST RESOURCES	×			×	×		×	×		×
FELDA/FGV	×		×	×	×	×	×	×	×	×
GAMA (FORMERLY GANDA)	×		×	×	×	×	×	×	×	×
GENTING	×			×	×		×	×	×	×
HAYEL SAEED ANAM GROUP	×									
IJM CORPORATION	×			×	×			×	×	×
INDONUSA			×		×					×
IOI GROUP	×			×	×	×		×	×	×
KORINDO				×				×		
LEMBAGA TABUNG HAJI	×			×	×	×	×	×	×	×
NOBLE										
NPC RESOURCES	×			×	×			×	×	×
POSCO DAEWOO										
RIMBUNAN HIJAU	×			×	×			×	×	×
SALIM	×			×	×	×	×	×		
SAMLING / GLENEALY PLANTATIONS	×			×	×			×	×	×
SUNGAI BUDI GROUP	×			×	×	×	×	×	×	×
TEE FAMILY / PROSPER	×			×	×		×	×	×	×

CASE STUDIES

DIRTY PRODUCERS IN THE GLOBAL MARKET

ANGLO-EASTERN PLANTATIONS

1 PT Kahayan Agro Plantation

AUSTINDO NUSANTARA JAYA

2A PT Permata Putera Mandiri

2B PT Putera Manunggal Perkasa

BUMITAMA

3A PT Guna Jaya Harapan Lestari

3B PT Hatiprima Agro

3C PT Damai Agro Sejahtera

CENTRAL CIPTA MURDAYA

4 PT Hardaya Inti Plantations

CITRA BORNEO INDAH

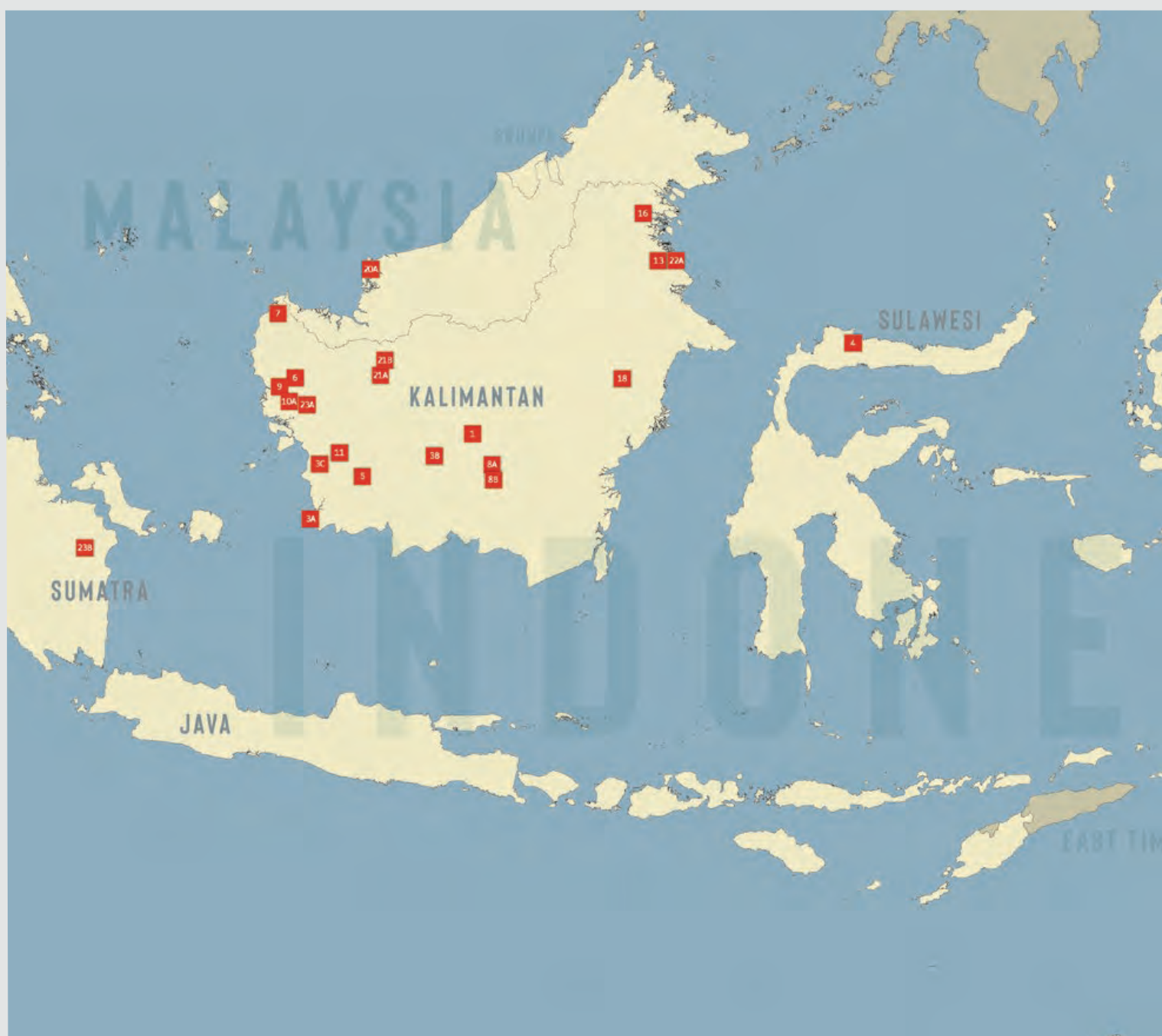
5 PT Sawit Mandiri Lestari

DJARUM

6 PT Gemilang Sawit Kencana

DTK OPPORTUNITY

7 PT Lahan Agro Inti Ketapang



FANGIONO FAMILY

- 8A PT Agrindo Green Lestari
- 8B PT Citra Agro Abadi

FELDA/FELDA GLOBAL VENTURES (FGV)

- 9 PT Temila Agro Abadi

GAMA (FORMERLY GANDA)

- 10A PT Graha Agro Nusantara
- 10B PT Agriprima Cipta Persada
- 10C PT Agrinusa Persada Mulia

GENTING

- 11 PT Permata Sawit Mandiri

HAYEL SAEED ANAM GROUP

- 12 PT Megakarya Jaya Raya

IJM GROUP

- 13 PT Prima Bahagia Permai

INDONUSA

- 14 PT Internusa Jaya Sejahtera

KORINDO

- 15A PT Berkat Cipta Abadi
- 15B PT Dongin Prabhawa
- 15C PT Gelora Mandiri Membangun
- 15D PT Papua Agro Lestari
- 15E PT Tunas Sawa Erma Blok A

LEMBAGA TABUNG HAJI

- 16 PT Persada Kencana Prima

NOBLE PLANTATIONS

- 17A PT Henrison Inti Persada
- 17B PT Pusaka Agro Lestari

NPC RESOURCES

- 18 PT Sumber Alam Selaras

POSCO (POSCO DAEWOO CORP)

- 19 PT Bio Inti Agrindo Blok II

RIMBUNAN HIJAU

- 20A Eastern Eden - Malaysia
- 20B Gilford - PNG

SALIM

- 21A PT Duta Rendra Mulya
- 21B PT Sawit Khatulistiwa Lestari
- 21C PT Rimbun Sawit Papua
- 21D PT Subur Karunia Raya

SAMLING

- 22A PT Tunas Borneo Plantations
- 22A Ome Ome Project

SUNGAI BUDI GROUP

- 23A PT Samora Usaha Jaya
- 23A PT Solusi Jaya Perkasa

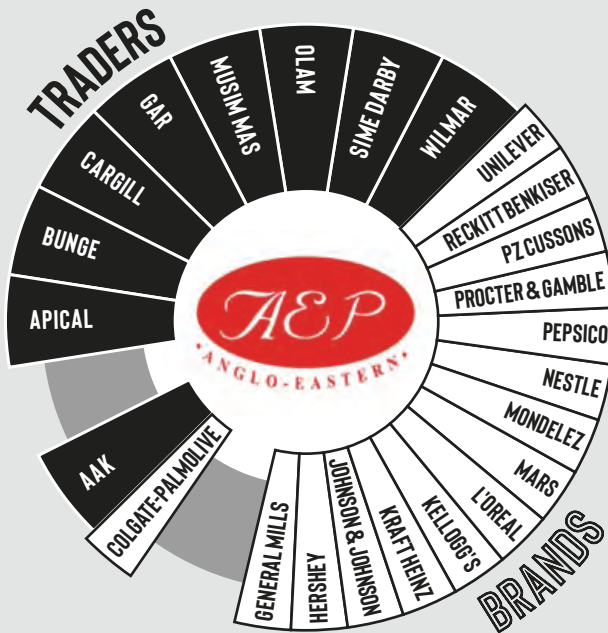
TEE FAMILY

- 24 BOPPL



ANGLO-EASTERN PLANTATIONS

MARKET LINKS TO TRADERS AND BRANDS



Anglo-Eastern has a formal parent–subsidiary ownership structure. Its executive director is John Lim Ewe Chuan.¹

Anglo-Eastern is not a member of the RSPO and has no public NDPE policy. The group does not make maps of its concession boundaries publicly available in a usable format.

Anglo-Eastern's 2016 annual report lists a total oil palm landbank of 128,099ha, with 3,696ha in Malaysia and the rest in Indonesia, across Sumatra, Bangka Belitung Islands and Central Kalimantan. 62,466ha of its concessions in Indonesia are planted with oil palm.²

GROUP RESPONSE

Greenpeace provided the group the opportunity to comment before publication of this report. No comment was received.

MARKET RESPONSE

Mars told Greenpeace that actions had been taken to exclude the group from its supply chain.

CONCESSION:

PT KAHAYAN AGRO PLANTATION (PT KAP), CENTRAL KALIMANTAN, GUNUNG MAS DISTRICT



Between 15 February 2015 and 21 December 2017, PT KAP cleared about 2,650ha of secondary forest. Some of the cleared forest was orangutan habitat.

CLEARANCE: 2,653HA



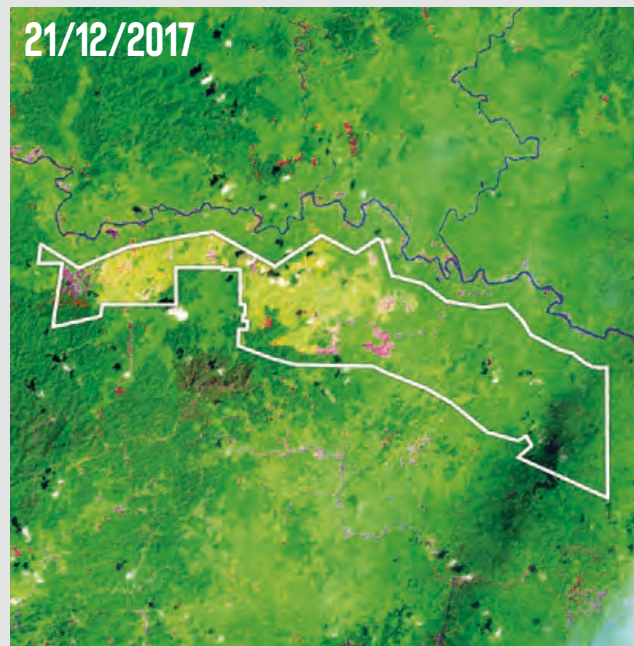
0 2 4 6 8 KM
0 2 4 M
Scale 1:400,000



9 November 2017,
 PT Kahayan Agro Plantation
 (Anglo-Eastern), Kalimantan,
 0°55' 8.525"S 113°22' 16.631"E
 ©Aidenvironment

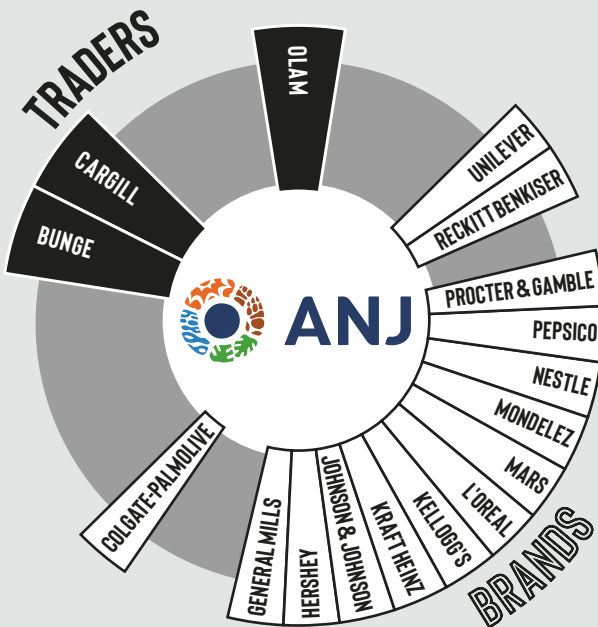
Concession boundary based on State Forest Release Letter reference SK.534/MENHUT-II/2012.

Satellite image sources:
 Landsat 8 courtesy of the U.S. Geological Survey.



AUSTINDO NUSANTARA JAYA

MARKET LINKS TO TRADERS AND BRANDS



PT Austindo Nusantara Jaya Tbk (ANJ) is family-owned and has a formal parent–subsidiary ownership structure. The group is majority-owned by the Tahija family, including Commissioners George Santosa Tahija and Sjakon George Tahija.¹ George Santosa Tahija is a member of the board of advisors of The Nature Conservancy (Indonesia Chapter).²

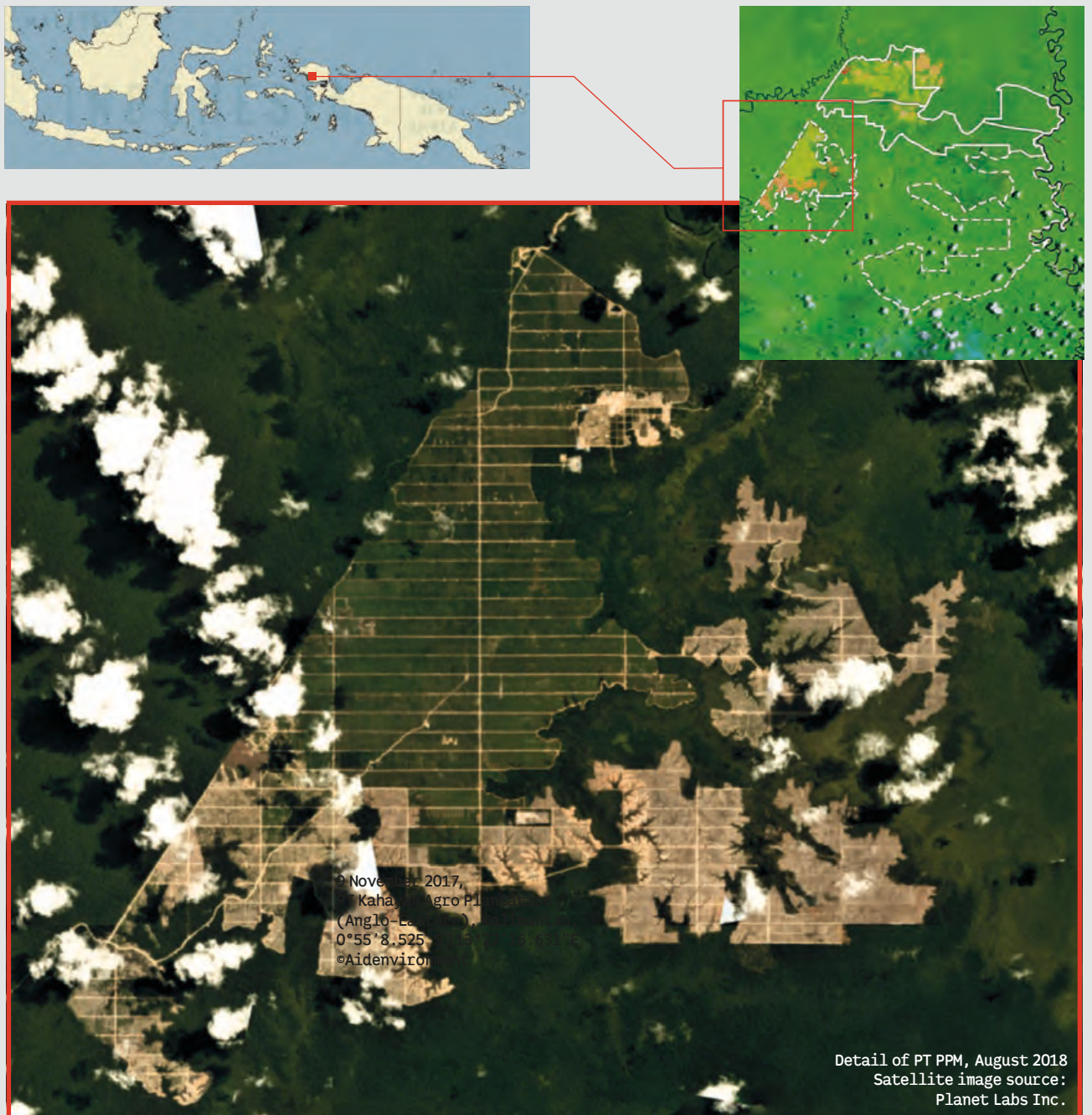
ANJ is a member of the RSPO. It has a sustainability policy, but this is lacking in scope and substance and does not include a commitment to avoid deforestation.³ The group does not make maps of its concession boundaries publicly available in a usable format.

ANJ's 2016 annual report lists a total oil palm landbank of 157,681ha, of which 49,539ha are planted. Its eight concessions are in North and South Sumatra, West Kalimantan, Bangka–Belitung Islands and West Papua provinces. ANJ also manages a 40,000ha sago forest on a peatland area just south of its oil palm concessions in West Papua province.⁴

Following pressure from NGOs, ANJ announced in August 2016 that it had temporarily halted development in its Papuan concessions.⁵ A letter from the company to Greenpeace Southeast Asia in October 2016 claims that clearance was stopped in March 2015.⁶ However, clearance resumed in the latter half of 2017 (see case studies below).

ANJ's 2016 annual report stated that it had carried out a new set of high conservation value (HCV) and high carbon stock (HCS) assessments and reviewed its approach to dealing with local communities.⁷ To date, new documentation in accordance with the New Planting Procedure (NPP) has not been published on the RSPO website for stakeholder consultation,⁸ despite ANJ's acknowledgement in the same annual report that its original HCV assessment had failed to identify areas of primary forest, and the existence of government surveys indicating peat within the concession.⁹

In late 2017, a coalition of NGOs asked the RSPO Secretariat to file a complaint against ANJ, citing the



evidence in the following case studies.¹⁰ The Secretariat conducted a preliminary investigation, including a ‘visual review’ to detect primary forest and peatland clearance within the company’s concessions using the Indonesian government’s indicative moratorium maps.¹¹ It is unclear why the Secretariat chose to use these maps, which record only primary forest and peatland located outside concessions that existed at the time the moratorium came into force. Since two of ANJ’s location permits in West Papua province were issued before that date, these concession areas have always been excluded from the moratorium maps. By contrast, official Ministry of Environment and Forestry landcover maps that predate ANJ’s deforestation show extensive areas of primary forest within the concessions, including in areas ANJ has deforested since resuming land clearance in 2017 and 2018.

In March 2018, the RSPO Secretariat stated that it had decided not to take any action against ANJ.¹²

GROUP RESPONSE

Greenpeace provided the group the opportunity to comment before publication of this report. On 12 September, ANJ replied, stating that it was ‘under no obligation to provide [Greenpeace] with information’ but that if Greenpeace publishes an incorrect information about the group, or ‘published any request for boycott or other restraint of trade against our Group’, it reserved its right to hold Greenpeace liable. Specifically, regarding the reported beating of a local man by Brimob officers, ANJ stated that the its ‘independent investigations concluded... that the reported assault and hospitalization did not occur’. ANJ failed to provide concession maps or other data requested.

MARKET RESPONSE

Bunge, Mars, Reckitt Benckiser and Unilever told Greenpeace that actions had been taken to exclude the group from their supply chains.

CONCESSIONS:

PT PERMATA PUTERA MANDIRI (PT PPM) & PT PUTERA MANUNGGA PERKASA (PT PMP), WEST PAPUA PROVINCE



Note: The neighbouring concession previously known as PT Pusaka Agro Makmur has merged with its parent company PT Austindo Nusantara Jaya Tbk and is now referred to as PT ANJT. Land clearing has not commenced in this concession. An HCV assessment on this concession was judged 'unsatisfactory' by the HCV Resource Network in October 2017.¹⁴

Forest clearance in PT PPM and PT PMP began in late 2013 or early 2014, and satellite images show extensive deforestation by 2015.¹⁵

Between 3 January 2015 and 16 March 2018, PT PPM cleared 1,300ha of forest including primary forest according to the Ministry of Environment and Forestry 2015 national landcover map.

Between 3 January 2015 and 20 March 2018, PT PMP cleared around 2,700ha of forest, including peatland forest within the government-determined peat protection zone.

In November 2017, ANJ told the awasMIFEE website that it intends to develop 23,000ha of the concessions over the next five years¹⁶ – it is not clear how much of this is forest or peatland.

Both concessions have had troubled relationships with local indigenous groups, who allege that ANJ has cleared land without obtaining permission or giving compensation, and that work has led to damage to watersheds, water sources running dry, destruction of sacred sites and loss of livelihood.¹⁷ Local people were arrested and imprisoned for alleged vandalism during a

CLEARANCE:

■ PT PPM: 1,300HA □ PT PMP: 2,707HA

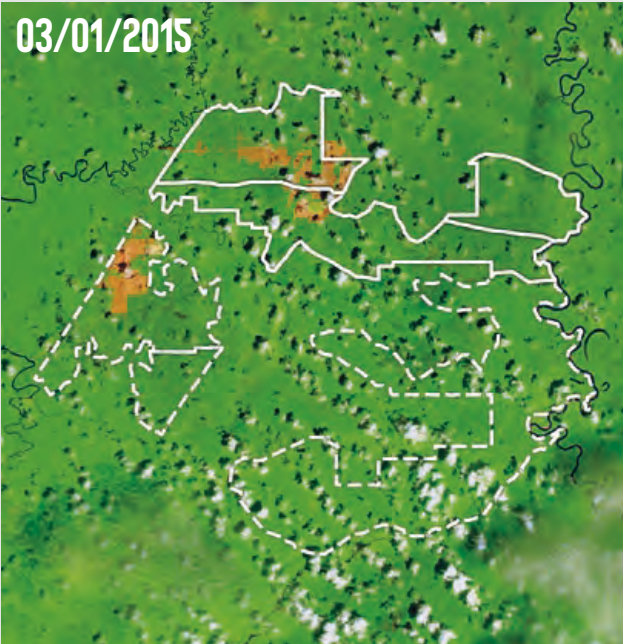


demonstration against the plantation¹⁸ and a legal case was brought against the company by one indigenous group, although this was dismissed for failure to join an indispensable party, without judgment on the merits of the case.¹⁹ The level of conflict suggests that ANJ did not obtain free, prior and informed consent (FPIC) for its activities from local communities before commencing land clearance.

In September 2017 – as PT PPM resumed land clearance near Puragi village – indigenous customary landowners, who have long disputed the legitimacy of PT PPM's claim to have acquired their land, began staging blockades aimed at stopping work until the dispute could be resolved using customary laws. They claimed ANJ had not carried out its obligation to hold a decision-making meeting with the community to reach an agreement about the status of the land and compensation for lost sources of livelihood.²⁰

ANJ has been relying on the police mobile brigade (Brimob) as guards on the concession. Local people allege multiple incidents of threats and violence by Brimob guards against those protesting in October and November 2017, including an incident in which a man claims to have been severely beaten with rifle butts by three guards, requiring hospital treatment.²¹ The company subsequently produced an official note stating that it would pay the costs of treatment and an IDR 50 million (US\$3,700) penalty for the beating, though several weeks later it was reported that this sum had not been paid as promised.²²

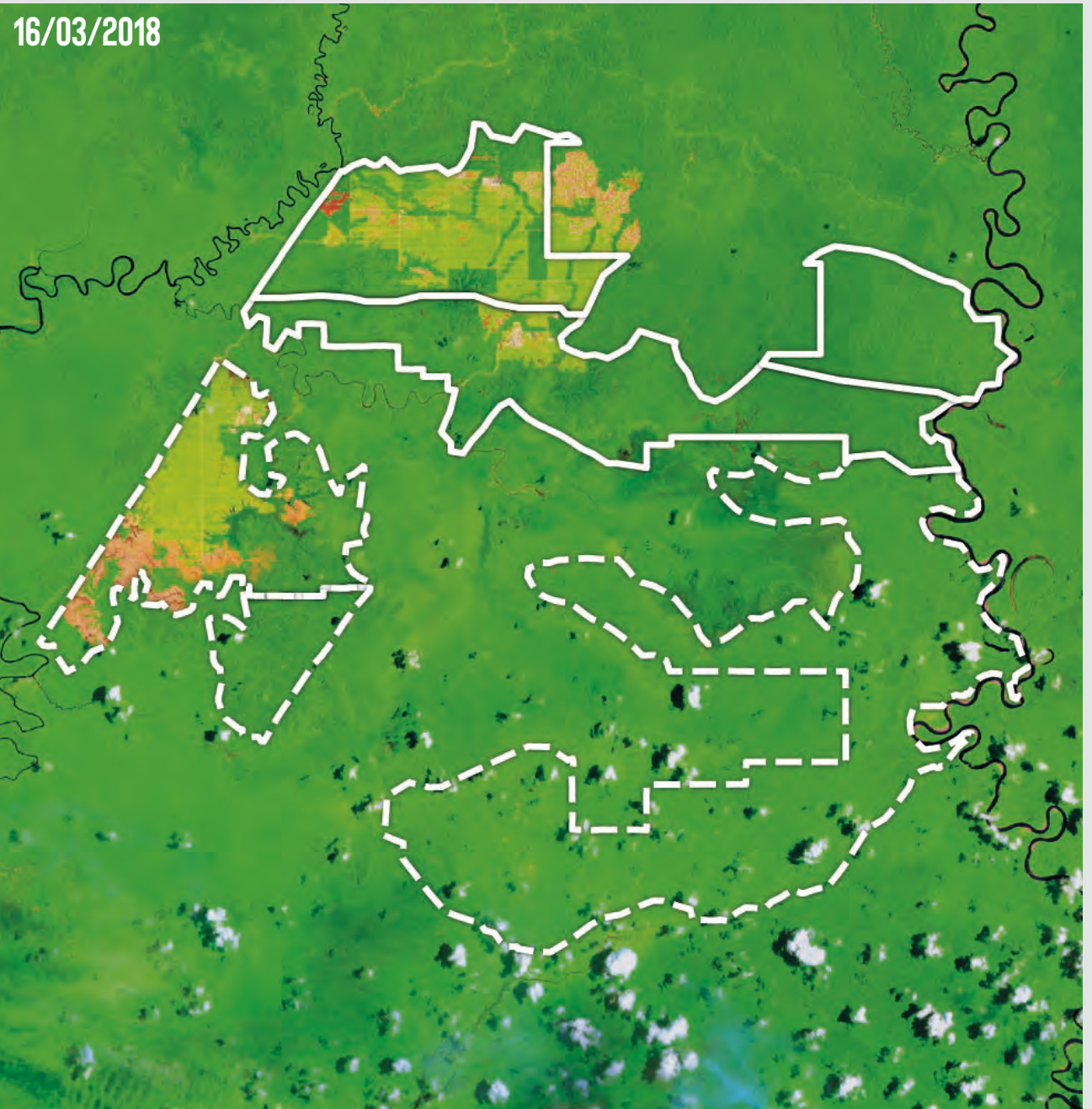
03/01/2015



Concession boundaries based on HGU maps from the Indonesian National Land Agency (BPN), which matches RSPO NPP.¹³

Satellite image sources: Landsat 8 courtesy of the U.S. Geological Survey.

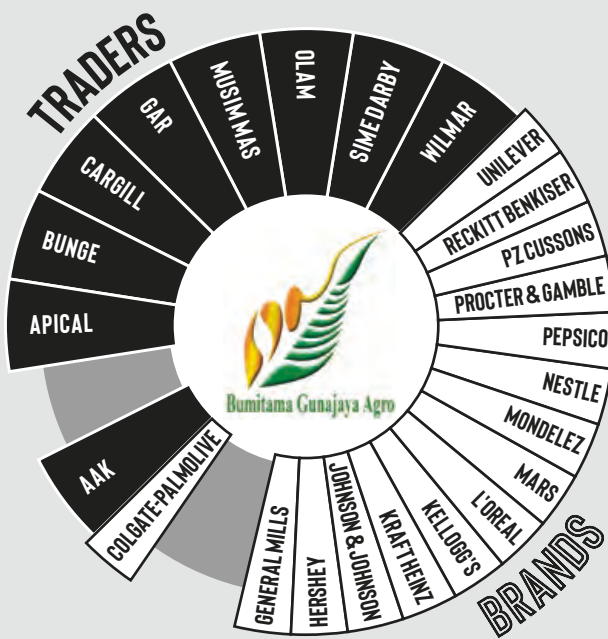
16/03/2018



BUMITAMA

LIM HARIYANTO FAMILY AND IOI JOINT VENTURE

MARKET LINKS TO TRADERS AND BRANDS



MAIN PALM OIL COMPANIES: BUMITAMA GUNAJAYA AGRO (BGA) AND BUMITAMA SAWIT LESTARI (BSL), BOTH HELD BY BUMITAMA AGRI LTD (BAL)

Bumitama¹ has a formal parent–subsidiary ownership structure. It is a joint venture (JV) between the Harita Group, controlled by members of the Lim Hariyanto family, and Malaysian conglomerate IOI Group. As of March 2018, it was majority-owned by members of the Lim Hariyanto family (52%),² with IOI having a 32% stake³ dating from 2007.⁴ IOI’s CEO Dato’ Lee Yeow Chor⁵ serves on BAL’s board of directors and has served on the boards of individual Bumitama companies.⁶

The parent company of Bumitama, BAL, is registered in Singapore and listed on the Singapore Exchange.⁷ From 2012 onward, BGA and BSL were both 90% owned by BAL.⁸ Members of the Lim Hariyanto family have historically controlled (and Bumitama has had operational management of) a number of oil palm concessions outside the formal BAL group structure⁹ that later passed into Bumitama ownership.¹⁰ In view of the evidence set out below, Bumitama and other formally separate Lim Hariyanto family palm oil interests should be seen as one group both now and historically.

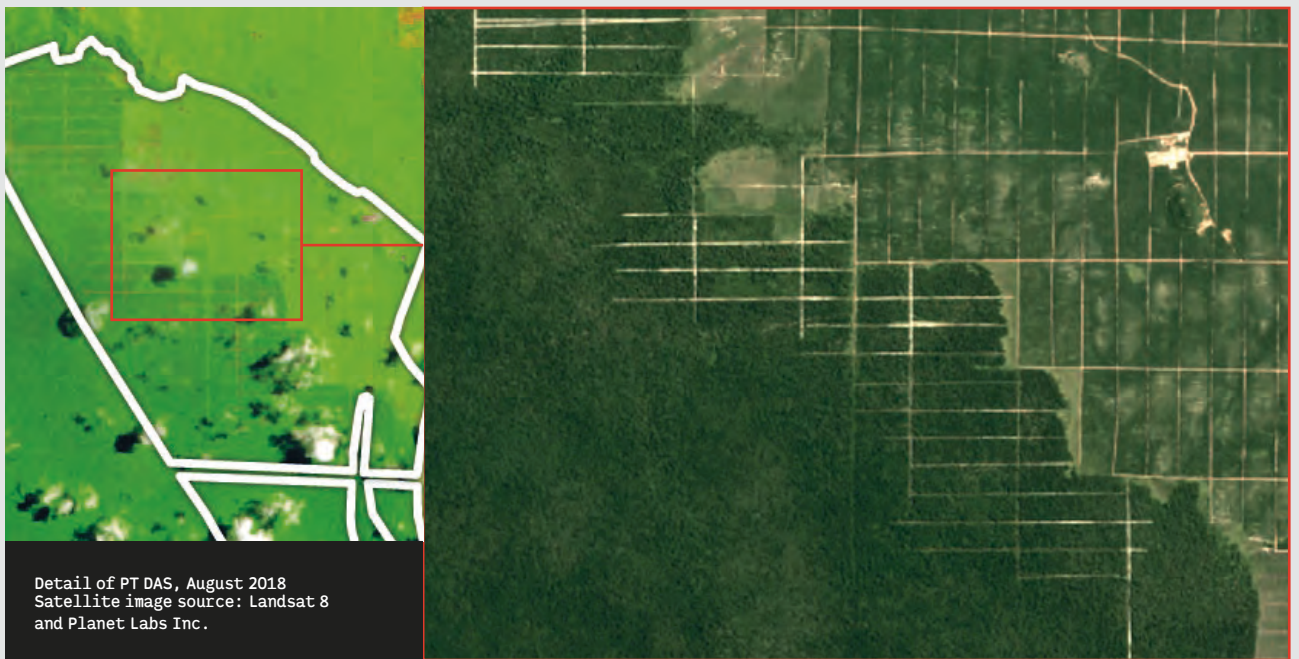
Bumitama has been a member of the RSPO since 2013, although one of its two subsidiaries, BGA, had joined in 2007.¹¹ The group adopted an NDPE policy in 2015.¹² Bumitama does not make maps of its concession boundaries publicly available in a usable format.

As of the end of 2017, Bumitama listed investments in 32 plantation subsidiaries¹³ with a total landbank of approximately 233,000ha spread over Riau, Central Kalimantan and West Kalimantan, 78% of which had been planted. The group was also operating 14 crude palm oil mills with a total processing capacity of 5.49 million tonnes of fresh fruit bunches (FFB) a year.¹⁴

EXTENSIVE DEVELOPMENT WITHOUT LEGAL PERMITS

On 12 April 2012, BAL launched its initial public offering (IPO) on the Singapore Exchange.¹⁵ The IPO prospectus claimed that the company ‘owned and/or controlled ... 191,948 hectares of land’,¹⁶ though it admitted that nearly 80% of its landbank was ‘land for which title ... has not been conferred on the landholder’¹⁷ and that over 60% of the total comprised land where even the initial permits to obtain land title from the current landowners (*Ijin Prinsip* or *Ijin Lokasi*) had expired.¹⁸

Indonesian law prohibits development of land without these and other permits (see Annex 1). Nevertheless, the IPO prospectus stated that a total of 119,162ha of land that Bumitama claimed to own or control had been planted.¹⁹ Excluding the roughly 44,500ha to which it had title,²⁰



Bumitama appeared to implicitly acknowledge responsibility for an area of at least 74,000ha that had been illegally or unlawfully planted.

Analysis of corporate registry profiles suggests Bumitama resolved this inconvenient situation through an elaborate, artificial scheme to obscure true control of a number of concession areas and plantations which either did not have permits or where the permits which were in place had been revoked. The scheme was also designed to mislead the RSPO into closing associated complaints against Bumitama. This ‘concession laundering’ was achieved by passing nominal ownership of the concessions concerned from members of the Lim Haryanto family or Bumitama to apparently unrelated companies that had in fact been established by a handful of individuals closely associated with the family business. The group would then acquire the plantation companies for an insignificant sum once the relevant permits were obtained and any complaints had been closed.²¹ The arrangement enabled Bumitama to disassociate itself from land clearing in the concessions, although in some cases, such as that of PT Golden Youth Plantation Indonesia and PT Gunajaya Harapan Lestari (discussed below), it continued to carry out this clearing and to manage the unlawful plantations while it was not legally their owner, and to trade FFB and palm oil produced by them. As well as regularising the concessions’ position with respect to Indonesian law and the RSPO, the scheme allowed Bumitama to disassociate itself from the taint of past illegality and breaches of RSPO rules. Bumitama subsequently joined the RSPO Complaints Panel,²² making it well placed to hinder further investigations and complaints about its operations.

As discussed below, two men – Djoni Rusmin and Tommy Santoso – were at the heart of the scheme. Bumitama has persistently denied any connection with Rusmin and Santoso in its announcements of company acquisitions: these state that the pair are ‘a third party’,²³ that they are ‘individuals who are unrelated to the Group’²⁴ or that ‘none of the

directors or controlling shareholders of [Bumitama Agri Ltd] has any direct or indirect interest in the Acquisition’.²⁵ When Greenpeace challenged Bumitama about its connection with the pair in early 2017, the company claimed the relationship was coincidental: ‘Tommy Santoso and Djoni Rusmin are Oil Palm developers and the former shareholders of PT LMS, who sold the company to Bumitama because of financial constraints. They also happened to be the shareholders of PT DAS.’²⁶ However, at least ten plantation companies have passed through Rusmin and/or Santoso’s hands before being bought by Bumitama – nearly one-third of the 32 plantations Bumitama declares in its 2017 annual report.

GROUP RESPONSE

Greenpeace provided Bumitama and, separately, IOI the opportunity to comment before publication of this report. On 7 September, Bumitama replied, stating that while ‘Bumitama refutes the claims that the acquisition of the mentioned [plantation companies] would be a part of a scheme designed to allow Bumitama to regularise illegality, allow land clearing, mislead the RSPO or defraud our investors’, it would ‘reflect on this method of company acquisition, and ... review and update our procedure via the Investment Committee’. The group failed to provide concession maps for its operations.

On 12 September, Dato’ Lee Yeow Chor, CEO of IOI and non-executive director of Bumitama, replied acknowledging that IOI would have some responsibility for ‘any major malpractice by Bumitama’ and that personally he has ‘a duty of oversight’ for ensuring ‘that the company complies with the laws of the country and the commitments which are spelt out in the company’s Sustainability Policy’. He emphasised that IOI was willing ‘to put pressure on Bumitama’s management as a substantial shareholder’ and would ‘welcome any advice from Greenpeace or other NGOs on how to exert more pressure’.

MARKET RESPONSE

Mars told Greenpeace that actions had been taken to exclude the group from its supply chain.

10 December 2016,
PT Damai Agro Sejahtera (Bumitama),
1°35'10.001"S 110°19'30"E
©Irmawan/Greenpeace





CONCESSION:

**PT GUNAJAYA HARAPAN
LESTARI (PT GHL),
WEST KALIMANTAN,
KETAPANG DISTRICT**



15 July 2018
Satellite image sources:
Landsat 8 courtesy of the
U.S. Geological Survey.

PT GHL is a plantation company owning a concession on Bawal Island off West Kalimantan. The company was founded in February 2007 by members of the Lim Hariyanto family.²⁷ It has always shared the same registered Jakarta address as BAL's Indonesian office.²⁸

From 1 January 2011 until 31 July 2014 Bumitama assumed formal operational management of the concession, under the GHL Cooperation Agreement.²⁹ Mapping shows significant forest clearance and plantation development between 2010 and 2013 within and beyond the concession boundaries, even though the concession did not yet have all its legal permits. PT GHL finally acquired a plantation business permit (IUP; see Annex 1) on 11 September 2013, five years after the initial location permit³⁰ and after the majority of the plantation development was completed. Under ministerial regulations, the concession area should have been forfeited because a location permit expires after three years and can only be extended one further year.³¹

Under the terms of the GHL Cooperation Agreement,

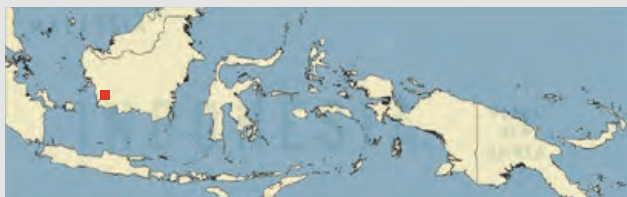
Bumitama had the right to buy the concession from members of the Lim Hariyanto family. However, it announced in July 2014 that it would not exercise this option nor continue managing the concession, citing Indonesian regulations that restricted foreign companies from owning land on small islands.³²

Then, in September 2014, PT GHL was sold to PT Selaras Hijau Sentosa, a company established by Bumitama-linked nominees Rusmin and Santoso. The plantation was repurchased by companies owned by members of the Lim Hariyanto family in June 2015.³³ From May 2012 until November 2015, PT GHL was under the management control of another pair of stand-ins connected to the Lim Hariyanto family,³⁴ whose management bridged the ownership periods of members of the Lim Hariyanto family, Rusmin/Santoso and the company's return to Lim Hariyanto family interests.

The PT GHL plantation was brought into the Bumitama portfolio in January 2016.³⁵ By the time of its official acquisition in 2016, Bumitama claimed some 2,982ha had been cultivated.³⁶ No HCV assessment is in the public domain.

CONCESSION:

PT HATIPRIMA AGRO³⁷ (PT HPA), CENTRAL KALIMANTAN



PT HPA is a 4,800ha concession in Central Kalimantan. IOI's current CEO Dato' Lee Yeow Chor became the Commissioner of PT HPA when Bumitama took over ownership from members of the Lim Hariyanto family on 28 January 2008,³⁸ and he remained in the post until 22 March 2012,³⁹ a period during which the company engaged in substantial illegal deforestation.

In March 2008, the Ministry of Forestry revoked the State Forest Release Letter for PT HPA for failure to obtain the necessary agreements from communities and land cultivation right (HGU; see Annex 1) over the forest release area.⁴⁰ Despite the minister's order to halt all activities and remove its equipment,⁴¹ the company continued to clear and develop its concession during 2010–2012.⁴² Then, in April and June 2012, the location and plantation business permits were revoked by the local authorities.⁴³

PT HPA's illegal development led NGO Sawit Watch to lodge a complaint with the RSPO.⁴⁴ In December 2012 the RSPO ordered Bumitama to cease all work in the concession until the complaint was resolved.⁴⁵ PT HPA challenged the revocations, but the Indonesian Supreme Court ultimately upheld them in December 2013,⁴⁶ leaving Bumitama with no further claim on the land or the plantation.

On 15 November 2013, just before the Supreme Court announced its verdict, Rusmin and Santoso established a new plantation company, PT Langgeng Makmur Sejahtera (PT LMS).⁴⁷ In August 2014 Bumitama announced that it had lost the case and threatened to sue the district head.⁴⁸ That same month, PT LMS applied to the same district head for a location permit covering the same area as PT HPA. By late 2014, PT LMS had acquired both a location permit⁴⁹ and a plantation business permit.⁵⁰

In January 2015 Bumitama announced that it would sell PT HPA's assets, including the immovable assets embodied in the palm plantings, to PT LMS in return for a payment of approximately IDR 400 billion (US\$32m).⁵¹

Shortly after this, Bumitama successfully applied to have the RSPO complaint against it closed on the grounds that it no longer controlled the concession.⁵²

With the complaint closed, Bumitama bought the plantation back again the following year: in June 2016 Bumitama announced that it had purchased 95% of PT LMS for just IDR 250m (approximately US\$18,500),⁵³ less than a thousandth of the sale price PT LMS had agreed to pay Bumitama the previous year. This was remarkably good value, given the business now had a valid location permit and plantation business permit. Bumitama subsequently admitted that purchase monies never passed from PT LMS to Bumitama during the approximately 18-month nominal control of the concession by Rusmin and Santoso.⁵⁴ Bumitama omitted from its announcement of the acquisition to the Singapore Stock Exchange any mention of previous Lim Hariyanto and Bumitama ownership of the estate through PT HPA. It finally obtained an HGU certificate for the concession in January 2017.⁵⁵

Bumitama appears to have continued to manage the estate during its time under Rusmin and Santoso's nominal ownership.⁵⁶ This suggests the transactions between Bumitama and PT LMS were a premeditated arrangement to ensure the closure of the RSPO complaint, to limit any negative impact on Bumitama's public share value, and to enable Rusmin and Santoso to procure new permits to legalise Bumitama's control of the illegally developed area.

Following a request from Sawit Watch, Greenpeace and the Environmental Investigation Agency, the RSPO Complaints Panel decided to reopen the PT HPA complaint on 21 November 2017.⁵⁷ In May 2018 the panel directed the RSPO Secretariat to appoint a third-party expert to conduct an independent review of related permits of PT HPA.⁵⁸

Bumitama acknowledges that 'the development of HPA has not been compliant with the RSPO NPP' and that there will be RSPO sanctions against PT LMS.⁵⁹

CONCESSION:

PT DAMAI AGRO SEJAHTERA (PT DAS), WEST KALIMANTAN



Concession boundary based on AMDAL BUPATI KETAPANG No.27/PEM/2016.

Satellite image sources: Landsat 8 courtesy of the U.S. Geological Survey.

CLEARANCE: 1,442HA



PT DAS was founded by Rusmin and Santoso on 15 November 2013, the same day they founded PT LMS.⁶⁰

In January 2016, PT DAS was granted a location permit covering some 9,400ha,⁶¹ which included over 1,000ha of oil palm plantation developed by PT Golden Youth Plantation (PT GYP), owned by members of the Lim Hariyanto family since 2011.⁶² As with the other cases described here, the plantation was illegal because PT GYP had failed to obtain the necessary permits.

Between July 2015 and 10 April 2018, there was some 1,450ha of deforestation within what would become the PT DAS concession, including peatland forest within the government-determined peat protection zone. Most of this occurred in 2016. Field evidence suggests Bumitama remained informally responsible for the management of this area even after a public statement in 2014 officially ending its involvement.⁶³ Greenpeace field investigations found that a nursery servicing PT DAS was located within a neighbouring palm oil concession owned by Bumitama. Other evidence of Bumitama's longer-term involvement includes marker stakes, security posts and a company signboard in the area, all marked BGA (ie Bumitama).⁶⁴

On 20 December 2016, just four months after Rusmin and Santoso finally obtained a plantation business permit for PT DAS, Bumitama announced that it had bought the concession.⁶⁵ In a news release issued six months later, it claimed that the reason for its acquisition was the impact the company's deforestation was having on Bumitama's efforts to build an orangutan corridor in a neighbouring concession.⁶⁶

In announcing its purchase of PT DAS, Bumitama made no mention of the Lim Hariyanto family and Bumitama's long-term history with the area. Bumitama did not acknowledge having formally managed the illegal PT GYP plantation, nor that it had processed and traded FFB from that illegal plantation during its formal management period and subsequently. Rusmin and Santoso were again described as 'unrelated' to Bumitama and the Lim Hariyanto family,⁶⁷ although this was by no means the only concession that had been traded between them.

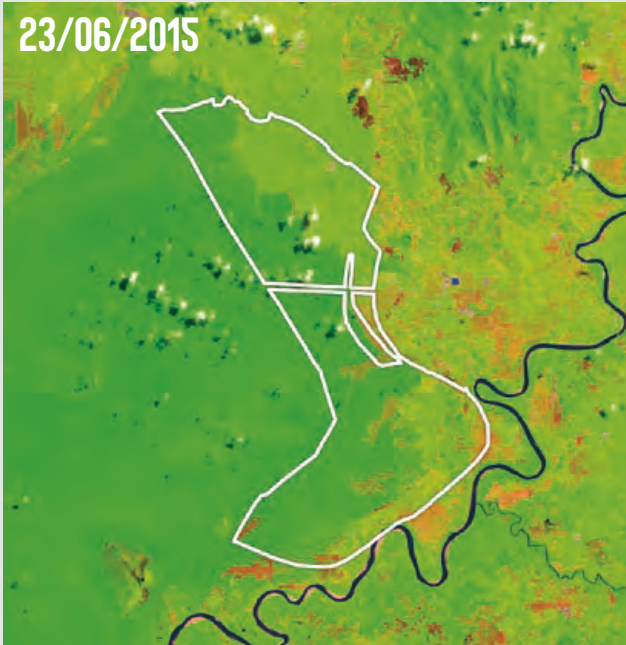
The total sum paid by BSL (90%) and the Lim Hariyanto company PT KMS (10%) for the 9,436ha PT DAS concession was a mere IDR 250m (approximately US\$18,500)⁶⁸ – the same low amount Bumitama had paid Rusmin and Santoso for PT LMS.



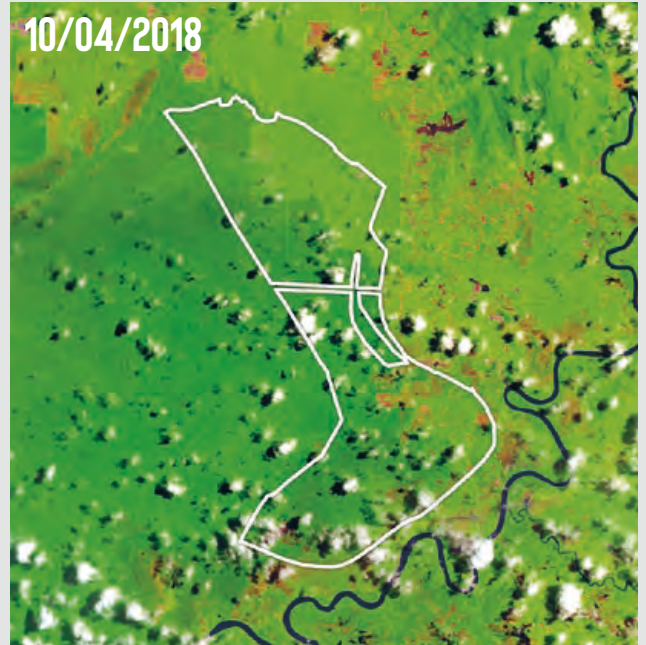
11 December 2016, PT Damai Agro Sejahtera (Bumitama), Kalimantan, 1°30'27.774"S 110°15'46.121"E ©Ifansasti/Greenpeace



11 December 2016, PT Ladang Sawit Mas (Bumitama), Kalimantan, 1°32'20.856"S 110°18'58.122"E ©Ifansasti/Greenpeace



23/06/2015



10/04/2018

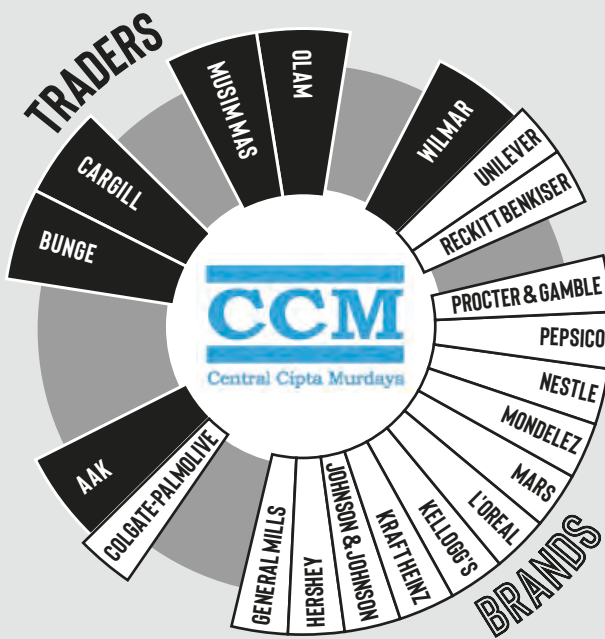


10 December 2016, PT Damai Agro Sejahtera (Bumitama), Kalimantan, 1°34'55.847"S 110°20'4.242"E ©Ifansasti/Greenpeace

CENTRAL CIPTA MURDAYA

MURDAYA FAMILY

MARKET LINKS TO TRADERS AND BRANDS



MAIN PALM OIL COMPANY: HARDAYA PLANTATIONS GROUP

This is a family group in which formally separate companies owned by members of the same family share operational or managerial control.

Informally known as Hardaya Plantations Group (HPG), it is owned by the Murdaya family, including Siti Hartati Murdaya (CEO and co-founder), Murdaya Widyawimarta Poo (co-founder, her husband) and their sons Karuna Murdaya (director and head of palm oil operations in Papua province and Sulawesi) and Prajna Murdaya.¹ In February 2013, Siti Hartati Murdaya was sentenced to 32 months in prison and fined IDR 150 million (equivalent to US\$15,000) for bribing the former regent of Buol district, Central Sulawesi, to get permits for the PT Hardaya Inti Plantations (PT HIP; see below) oil palm concession in Sulawesi.²

Neither Central Cipta Murdaya (CCM) nor HPG is a member of the RSPO and neither has a public NDPE policy. Neither CCM nor HPG makes maps of its concession boundaries publicly available in a usable format.

Aidenvironment has identified around 145,000ha in at least five HPG concessions, of which 82,600ha are in Papua province (based on location permits) and the remainder in North Kalimantan and Central Sulawesi.³

GROUP RESPONSE

Greenpeace provided the group the opportunity to comment before publication of this report. No comment was received.

MARKET RESPONSE

Mars told Greenpeace that actions had been taken to exclude the group from its supply chain.

CONCESSION:

**PT HARDAYA INTI
PLANTATIONS (PT HIP),
CENTRAL SULAWESI,
BUOL DISTRICT**

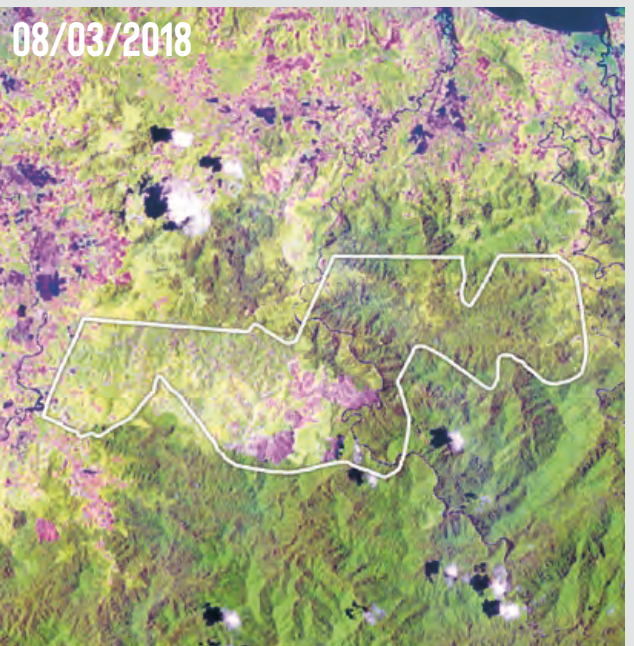
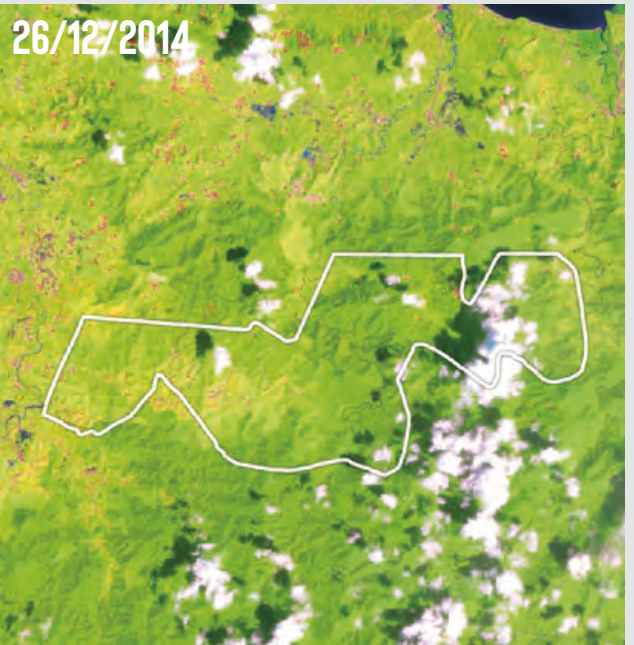


CLEARANCE: 434HA



0 2 4 KM
0 2 4 M
Scale 1:220,000

Between 26 December 2014 and 8 March 2018, PT HIP cleared 434ha of forest, including primary forest according to the Ministry of Environment and Forestry 2015 national landcover map.



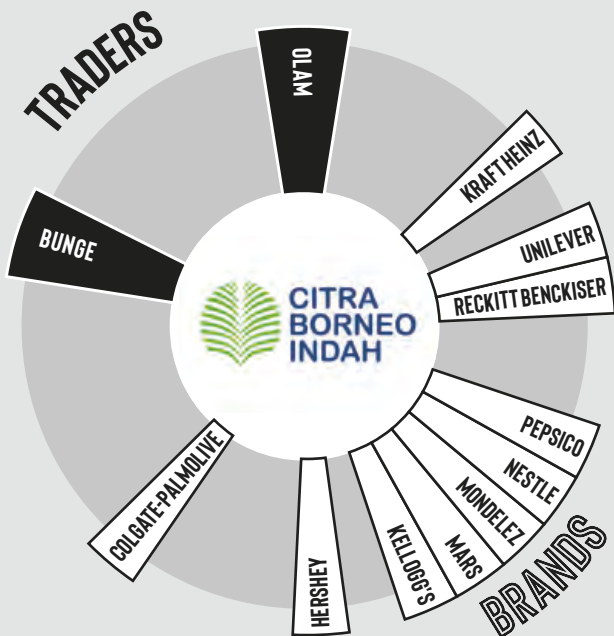
Concession boundary based on HGU map from regional government.

Satellite image sources: Landsat 8 courtesy of the U.S. Geological Survey.

CITRA BORNEO INDAH

ABDUL RASYID—ASSOCIATED

MARKET LINKS TO TRADERS AND BRANDS



MAIN PALM OIL COMPANIES: PT SAWIT SUMBERMAS SARANA AND OTHERS

The Citra Borneo Indah group has a formal parent–subsidiary ownership structure, which encompasses PT Citra Borneo Indah and its subsidiaries, including its principal plantation subsidiary PT Sawit Sumbermas Sarana (PT SSMS) and the subsidiaries of that company.¹ Citra Borneo Indah is controlled by tycoon Abdul Rasyid, who has been described as a ‘former illegal logging kingpin’;² Rasyid’s nephew Sugianto Sabran became the governor of Central Kalimantan in 2016,³ and in May 2017 Rasyid’s sister-in-law, Nurhidayah, was elected head of West Kotawaringin district of Central Kalimantan.⁴

Citra Borneo Indah is not a member of the RSPO and has no NDPE policy. Its subsidiary PT SSMS is an RSPO member (and as a result of the wider Citra Borneo Indah group’s non-membership is in violation of the RSPO’s rules on group membership⁵) and has recently published an NDPE

policy.⁶ Neither of these companies makes maps of its concession boundaries publicly available in a usable format.

PT SSMS’s 2016 Annual Communication of Progress (ACOP) submission to the RSPO reported a total landbank of 62,339ha, with 44,513ha of this planted.⁷ However, in its 2016 annual report the company claims a total landbank of 96,040ha and a planted area of 70,125ha.⁸ The data in the annual report match closely with Greenpeace mapping analysis, suggesting that PT SSMS is underreporting its landbank to the RSPO. All estates are located in Central Kalimantan.

In December 2015, PT SSMS sold two of its plantation companies, including PT Sawit Mandiri Lestari (PT SML; see case study below),⁹ meaning the concessions would no longer be subject to the RSPO’s Principles and Criteria. At the time, there was an RSPO complaint pending on PT SML, initiated by the NGOs Environmental Investigation Agency and JPIK Kalteng.¹⁰ PT SML is presently 60% owned by Rinawati,¹¹ apparently linked to Citra Borneo Indah.¹² The other 40% of PT SML is owned by Hamidi Mukhdar Said, reportedly also known as H Hamdhani, who is a member of Commission VI of the House of Representatives of the Republic of Indonesia,¹³ and a political ally of Abdul Rasyid’s nephew, Governor Sugianto Sabran. The director mentioned in the corporate registry profile for PT SML, Ramzi Sastra, is also the commercial director of PT SSMS and the address of PT SML is the same as the address of another of PT SSMS’s plantation companies.¹⁴ This suggests that the Rasyid family still has control over PT SML’s operations.

In January 2018 PT SSMS claimed that ‘TFT has accepted SSMS as their newest palm oil grower member’.¹⁵ Three months later, another company within the Citra Borneo Indah group (PT BSG; see case study below) was accused of deforestation and peatland development.¹⁶

GROUP RESPONSE

Greenpeace provided the group the opportunity to comment before publication of this report. No comment was received.

MARKET RESPONSE

Bunge, Mars, Reckitt Benckiser and Unilever told Greenpeace that actions had been taken to exclude the group from their supply chains.

CONCESSION:

PT BORNEO SAWIT GEMILANG (PT BSG), WEST KALIMANTAN

In April 2018, Forest Hints, the semi-official news website of the Indonesian Ministry of Environment and Forestry,¹⁷ accused PT Citra Borneo Indah subsidiary PT BSG¹⁸ of deforestation and peatland development.¹⁹ According to Forest Hints, PT BSG began clearing and developing its concession in December 2017.

Forest Hints released pictures, apparently taken on 20 April 2018, showing excavators clearing forest and an extensive canal network seemingly draining peatland to prepare it for planting. It claimed the area forms part of the peatland protection zone and has been identified for restoration by the Peatland Restoration Agency (*Badan Restorasi Gambut*; BRG).²⁰ Any such development would violate Indonesian law and corporate NDPE policies, including the sustainability commitments made by PT BSG's sister company PT SSMS in September 2017.²¹

In May 2018 PT SSMS acknowledged being part of the same group as PT BSG, and confirmed that as 'SSMS's sustainability commitments reflect those of our parent company', PT BSG (and by inference, all other Citra Borneo Indah group companies) should be held to the same standards.²²

PT SSMS also claimed to have conducted a field investigation which determined not only that 'the alleged development' was carried out by PT BSG but that it 'took place outside BSG's permit [area]'.²³ If true, this would be a further violation of Indonesian law.

PT SSMS claimed that PT BSG had cleared the area 'at the request of the local communities',²⁴ a fact disputed by Forest Hints, which alleges to have been told by employees of the company that the clearance was 'to develop new palm oil plantations for PT BSG'.²⁵

CONCESSION:

**PT SAWIT MANDIRI
LESTARI (PT SML),
CENTRAL KALIMANTAN,
LAMANDAU DISTRICT**



CLEARANCE: 6,243HA



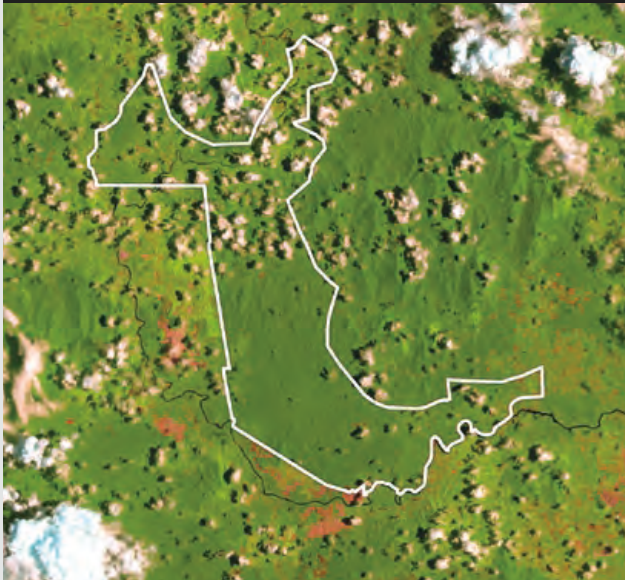
Between 10 March 2015 and 14 February 2018,
PT SML cleared 6,243ha of secondary forest.
The cleared forests were orangutan habitat.

Concession boundary based on
State Forest Release Letter
reference 1/1/PKH/PMDN/2015
and RSPO NPP.²⁶

Satellite image sources:
Landsat 8 courtesy of the
U.S. Geological Survey.



10/03/2015

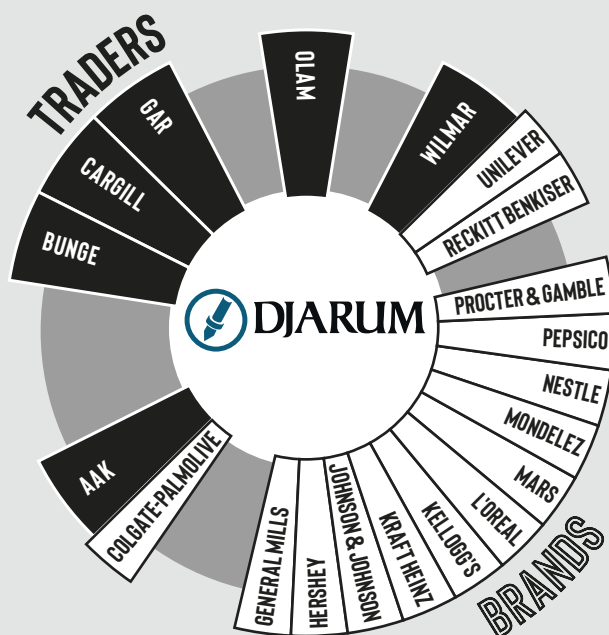


14/02/2018



20 May 2016,
PT Sawit Mandiri Lestari (Citra Borneo Indah), Kalimantan,
1°54'26.52"S 111°13'51.41"E
©Aidenvironment

MARKET LINKS TO TRADERS AND BRANDS



MAIN PALM OIL COMPANY: PT HARTONO PLANTATIONS INDONESIA, ALSO KNOWN AS HPI AGRO

Djarum is family-owned and appears to have a formal parent–subsidiary ownership structure. The group is owned by brothers Robert Budi Hartono (CEO) and Michael Hartono, the richest men in Indonesia in 2016.¹ Djarum is best known as a *kretek* cigarette manufacturer but also has banking and other interests, including Indonesia’s third largest bank by total assets, Bank Central Asia (BCA).²

Neither Djarum nor HPI Agro is an RSPO member, and the group has no public NDPE policy. The group

does not make maps of its concession boundaries publicly available in a usable format.

Aidenvironment has identified an oil palm landbank of more than 100,000ha linked to the group, all in West Kalimantan, mostly in Landak district.³

In August 2018, a report by a coalition of Indonesian NGOs revealed that two pulpwood concessions in East Kalimantan owned by the Hartono family have cleared approximately 32,000ha since 2013 (9,500ha since 2016).⁴ The clearance is reportedly to supply a new pulp mill in the province.⁵



GROUP RESPONSE

Greenpeace provided the group the opportunity to comment before publication of this report. On 12 September, Djaru/HPI Agro replied, stating that it had not cleared any peat within the government-determined peat protection zone, although not denying peatland clearance. More generally, regarding NDPE violations, 'this year the Company had committed to implement the NDPE into its sustainability policy. However we realized that the fully adjustment of NDPE policy into the Company's policy requires time and

process.' The group failed to provide concession maps for its operations.

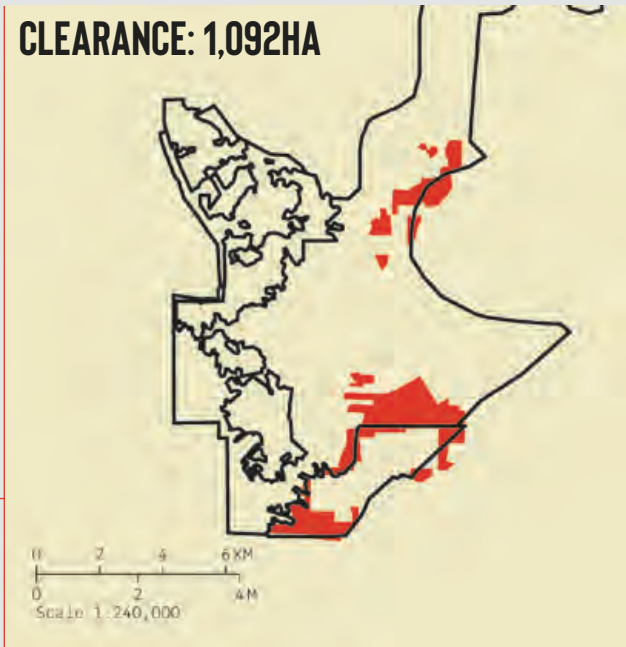
MARKET RESPONSE

Mars told Greenpeace that actions had been taken to exclude the group from its supply chain.

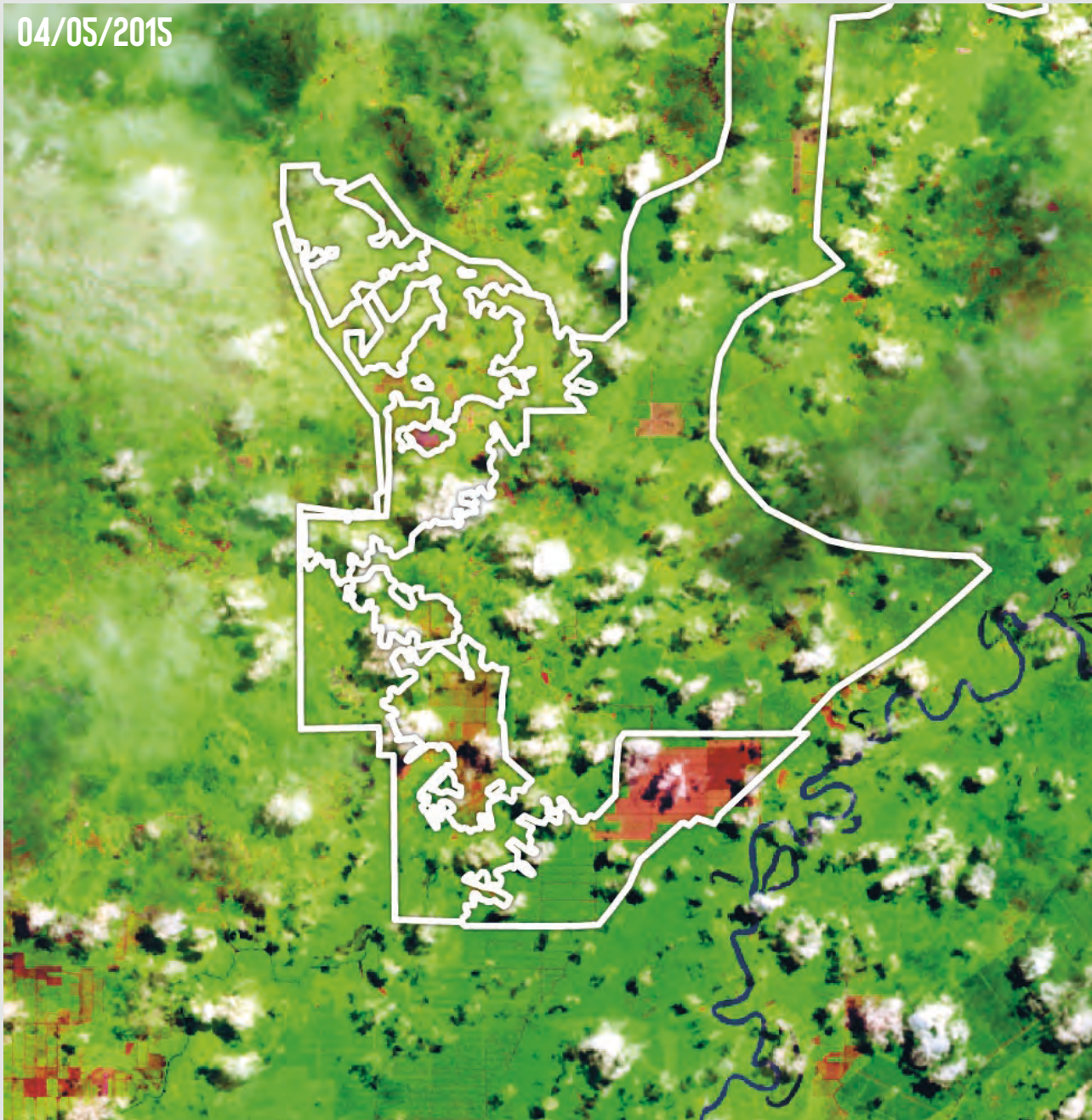
CONCESSION:

**PT GEMILANG SAWIT
KENCANA (PT GSK),
WEST KALIMANTAN,
LANDAK DISTRICT**

CLEARANCE: 1,092HA



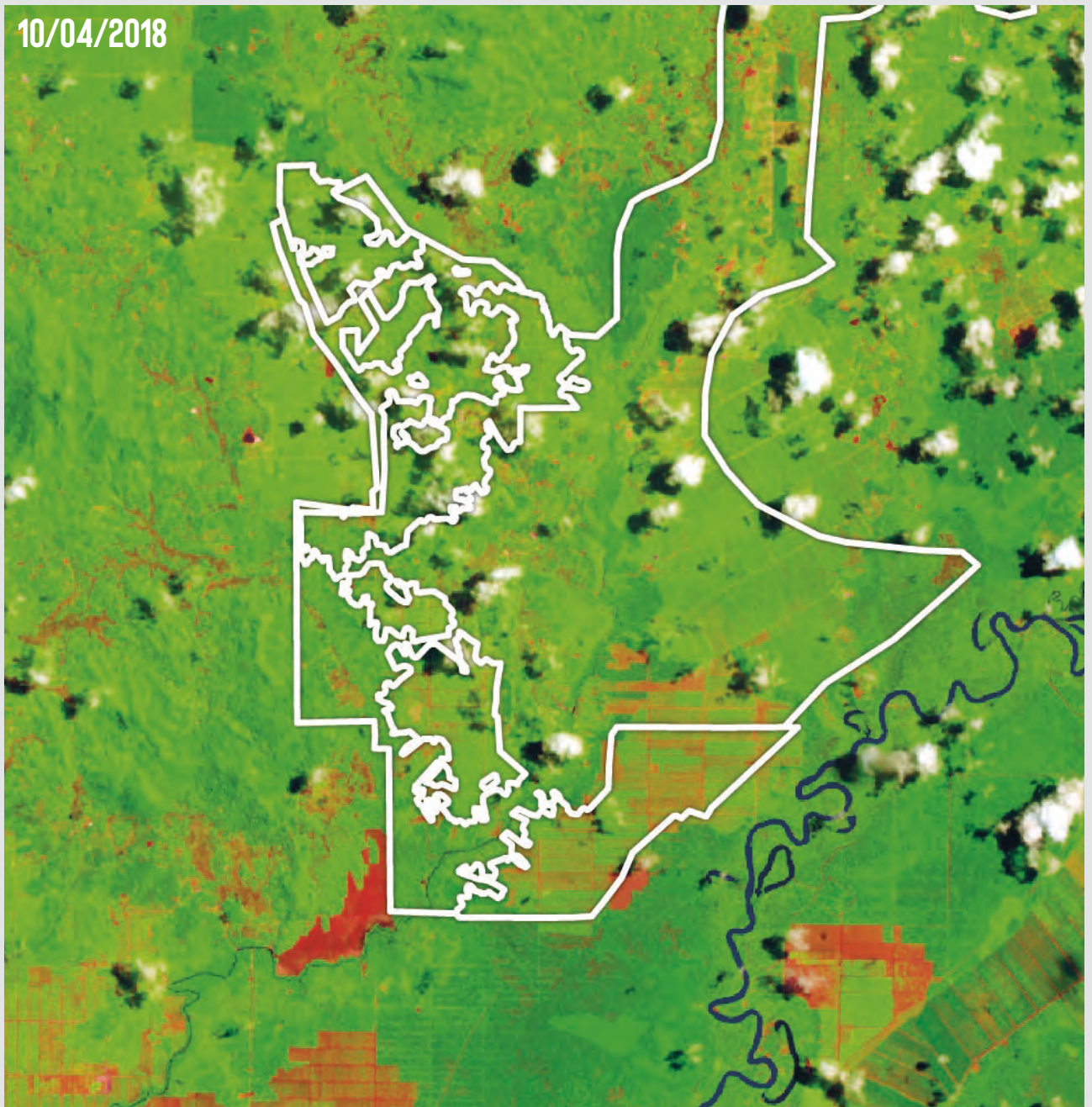
04/05/2015



Between 4 May 2015 and 10 April 2018, PT GSK cleared 1,100ha of peatland forest, including within the government-determined peat protection zone.

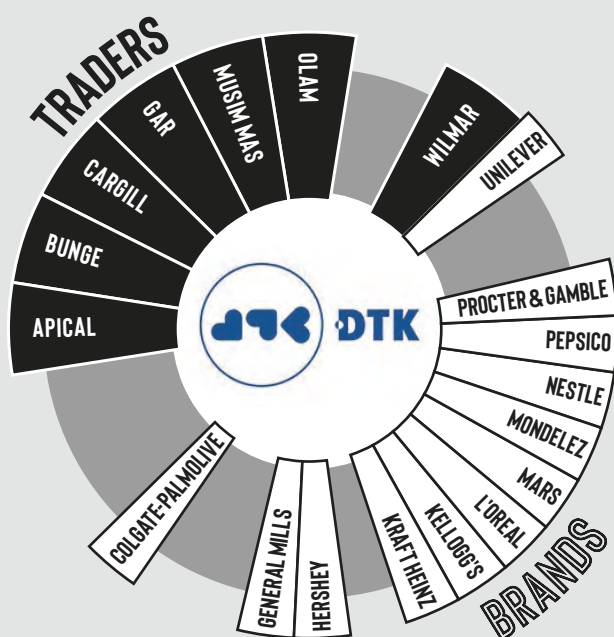
Concession boundary based on information from the Environmental Office of Landak and the Ministry of Forestry⁶ and analysis of clearing pattern.

Satellite image sources: Landsat 8 courtesy of the U.S. Geological Survey.



DTK OPPORTUNITY

MARKET LINKS TO TRADERS AND BRANDS



DTK has a formal parent-subsidiary ownership structure. However, its ultimate ownership and control are obscured by registration in the British Virgin Islands.¹ Some of its concessions were previously part of the RGE Group, which also includes pulp giant APRIL. Some plantations are operated or managed by Acapalm.²

In 2014, the president/director of DTK concession PT Archipelago Timur Abadi (PT ATA) was sentenced to 10 months in prison and a fine of IDR 2 billion (approximately US\$170,000) by the Palangkaraya District Court because PT ATA had developed its plantation without a plantation business permit (IUP; see Annex 1).³

DTK is not a member of the RSPO and has no public NDPE policy. The group does not make maps of its concession boundaries publicly available in a usable format.

Aidenvironment has identified a landbank of 133,000ha in 11 DTK concessions in Papua and Kalimantan, with around 65,000ha planted.

GROUP RESPONSE

Greenpeace provided the group the opportunity to comment before publication of this report. On 12 September, DTK Opportunity replied, stating that '[w]e are still in an infant stage in the area of sustainability' and '[i]n recent months, we took the business decision to sell off PT LAIK. It is no longer part of DTK.' Further, it claimed to have stopped its own clearance within that concession in October 2017, following meetings with Aidenvironment. The group failed to provide concession maps for its operations.

MARKET RESPONSE

Mars, Nestlé and Wilmar told Greenpeace that actions had been taken to exclude the group from their supply chains.

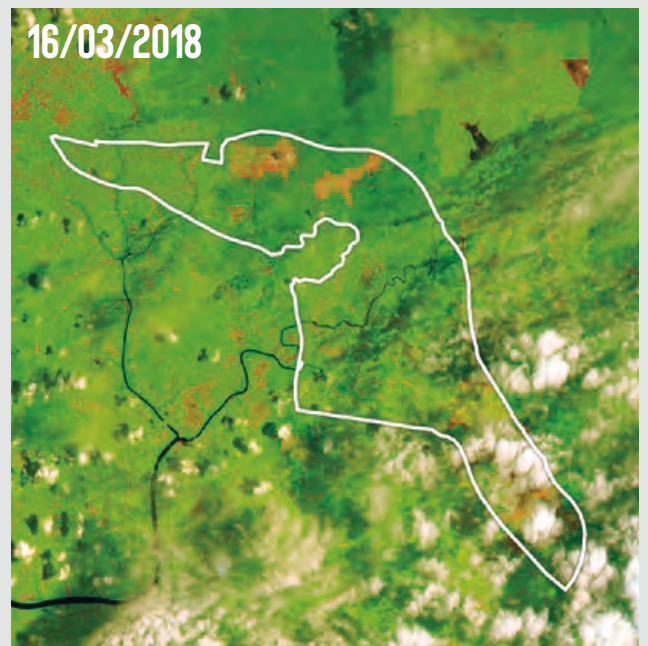
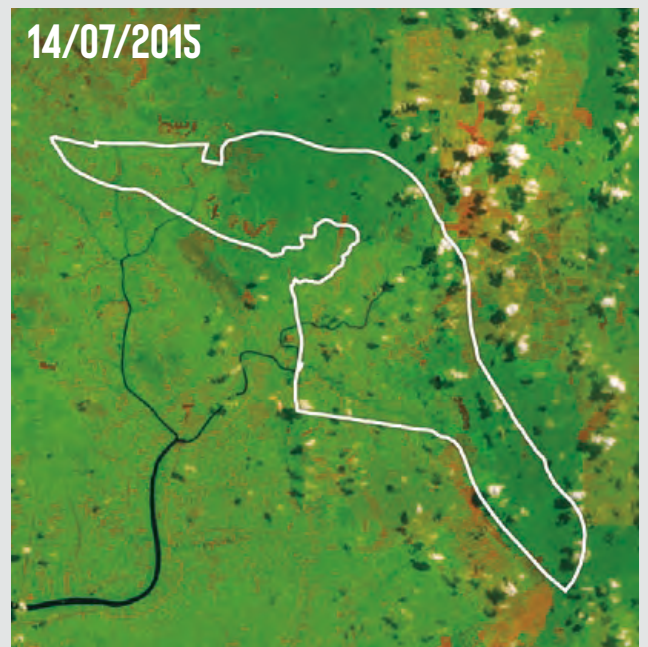
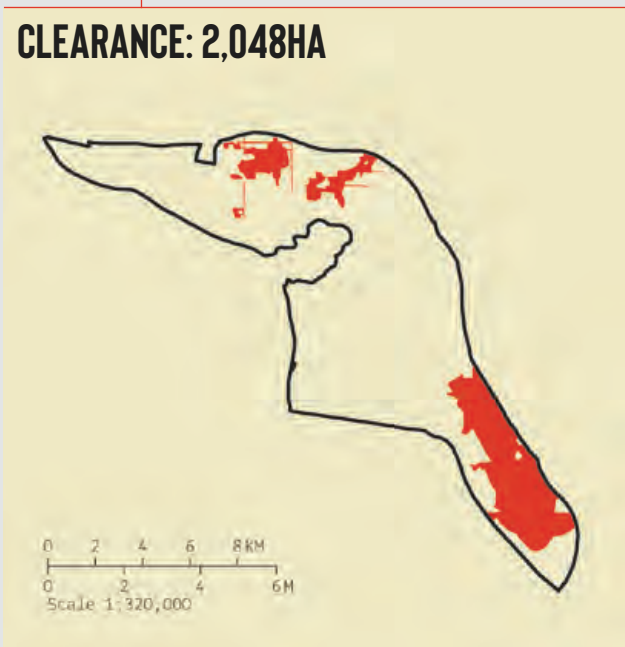
CONCESSION:

**PT LAHAN AGRO INTI
KETAPANG (PT LAIK),
WEST KALIMANTAN,
SAMBAS DISTRICT**



Between 14 July 2015 and 16 March 2018 PT LAIK cleared around 2,050ha of forest, including peatland forest within the government-determined peat protection zone. Despite a stop work order by Apical in January 2017,⁵ the company continued clearing in 2017. Some of the cleared forests were orangutan habitat.

CLEARANCE: 2,048HA



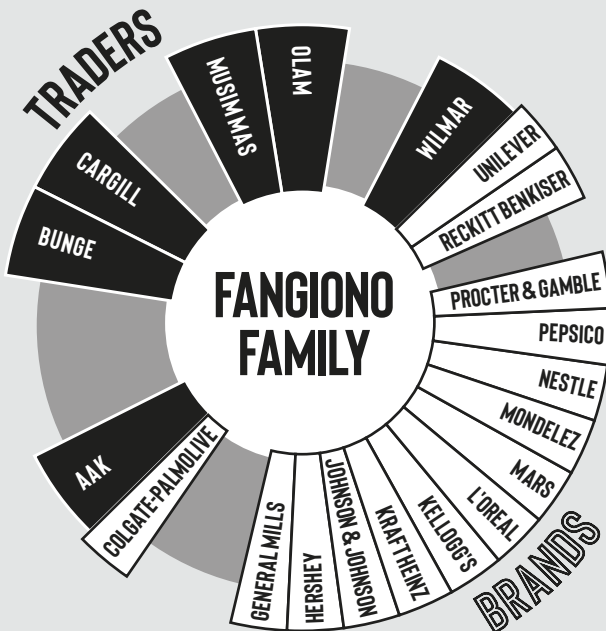
Concession boundary based on information from provincial plantation office West Kalimantan and NPP map for a neighbouring concession of another company group, PT Musim Mas.⁴

Satellite image sources: Landsat 8 courtesy of the U.S. Geological Survey.

FANGIONO FAMILY



MARKET LINKS TO TRADERS AND BRANDS

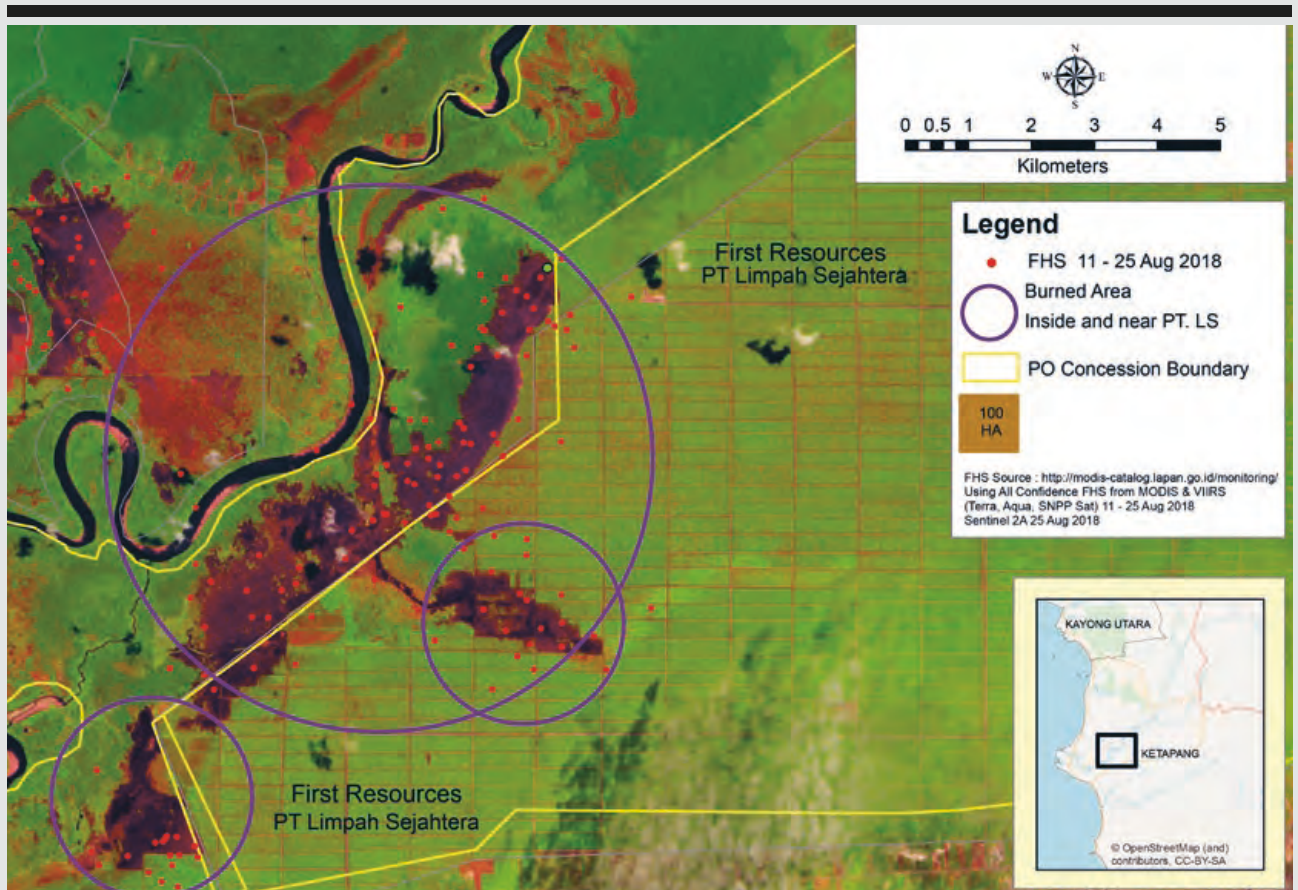


MAIN PALM OIL COMPANIES: FIRST RESOURCES, PT FANGIONO AGRO PLANTATION AND THE CILIANDRY ANKY ABADI GROUP

Martias Fangiono (Martias)¹ was a major player in the Indonesian timber business during and after the Suharto era. He was also the founder of the logging and palm oil company PT Surya Dumai Industri (PT SDI), which is presently inactive.

Children from Martias's first and second marriages control a number of ostensibly separate producer companies. However, a review of corporate registry profiles highlights numerous connections between these companies, including shared addresses and overlapping management. The full picture is obscured by the unusual refusal of Indonesian government officials to disclose corporate registry profiles for some companies controlled by members of the family. In the absence of full disclosure, and given the evidence of close connections, brands and traders should consider First Resources and other companies controlled by members of the extended Fangiono family to be one group for the purposes of compliance with NDPE policies, unless and until the producer companies have been able to satisfactorily demonstrate that they operate independently from one another.

First Resources is a spin-off of Surya Dumai. Its current CEO is Martias's son from his first marriage, Ciliandra Fangiono. Martias has no official function within First Resources.² As of March 2018, 70% of First Resources was owned by discretionary trusts presumably linked to the Fangiono family.³ In a statement of 12 July 2018, First Resources stated that Ciliandra Fangiono and his siblings were the controlling shareholders of First Resources.⁴



Other palm oil interests of the family include the Ciliandry Anky Abadi (CAA) group and PT Fangiono Agro Plantation (PT FAP). As of June 2018, the CAA group was owned by Martias's second wife, Silvia Caroline, and her presumed children living at the same residential address, Ciliandry Fangiono (not to be confused with Ciliandra) and Wiras Anky Fangiono.⁵ PT FAP is 95% owned by Prinsep Management Ltd, a trust based in the British Virgin Islands, and 5% by PT Fangiono Perkasa Sejati (PT FPS), a company owned by Wirastuty and Ciliandrew Fangiono (Ciliandra's siblings)⁶ and Matthew Fangiono (believed to be Ciliandra's nephew),⁷ which is also one of the parent companies of PT SDI.⁸ In its 2007 prospectus for the Singapore Exchange, First Resources attributed a 94% interest in PT FAP to Irawaty, Martias's former wife and Ciliandra's mother.⁹ The evidence for these various palm oil interests constituting a single family group is set out in the box below.

In December 2007, Martias was sentenced to 18 months' imprisonment after being found guilty of collaborating with the East Kalimantan governor (among others) in an illegal logging scam during the period 1999–2002.¹⁰

First Resources is an RSPO member, but PT FAP and the CAA group are not. First Resources adopted an NDPE policy in July 2015; this applies to 'associates' and third-party suppliers.¹¹ The CAA group has no NDPE policy. PT FAP has, according to First Resources, agreed to observe First Resources' HCS policy as a supplier.¹² None of these companies makes maps of its concession boundaries publicly available in a usable format.

First Resources reports 208,691ha of planted area in Indonesia, in Riau and East and West Kalimantan.¹³ Greenpeace mapping suggests that it has a total landbank of 234,000ha.



Aidenvironment has identified a landbank of more than 128,000ha held by the CAA group – mostly in Central Kalimantan but with one concession in Riau – with a planted area of approximately 20,000ha. PT FAP holds a landbank of at least 140,000ha in Kalimantan, of which more than 80,000ha are planted. Taken together with Sulaidy's interests of some 65,000ha, this means the Fangiono family's landbank and linked interests may cover an area of 540,000 – 565,000ha.

GROUP RESPONSE

Greenpeace provided the group the opportunity to comment before publication of this report. No comment was received.

MARKET RESPONSE

AAK, Bunge, Johnson & Johnson, Mars, Nestlé, Reckitt Benckiser, Unilever and Wilmar told Greenpeace that actions had been taken to exclude the group from its supply chain.

EVIDENCE OF LINKS BETWEEN THE FANGIONO FAMILY'S PALM OIL INTERESTS

First Resources has emphasised that neither Ciliandra Fangiono nor those of his siblings who are controlling shareholders of First Resources have any interest in PT CAA, the holding company of the CAA group.¹⁴ First Resources has also stated that 'FAP Agri is not a subsidiary or an associated company of First Resources'.¹⁵ However, a review of corporate registry profiles highlights numerous connections between First Resources, the CAA group, PT FAP and their subsidiaries. In terms of the Fangiono family itself, the ownership or senior management crossover between the business interests of the offspring of Irawaty and those of the offspring of Silvia Caroline is confined to Martias. The major identifiable overlap is through infrastructure (shared office premises) and the roles played by a handful of Martias's long-term business colleagues in supporting the young Fangionos in establishing and managing their business empire.

WISMA 77 AS CLEARING HOUSE

The 2007 prospectus for First Resources (see above) states that the registered office for its main subsidiary holding company, PT Ciliandra Perkasa is 'Wisma 77, 7th Floor, Jl Letjend S. Parman Kav. 77, Slipi, Jakarta 11410, Indonesia'.¹⁶ The address is confirmed by the company's current Facebook page¹⁷ and other social media sites, though other sources indicate it is now at APL Tower (see below).

Corporate registry profiles show that numerous other companies linked to both sides of the Fangiono family have been registered at that address, including:

- PT CAA from 1 July 2008 to 15 March 2016, in addition to various of its plantation companies at different times
- PT FAP from 4 November 2008 until at least 16 November 2017 (the date for the most recently obtained corporate registry profile) and several of its plantation companies and shareholder companies:
 - PT Borneo Bhakti Sejahtera (a PT FAP plantation company) from 28 May 2008 until at least 11 January 2017
 - PT Bumi Khatulistiwa Kencana (a recent shareholder of PT FAP still holding shares in the PT FAP plantation company PT Riau Agung Karya Abadi) from at least 9 September 2015 to the present, according to the PT RAKA corporate registry profile

- PT Tirta Madu Sawit Jaya (a PT FAP plantation company) from 11 April 2008 to at least the end of 2016, as well as PT Karangjuang Hijau Lestari, the company acting as the majority shareholder of PT TMSJ for the same period
- PT Citra Palma Pertiwi (a plantation company forming part of the Sulaidy cluster – see below) from 14 June 2012 until at least 17 November 2016
- PT SDI from 27 June 2008 to 17 June 2016, in addition to its then parent companies PT Fangiono Jayaperkasa and PT FPS, according to the PT SDI corporate registry profile.¹⁸ Floor 7 of Wisma 77 was also given as Ciliandra Fangiono's residential address while he was a shareholder of PT Citra Palma Pertiwi from 14 June 2012 until 28 August 2014.

APL TOWER AS CLEARING HOUSE

The 2011–2012 Annual Communication of Progress to the RSPO by First Resources provides its contact address as APL Tower – Central Park, 28th Floor, Podomoro City, Jl Letjend S. Parman Kv 28, Grogol-Petamburan, Jakarta Barat 11470, Jakarta.¹⁹ This same address is the contact address listed on the First Resources website.²⁰

Corporate registry profiles show that other First Resources and Fangiono family interests are registered at that address, including (according to some profiles) family holding company PT FPS, former part-owner of PT SDI and current part-owner of PT FAP.

THE SULAIIDY CLUSTER

Floor 28 of APL Tower is also the registered address of the holding company PT Persada Prima Agro Mandiri (PT PPAM), which until 25 June 2018 had a JV with First Resources but was otherwise superficially unrelated to the Fangiono family, as well as of the six plantation companies²¹ held by the JV holding company PT Setia Agrindo Jaya; on that date, First Resources announced that one of its indirect subsidiaries now held 99.61% of the shareholding.²² The move came four days after the publication of a report by Chain Reaction Research on the

threat posed to NDPE efforts by so-called ‘shadow companies’,²³ which featured the Fangiono family.

Together with another partner, the controlling shareholder of the JV had been an individual called Sulaidy,²⁴ who has been linked to many Fangiono family interests as both a senior manager and a shareholder (including owning 5% of PT FAP from its foundation until July 2010, when his share was taken over by PT Fangionoperkasa Sejati). Corporate registry profiles from 2016 and 2017 reveal Sulaidy as a controlling shareholder of at least five other companies with no current shareholder or managerial link to the Fangiono family. Key among these is PT Bangka Bumi Lestari (PT BBL), which is the holding company of the remaining four, as follows:

- PT Borneo Citra Persada Abadi
- PT Citra Palma Pertiwi (PT CPP)
- PT Palmdale Agroasia Lestari
- PT Setia Agro Abadi (PT SAA).

These companies’ concessions are thought to cover some 65,710ha. While the registered address for PT CPP is Wisma 77, Floor 7 (see above), the most recent known address for PT BBL and PT SAA is APL Tower, 28th–29th Floor. These companies also historically share management or shareholder links with individuals associated with Fangiono family interests and discussed below. First Resources’ buyout of PT PPAM’s stake in PT Setia Agrindo Jaya may have been designed to obscure the family’s links to these companies.

MANAGEMENT CROSSOVER

According to corporate registry profiles, current or recent senior managers or shareholders of PT CAA and its subsidiaries are also linked to the business interests of Martias’s children by his first marriage, PT FAP and First Resources – in the latter case notably through Sulaidy, First Resources’ JV partner. The individuals concerned include:

- Ciliandry Fangiono
- Citra Gunawan
- Edward Utomo
- Lau Cong Kiong
- Martias

Ciliandry Fangiono, a current shareholder of PT CAA, held a minority shareholding in the Sulaidy plantation company PT CPP until 28 August 2014.

Citra Gunawan has historically played a management role within PT CAA; he is the current Commissioner of CAA group subsidiary PT Agrindo Green Lestari. He was the original Managing Director of PT FAP and has historically held senior management positions with the PT FAP companies PT Borneo Bhakti Sejahtera, PT Bulungan Hijau Perkasa and PT Tirta Madu Sawit Jaya. His links to First Resources include historic management positions in the Sulaidy plantation companies PT CPP and PT SAA. He was President Director of Martias’s apparently dormant company PT

SDI (from which First Resources was established) until at least 12 January 2017 (the date of acquisition on the most recent corporate registry profile).

Edward Utomo has historically held senior management positions within PT CAA and PT Agrindo Green Lestari, as well as within the PT FAP company PT Setia Agro Utama. His links to First Resources include historic management positions in the Sulaidy plantation companies PT CPP and PT SAA.

Lau Cong Kiong was for several years (until 2011) a minority owner of CAA group subsidiary PT Citra Agro Abadi and also played a senior management role within that company as well as CAA group subsidiary PT Heroes Green Energy. He was the original Chief Commissioner of PT FAP and has historically held senior management positions with its subsidiaries, including PT Borneo Bhakti Sejahtera, PT Bulungan Hijau Perkasa, PT Setia Agro Utama and PT Tirta Madu Sawit Jaya. His links to First Resources include being the current Commissioner of First Resources subsidiary PT Ciliandra Perkasa.²⁵ He is also associated through historic senior management roles with the Sulaidy companies PT BBL, PT Borneo Citra Persada Abadi, PT PPAM and PT SAA.

Martias has been directly linked as a shareholder at one time or another to various companies across the different Fangiono family interests, including PT SDI; PT FAP subsidiaries PT Borneo Bhakti Sejahtera, PT Bulungan Hijau Perkasa and PT Tirta Madu Sawit Jaya (as well as the latter’s former parent company PT Karangjuang Hijau Lestari); and PT CAA along with its subsidiary PT Citra Agro Abadi.

BLOCKED CORPORATE REGISTRY PROFILES — AN ADDITIONAL BARRIER TO TRANSPARENCY

Government officials have obstructed Greenpeace in its attempt to confirm current links between First Resources and other Fangiono family interests. Requests for a raft of corporate registry profiles for Sulaidy-linked companies and PT FAP subsidiaries have been blocked by the Directorate General of Public Law Administration, and officials have refused to disclose whether this was at the request of shareholders or because of a government investigation. Despite the information being normally available to the public upon payment of a fee, staff claimed that the organisation was afraid Greenpeace might ‘misuse’ it. Such denial of access to registry profiles and the refusal to explain why they are blocked hinders the efforts of Greenpeace and other stakeholders to track ultimate beneficial ownership both within and across companies. The blocked registry profiles include those for:

- PT Bangka Bumi Lestari
- PT Borneo Bhakti Sejahtera
- PT Borneo Citra Persada Abadi
- PT Citra Palma Pertiwi
- PT Marsam Citra Adiperkasa
- PT Setia Agro Abadi
- PT Setia Agro Utama.

CONCESSION:

**PT AGRINDO GREEN
LESTARI (PT AGL) AND
PT CITRA AGRO ABADI,
CENTRAL KALIMANTAN,
PULANG PISAU DISTRICT**

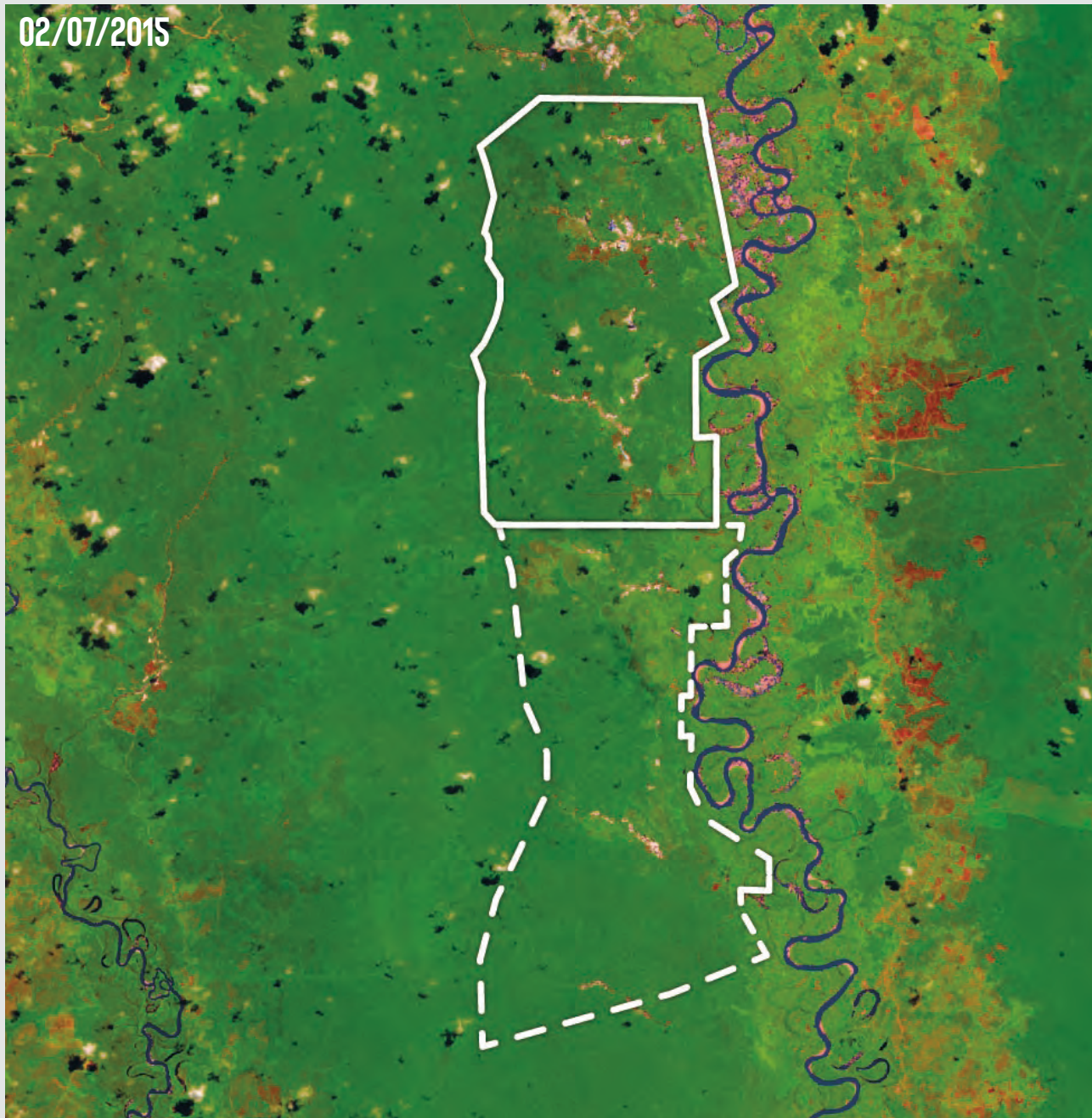
CLEARANCE
PT AGL: □ 3,542HA
PT CAA: □ 653HA



0 2 4 6 KM
0 2 4 6 M
Scale 1:400,000



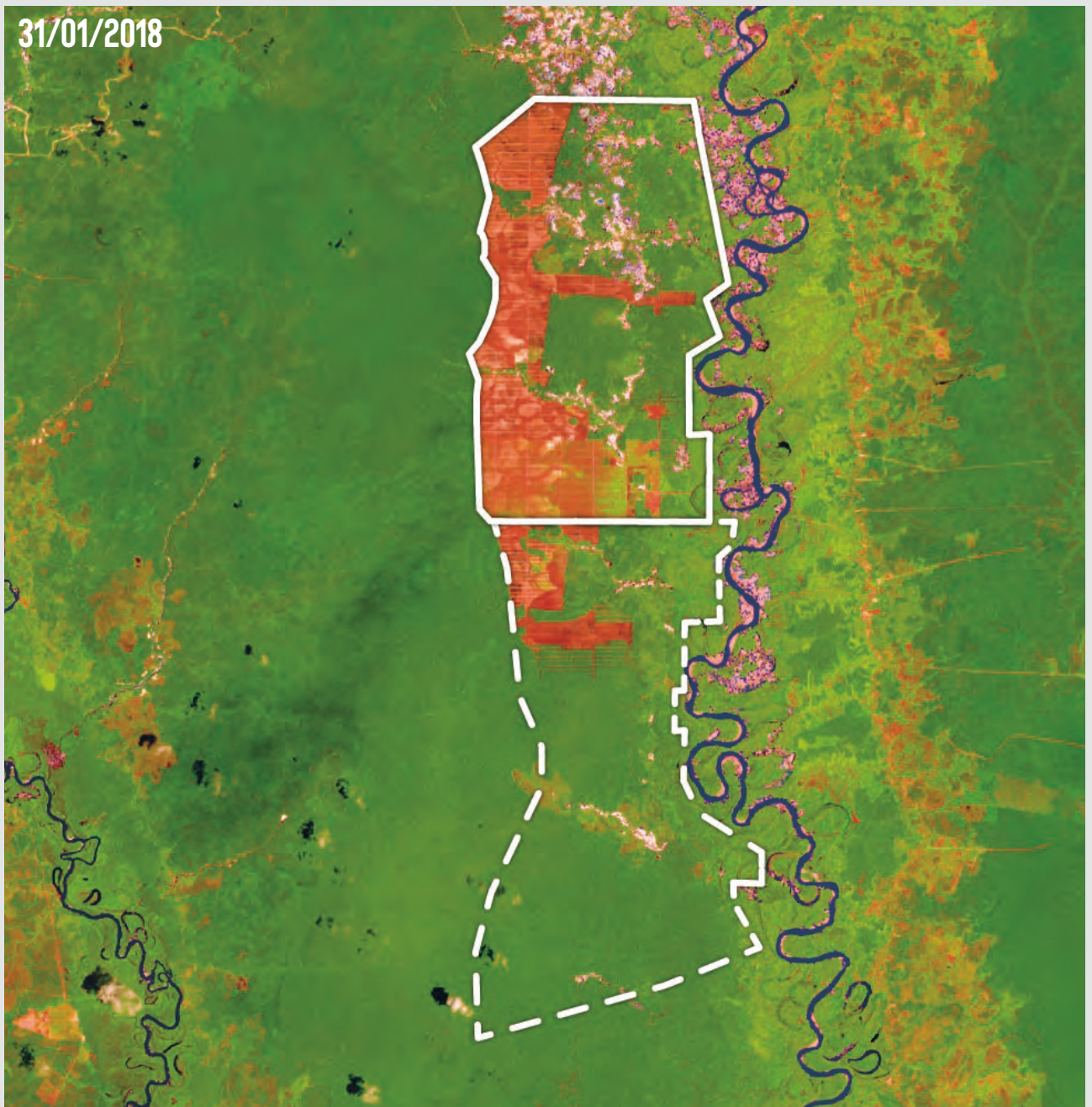
02/07/2015



Between 2 July 2015 and 31 January 2018, CAA group subsidiary PT AGL cleared around 3,550ha of secondary forest. Some 650ha of forest, including orangutan habitat and potential peatland forest, were also cleared in a concession located directly south of PT AGL's run by another CAA group subsidiary, PT Citra Agro Abadi.

Concession boundary based on State Forest Release Letter reference SK.586/MENHUT-II/2014.

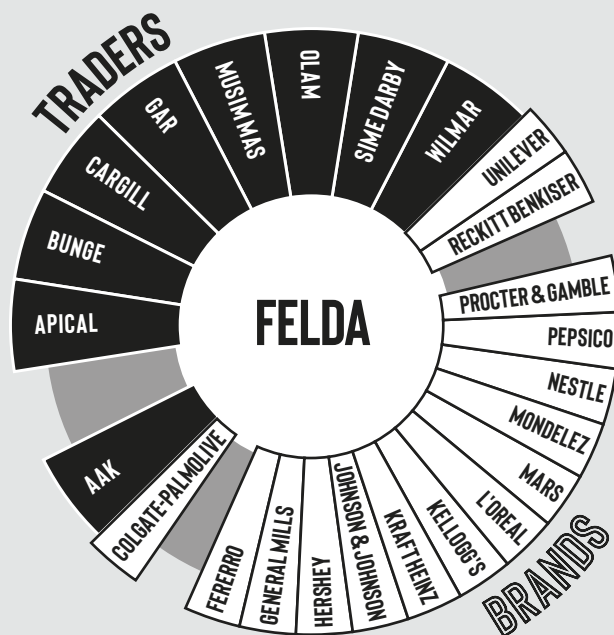
Satellite image sources: Landsat 8 courtesy of the U.S. Geological Survey.



FELDA/ FELDA GLOBAL VENTURES (FGV)



MARKET LINKS TO TRADERS AND BRANDS



FELDA is Malaysia's government-owned Federal Land Development Agency. FGV, formerly the commercial arm of FELDA, is now a publicly traded company, though FELDA remains the largest shareholder.¹

FELDA and FGV are members of the RSPO. FGV announced an NDPE policy in 2016.² FELDA holds influential positions in the RSPO, including on the board of governors³ and the task force reviewing the RSPO's Principles and Criteria.⁴ The group does not make maps of its concession boundaries publicly available in a usable format.

According to its 2016 annual report, FGV holds a total landbank of 440,662ha, 418,044ha in Malaysia and 22,578ha in Indonesia⁵ (6,712ha of this planted⁶). It also holds 42,000ha in Indonesia under a joint venture with Lembaga Tabung Haji (see case study below) called Trurich Resources Sdn Bhd.⁷ Its wholly owned Indonesian concessions are in West Kalimantan.⁸

Extensive labour rights abuses have been documented in FGV's Malaysian operations, including workers having to pay recruitment fees and having their passports retained by the company.⁹ Following media reports¹⁰ and an RSPO complaint, FGV withdrew its 58 mills from the RSPO certification scheme in May 2016.¹¹

GROUP RESPONSE

Greenpeace provided the group the opportunity to comment before publication of this report. On 13 September, FGV replied, stating that FGV and FELDA are two different companies. It claims that to make maps of its Malaysian concessions public would violate Malaysian law, but that its Indonesian concession maps have been submitted to the RSPO for public view. 'No labour rights violations have been documented or reported in any of FGV's concessions. FGV no longer practices the retaining of passports of foreign guest workers.' In relation to PT TAA, the company claims that no development has taken place since April 2017; consequently, 4,000 families who had welcomed 'the exciting prospect of economic development ... are still waiting for an opportunity to lift them out of poverty, and to allow them the opportunity for a better life.' It claimed to have fully implemented a peatland restoration plan imposed by the Ministry of Environment and Forestry.

MARKET RESPONSE

Apical, Ferrero and Unilever told Greenpeace that actions had been taken to exclude the group from their supply chains.

April 2017,
PT Temila Agro Abadi
(FELDA), Kalimantan,
0°3'51.45"N; 109°38'43.17"E
©Aidenvironment



CONCESSION:

**PT TEMILA AGRO
ABADI (PT TAA),
WEST KALIMANTAN**



Between 4 May 2015 and 10 April 2018, PT TAA cleared some 1,170ha of forest, including peatland forest within the government-determined peat protection zone, and developed substantial areas of areas of non-forested peatland. Mapping by Aidenvironment shows at least 1,900ha of forest and peatland impacted over the period. More than half of this area – 1,035ha – was cleared after FGV published its NDPE policy in August 2016.

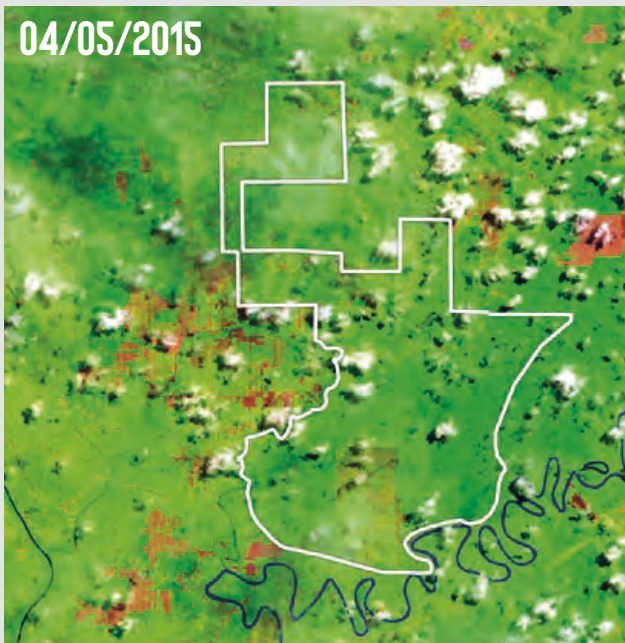
FGV has not denied responsibility for the clearance in PT TAA. Instead, it first claimed the clearance complied with its sustainability policy on the grounds that it had ‘procured all necessary approvals from the relevant authorities in Indonesia’ and ‘complied with the Roundtable on Sustainable Palm Oil (RSPO) New Planting Procedure in 2010’.¹³

Subsequently, the company cited an independent assessment which it said had found ‘no deforestation of natural forest’ because the ‘natural forest has been completely destroyed by massive forest fires in the 1980’s and in 1997, and also by continuous logging operations by logging companies and by the local communities’.¹⁴

Drone footage obtained by Aidenvironment in April 2017 shows recently deforested areas in PT TAA crisscrossed by drainage canals and completely surrounded by natural forest.

In August 2017, FGV announced that it would restore all areas of peatland developed since August 2016 (when it published a sustainable palm oil policy that included a commitment to end peatland development¹⁵).¹⁶ However, the company has yet to publish a meaningful time-bound work plan to deliver on its commitment.

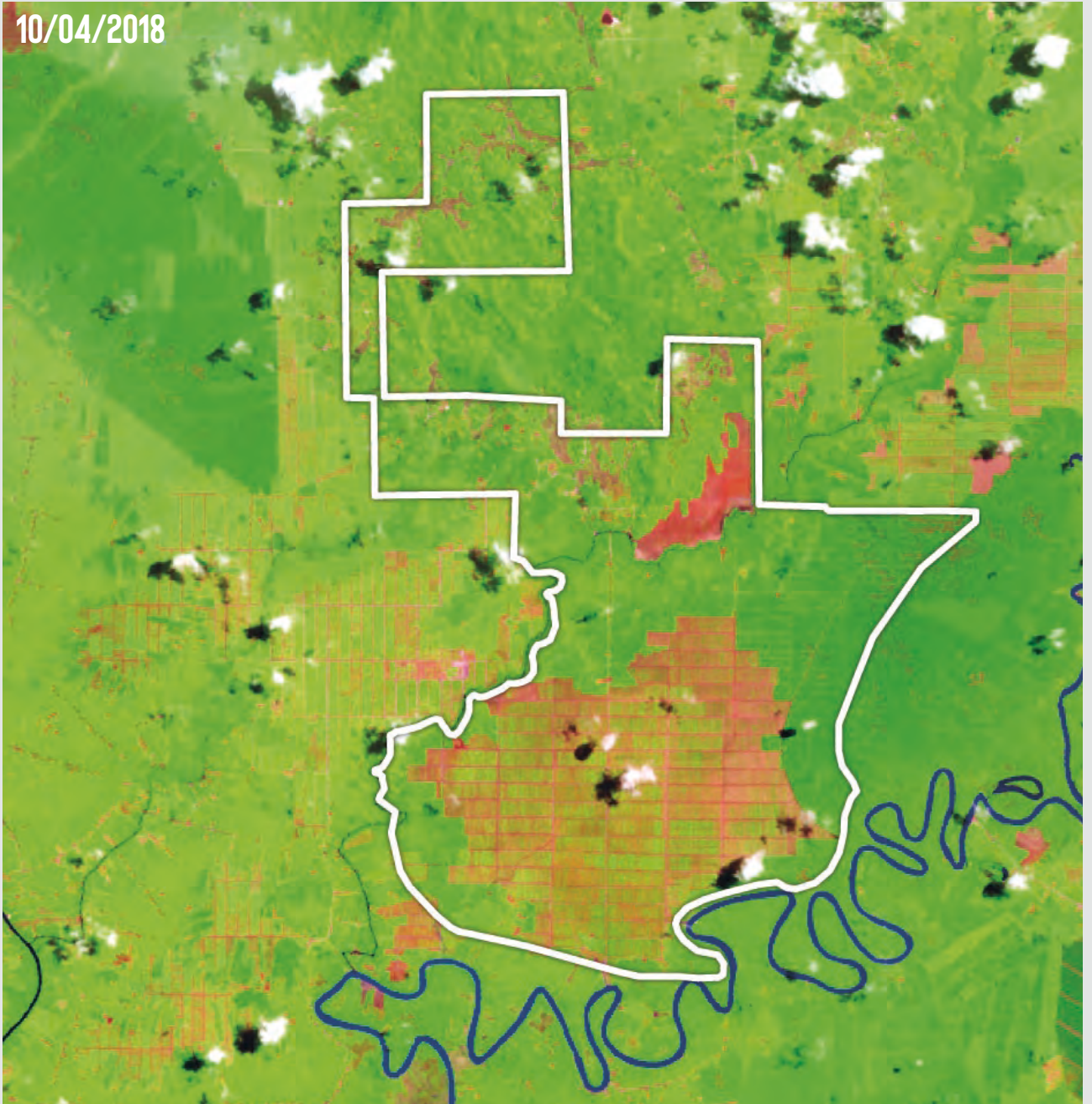
CLEARANCE : 1,173HA



Concession boundary based on RSPO NPP.¹²

Satellite image sources: Landsat 8 courtesy of the U.S. Geological Survey.

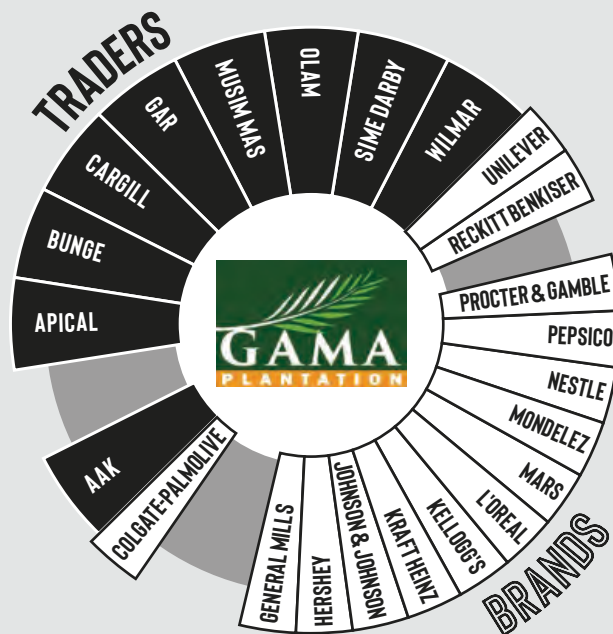
10/04/2018



GAMA PLANTATION

WILMAR INTERNATIONAL—RELATED

MARKET LINKS TO TRADERS AND BRANDS



OTHER NAMES BY WHICH GROUP IS KNOWN: AMS GROUP, AMS GANDA GROUP, GANDA GROUP

This is a family group in which formally separate companies owned by members of the same family share operational or managerial control.

Gama Plantation is a collection of palm oil operations owned or managed by two brothers, Martua Sitorus and Ganda, and members of their family, including their brother-in-law Hendri Saksti and Ganda's sons Darwin and Andy Indigo.

Sitorus, Ganda, Saksti and Darwin Indigo are all closely connected to Wilmar. Sitorus was a co-founder of Wilmar and served as a board member until he stepped down in July 2018;¹ he has also been Wilmar CEO Kuok Khoo Hong's partner in a number of significant property deals.² Ganda helped establish and manage a refinery that subsequently became part of Wilmar.³ Saksti was Wilmar's Country Head for Indonesia⁴ until July 2018, when he also stepped down,⁵ and Darwin Indigo is Wilmar's Deputy Country Head for Indonesia.⁶

Both Sitorus and Saksti resigned from Wilmar immediately after the publication of a report by Greenpeace into deforestation in Gama concessions⁷ that also highlighted Wilmar's history of selling problematic concessions to Gama when serious human rights or environmental violations were exposed in its own operations.⁸

Greenpeace analysis of corporate registry profiles identified nearly 40 plantation companies, contractors or mills as part of Gama.⁹ In correspondence with Greenpeace in June 2018, Gama executive Andy Indigo acknowledged 23 companies as linked to the family group;¹⁰ he failed to acknowledge a number of companies – including PT Agrinusa Persada Mulia (PT APM) and PT Agriprima Cipta Persada (PT ACP), profiled below – currently under his own management.



22 August 2018, PT Sumatera Unggul Makmur (Gama), Kalimantan, 0°10'54.011"S 109°20'10.091"E ©Hernawan/Greenpeace



23 August 2018, PT Sumatera Unggul Makmur (Gama), Kalimantan, 0°10'54.011"S 109°20'10.091"E ©Hernawan/Greenpeace



19 December 2017, PT Agrinusa Persada Mulia (Gama), Papua, 7°30'33.978"S 140°46'23.615"E ©Sukarno/Greenpeace

Greenpeace's June 2018 report, *Rogue Trader*, provides more information on Gama, including its history, corporate structure and links between Gama and Wilmar.¹¹

Gama is not a member of the RSPO. S&G Biofuel Pte Ltd, a joint venture between Gama and Samsung C&T Corporation,¹² has been an RSPO member since August 2017.¹³ Gama does not make maps of its concession boundaries publicly available in a usable format.

Gama has no public NDPE policy. In June 2018, the group promised to impose a moratorium on development in 22 concessions.¹⁴ Notably, the concessions covered by the moratorium make up three-quarters of Gama's identified landbank (some 280,000ha), but contain just 11,000ha of forest. By contrast, the concessions excluded from the moratorium cover approximately 100,000ha and contain almost 30,000ha of forest. In other words, the group was committing to end

deforestation – but mainly in concessions that have little to no forest left to clear.

On 10 August 2018, Gama announced that it would be extending its June moratorium to cover 25 concession areas.¹⁵ However, the inclusion of the two concession areas in Papua, PT Agrinusa Persada Mulia and PT Agriprima Cipta Persada (see below), was 'under review' because they were 'subject to a Conditional Sale and Purchase Agreement (CSPA) with a third party since 31st March 2017'. Gama later announced that the sale agreement was terminated and that the two companies would be included in its commitment to develop and implement an NDPE policy.¹⁶

MARKET RESPONSE

AAK, Apical, Johnson & Johnson, Mars, Procter & Gamble, Reckitt Benckiser, Unilever and Wilmar told Greenpeace that actions had been taken to exclude the group from their supply chains.

CONCESSION:

**PT GRAHA AGRO
NUSANTARA (PT GAN),
WEST KALIMANTAN,
KUBU RAYA DISTRICT**



**CLEARANCE:
2,217HA**



PT GAN has been clearing in the Kubu Raya district of West Kalimantan since at least 2013. Since 2014 the company has cleared over 7,000ha of forest and peatland.

Until December 2016, PT GAN was ultimately owned by Andy Indigo and Jacqueline Sitorus through PT GSU; it is currently a subsidiary of one of Gama's main offshore holding companies, Capital Ocean Ventures Ltd.¹⁸

The PT GAN concession overlaps with some 4,500ha of orangutan habitat. While some of this habitat remains, most of these forests have already been cleared and plantation blocks have been marked for clearance in the remaining areas (see below). In September 2015, plantation workers inside the PT GAN concession reported finding a disorientated baby orangutan – its mother was not found.¹⁹

Between 4 May 2015 and 10 April 2018, PT GAN cleared some 2,220ha of forest, including primary forest according to the Ministry of Environment and Forestry 2015 national landcover map and peatland forest within the government-determined peat protection zone. Between January and

September 2017, plantation blocks were marked out over more than 1,200ha of peatland forest in preparation for clearance. Aerial photos from March 2018 confirm that ditches have been dug in peatland forest.²⁰

The new plantation blocks have been cut in areas released from the Forest Estate by former Forestry Minister Zulkifli Hasan on 29 September 2014, his final day as minister. On that same day he signed a whole sheaf of letters releasing State Forest land for development by various plantation companies; many of these letters were problematic and several of them broke the ministry's own regulations.²¹

The Indonesian government is reportedly taking law enforcement action against PT GAN for developing on peatland,²² according to ForestHints, widely regarded as a semi-official news website of the Indonesian Ministry of Environment and Forestry.²³

PT GAN has recently opened a new palm oil mill within its concession.²⁴ It is not yet known whom it supplies.



3 December 2015,
PT Graha Agro Nusantara
(Gama), Kalimantan,
0°12'18.698"S 109°40'32.66"E
©Ifansasti/Greenpeace



Concession boundary based on March 2014 plantation business permit (Izin Usaha Perkebunan; IUP) map from Kubu Raya district government and information from local sources.¹⁷

Satellite image sources: Landsat 8 courtesy of the U.S. Geological Survey.

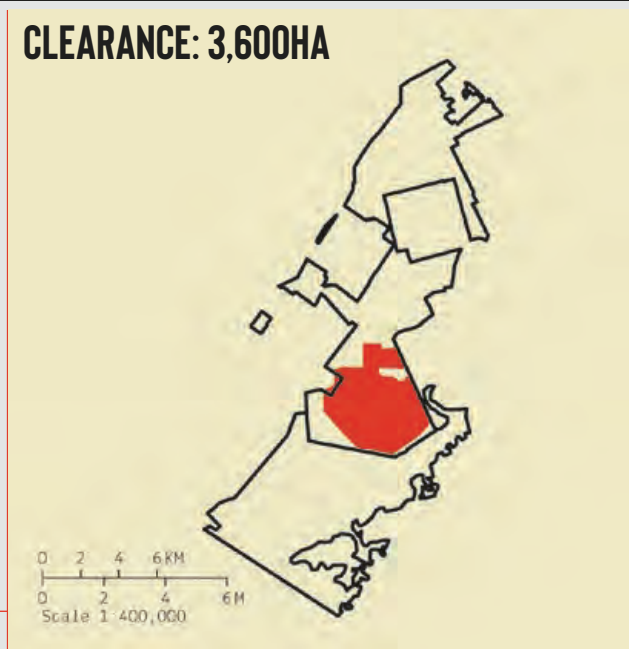


13 September 2015, Kalimantan: A baby orangutan rescued from PT Graha Agro Nusantara (Gama) oil palm concession following extensive forest and peatland fires. ©Nanda/Greenpeace

CONCESSION:

**PT AGRIPRIMA CIPTA
PERSADA (PT ACP),
PAPUA PROVINCE,
MERAUKE DISTRICT**

CLEARANCE: 3,600HA



19 December 2017,
PT Agripriima Cipta Persada (Gama), Papua,
7°31'3.618"S 140°30'36.264"E
©Sukarno/Greenpeace



18 January 2014,
PT Agripriima Cipta
Persada (Gama), Papua,
7°24'30.821" S 140°30'41.652"E
©Ifansasti/Greenpeace



Concession boundary based on location permit (*Izin Lokasi*), reference SK No. 42, tg1 22-02-2010.

Satellite image sources: Landsat 8 courtesy of the U.S. Geological Survey.

PT ACP appears to have originally been destined to be a Wilmar company. It was established on 11 June 2008 by two men who were at that time managers of Wilmar subsidiary PT Wilmar Cahaya Indonesia.²⁵ Furthermore, in April 2009, Wilmar executives and the Governor of Jambi province reportedly signed a memorandum of understanding to build a port in Tanjung Jabung Timur district, which was to be operated by PT ACP.²⁶

Less than a year later, plans had evidently changed: the company was issued with a location permit in Merauke,²⁷ and four months later a majority stake in PT ACP was transferred to Fullest Holdings Ltd.²⁸ Ganda was briefly Commissioner of PT ACP in June 2010.²⁹

PT ACP now operates as a subsidiary of Gama holding company PT PPM, which is owned by four different offshore companies, including Fullest Holdings Ltd, and managed by Andy Indigo.³⁰

Between 3 December 2015 and 28 July 2018, PT ACP cleared 3,600ha of forest,³¹ including primary forest according to the Ministry of Environment and Forestry 2015 national landcover map.

In July 2017, the Indonesian Minister of Environment and Forestry gave permission to release a portion of its concession that still lay within the Forest Estate.³² By October 2017, PT ACP had started cutting new plantation blocks in that area. Forest clearance has continued in 2018.³³

The concession, in the Muting area of Merauke district in southern Papua province, is situated close to the Trans-Papua road which runs along the border

with Papua New Guinea, an area with a heavy military presence. It lies within the ancestral land of the Marind ethnic group. Land conflict between PT ACP and the Mahuze Besar clan is reportedly ongoing,³⁴ with claims that the company has not obtained the free, prior and informed consent (FPIC) of the whole clan for its clearing of the forest. PT ACP reportedly claims to have obtained consent for development of the collectively owned clan land based on the signature of one man, who has since died;³⁵ significant areas of forest belonging to the clan have already been cleared.

In 2015, the clan began erecting notices to signify that it had placed the land under *sasi*, a form of customary law prohibition. Nevertheless, the company reportedly continued to clear the land, removing the signs.³⁶ In 2016, a representative of the military visited the clan leader, who opposed the plantation, to inform him that a military cooperative was taking over the contract for land clearing.³⁷ The clan refused to back down, however, and as of September 2017 no agreement had been reached.³⁸

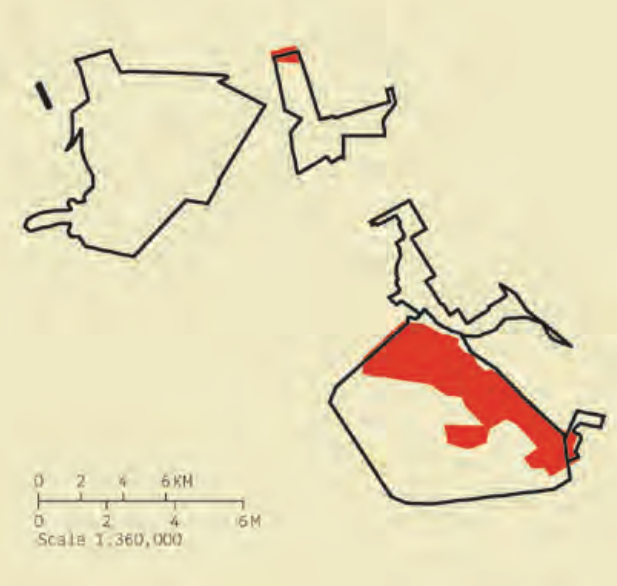
In a statement released by Gama on 10 August 2018, PT ACP was one of the concessions excluded from the group's moratorium on deforestation and NDPE commitment; a subsequent announcement revealed that the planned sale of the area had been called off and the company would be subject to the new commitment; a subsequent announcement revealed that the planned sale of the area had been called off and the company would be subject to the new commitment.³⁹

CONCESSION:

PT AGRINUSA PERSADA MULIA (PT APM), PAPUA PROVINCE, MERAUKE DISTRICT



CLEARANCE: 3,291HA



The ownership history of PT APM is almost identical to that of PT ACP. It was established on the same day in 2008 by the same two Wilmar managers.⁴⁰ Ganda was also Commissioner for the same few weeks in June 2010. Like PT ACP, PT APM is currently a subsidiary of PT PPM, which is managed by Andy Indigo and controlled by Gama through a network of offshore companies.⁴¹

Between 3 December 2015 and 28 July 2018, PT APM cleared some 3,290ha of forest. Forest clearing has continued in 2018.⁴²

The PT APM concession is located on the land of the Yei ethnic group, and there are clear indications that the company has not engaged in a responsible FPIC process with them. Several clans own land in Bupul village; when the company approached them, some clans agreed to a concession while others rejected the company's offer.⁴³ The company reportedly continued to press individual members of these latter clans for signatures that it could use to claim consent had been given, without obtaining the consent of the whole clan. In the case of the Mandaljai clan, the company reportedly obtained the signature of the brother of the clan chief, who was himself opposed to development. In another case, a clan leader was reportedly pressured to sign a letter by two police officers who approached him while he was at Sunday mass.⁴⁴

Such actions would be neither honest and open nor respectful of clans' right to decide collectively whether to accept or reject a company's offer. Nor would they be legal: the Papuan Special Autonomy Law (UU21/2001) states that any decision about customary land must be made by a decision-making council (*musyawarah*), in recognition of the fact that customary rights (*ulayat rights*) belong to the clan, in accordance with customary law in the area, not to individuals.⁴⁵

In a statement released by Gama on 10 August 2018, PT APM was one of the concessions excluded from the group's moratorium on deforestation and NDPE commitment.⁴⁶



31 March 2018,
PT Agrinusa Persada Mulia (Gama),
Papua, 7°32'31.655"S 140°47'52.596"E
©Ifansasti/Greenpeace

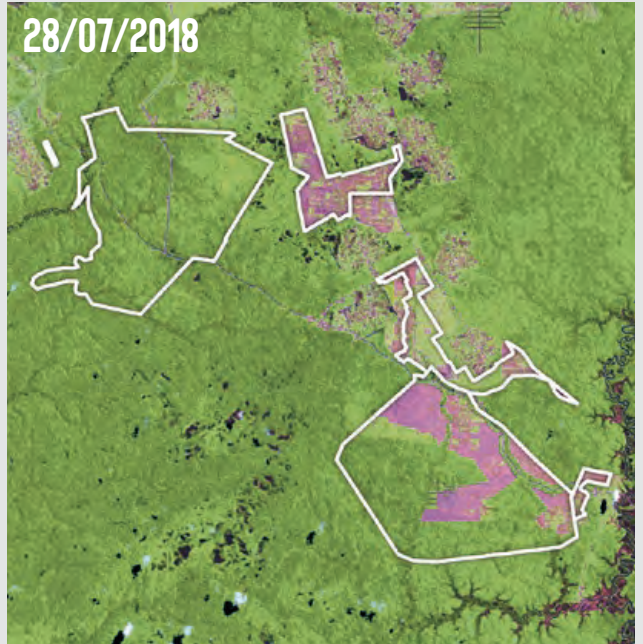


31 March 2018,
PT Agrinusa Persada Mulia (Gama),
Papua, 7°31'2.754"S 140°44'24.012"E
©Ifansasti/Greenpeace

25/01/2015



28/07/2018



Concession boundary based on location permit (*Izin Lokasi*), reference SK No. 4, tgl 13-01-2010.

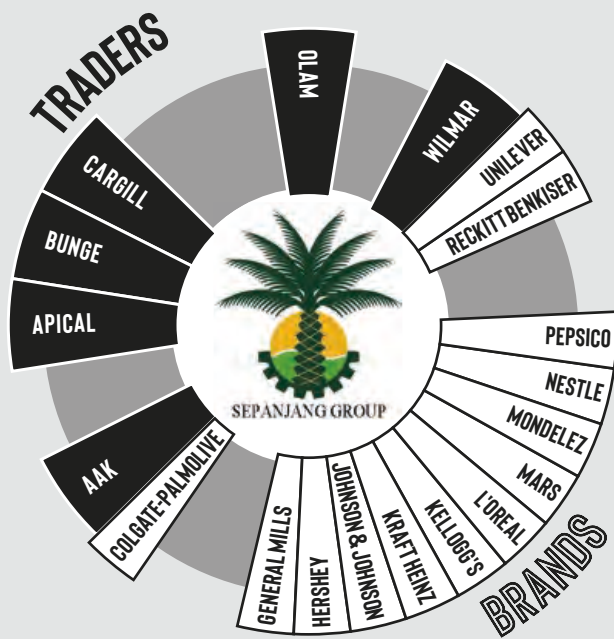
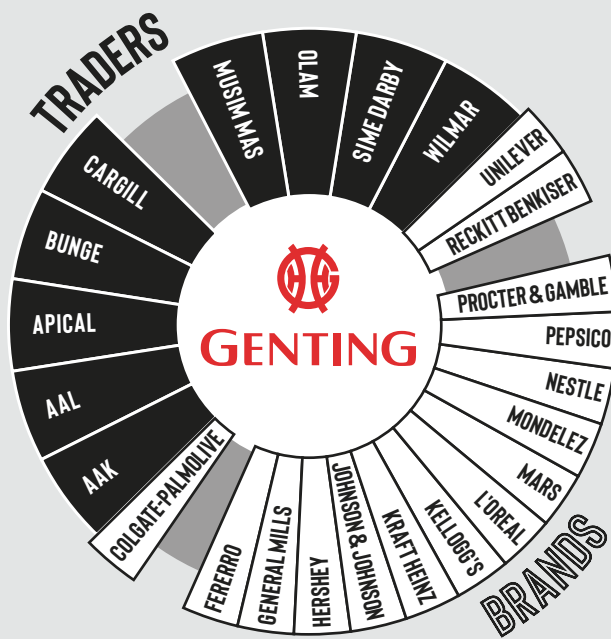
Satellite image sources: Landsat 8 courtesy of the U.S. Geological Survey.



31 March 2018,
PT Agrinusa Persada Mulia (Gama), Papua,
7°33'23.35"S 140°46'43.78"E
©Ifansasti/Greenpeace

GENTING

MARKET LINKS TO TRADERS AND BRANDS



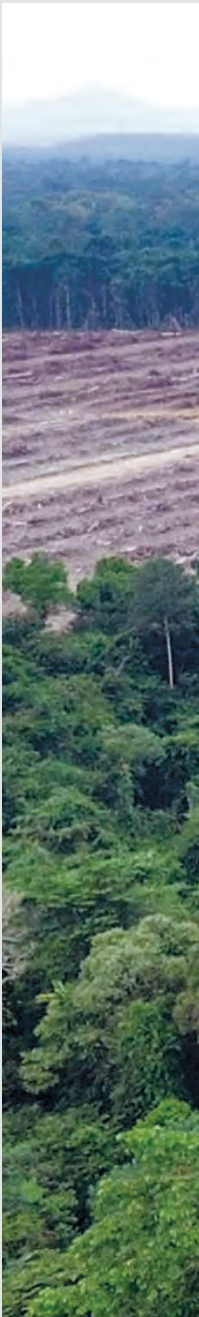
MAIN PALM OIL COMPANY: GENTING PLANTATIONS BERHAD

Genting Group has a formal parent–subsidiary ownership structure, plus informal operational or managerial links to other plantations.

Genting Group's parent company Genting Berhad and Genting Berhad's subsidiary Genting Plantations Berhad are listed on the Bursa Malaysia.¹ Tan Sri Lim Kok Thay is Chief Executive of both Genting Group and Genting Plantations.² Besides palm oil, the group has interests in property, leisure, energy and biotechnology.³

Genting Plantations is a member of the RSPO.⁴ The company has no public NDPE policy and does not make maps of its concession boundaries publicly available in a usable format.

Genting Plantations' 2017 annual report lists a total landbank of 247,655ha, of which 183,027ha are in Indonesia (100,122ha of this planted), in West, Central and South Kalimantan, with the remainder in Malaysia.⁵ This landbank is slightly smaller than the 259,714ha (with 194,850ha in Indonesia⁶) listed in its latest RSPO ACOP.⁷ The annual report lists 11 mills,





four of them in Indonesia.⁸ PT Varita Majutama, an oil palm plantation in Papua province with a concession area of 55,782ha (based on forest release data), is not included in these figures. It became an indirect subsidiary of Genting Berhad in July 2014,⁹ but has not been incorporated in its plantation division Genting Plantations Berhad.

Genting is the subject of active RSPO complaints alleging killing of an orangutan on one of its plantations in 2017¹⁰ and illegal plantation development in production forest by three of its subsidiaries.¹¹

GROUP RESPONSE

Greenpeace provided the group the opportunity to comment before publication of this report. No comment was received.

MARKET RESPONSE

Apical, Ferrero and Mars told Greenpeace that actions had been taken to exclude the group from their supply chains.

CONCESSION:

PT PERMATA SAWIT MANDIRI (PT PSM), WEST KALIMANTAN, KETAPANG DISTRICT



PT PSM obtained a location permit for 17,022ha in December 2012. HCV and social and environmental impact assessments were carried out in November 2013. An NPP was submitted to the RSPO in May 2014.¹³ At that time PT PSM was a majority-owned subsidiary of Genting Plantations.

In September 2014, Greenomics Indonesia reported significant deforestation in the neighbouring Genting-owned concession PT Citra Sawit Cemerlang (PT CSC), and questioned whether the rainforest and orangutan habitat in PT PSM would be protected.¹⁴ Wilmar, which was sourcing from Genting at the time, reported in March 2015 that 'Genting has committed not to develop on HCS areas as recommended by their HCS assessors'.¹⁵ This commitment appeared to apply to both PT CSC and PT PSM. A subsequent Greenomics report suggested that deforestation in PT CSC continued during 2015.¹⁶

Genting did not proceed with developing PT PSM. But instead of protecting the forest, Genting announced in January 2017 that it had agreed to sell its 70% stake to the Sepanjang Group, its joint venture partner. Genting's stake in PT PSM was to be transferred to PT Suryaborneo Mandiri, which Genting described as 'wholly owned by the Sepanjang Group'.¹⁷

In September 2017 ownership of PT PSM was transferred to PT Mulia Agro Investama, a company not formally owned by Genting or the Sepanjang Group.¹⁸ However, corporate registry profiles show that PT PSM continues to be managed by people

CLEARANCE: 495HA



0 2 4 6 KM
0 2 4 6 M
Scale 1:300,000

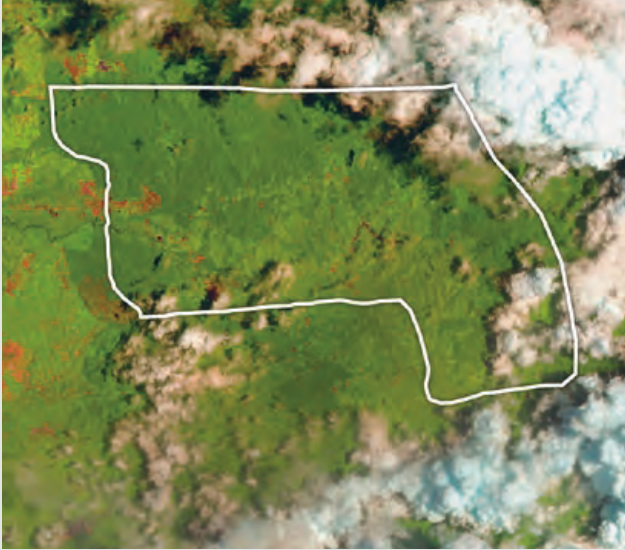
associated with Genting or the Sepanjang Group:

- The current director of PT PSM, Albert Ruslim, has occupied that role since 2008, during the period when PT PSM was 70% owned by Genting and 30% owned by the Sepanjang Group.¹⁹
- The current majority owner, Kurni Samsudin, was a director of Sepanjang Group subsidiary PT Bintang Harapan Desa from 2006–2016.²⁰
- The current Commissioner, Andy Laurencius, was Vice Executive Commissioner between March 2015 and September 2017, during the period when PT PSM was 70% owned by Genting and 30% owned by the Sepanjang Group.

These links suggest that Genting or the Sepanjang Group may continue to exercise some management control or influence over the concession. Either way, Genting's decision to sell PT PSM led directly to substantial destruction of forests within the concession – forests that Genting, as the concession's majority owner, should have taken responsibility for protecting. The tacit approval of Wilmar and other traders that continued to source from Genting after it sold off PT PSM also highlights their complicity in the deforestation that followed.

Between 10 March 2015 and 15 June 2018, PT PSM cleared nearly 500ha of forests on the south side of the concession. In addition, it logged extensively in some 600ha of forests on the north side. Both areas were mostly orangutan habitat.²¹ As of May 2018, some 9,300ha of forests remained in the concession.

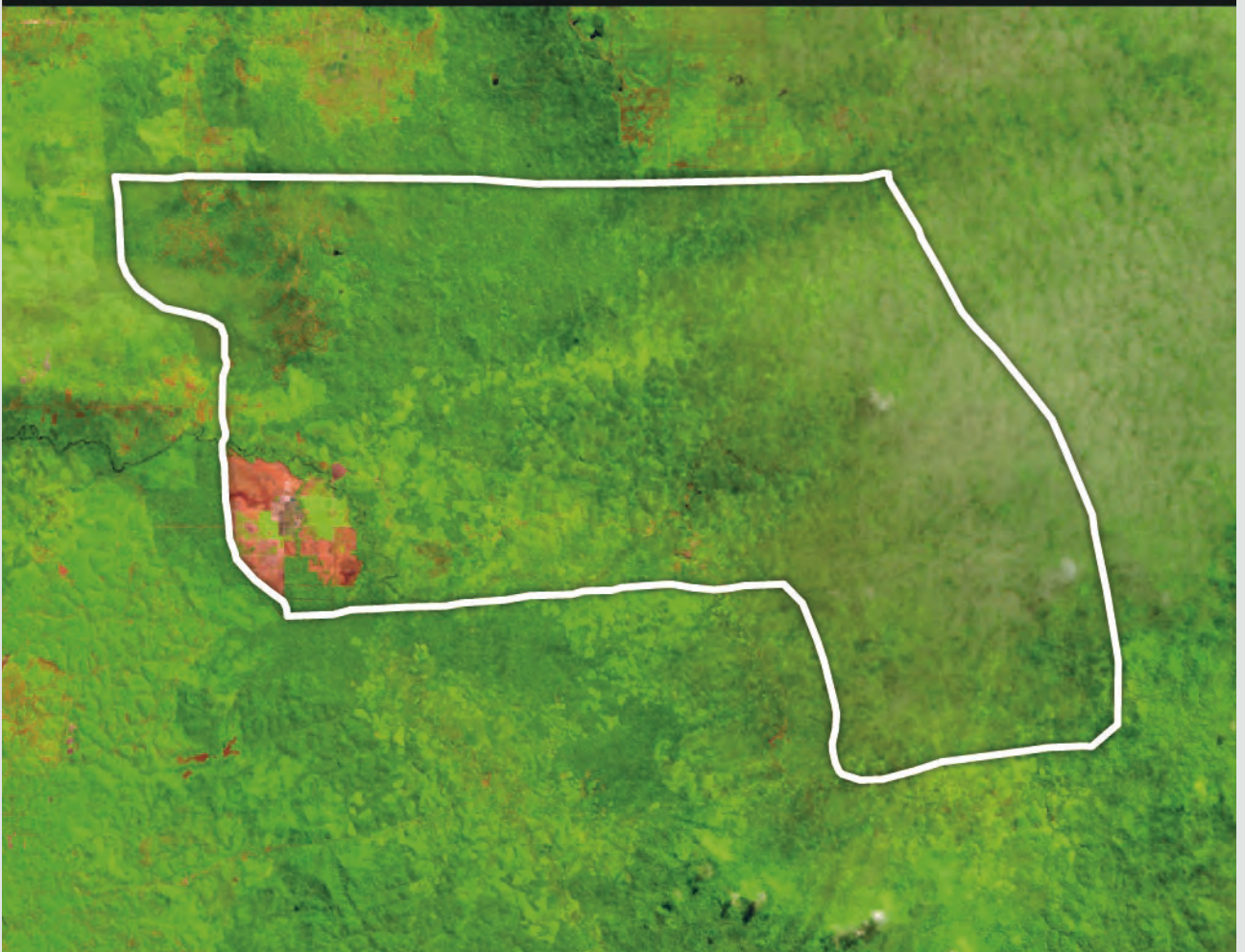
10/03/2015



Concession boundary based on
RSPO NPP.¹²

Satellite image sources:
Landsat 8 courtesy of the
U.S. Geological Survey.

15/06/2018



HAYEL SAEED ANAM GROUP

MARKET LINKS TO TRADERS AND BRANDS



MAIN PALM OIL COMPANIES: PACIFIC INTER-LINK AND VARIOUS OTHER DOWNSTREAM OPERATIONS

Hayel Saeed Anam Group (HSA) is a large Yemeni private-sector conglomerate, owned and managed by the family of founder Hayel Saeed Anam. The present CEO of HSA is Abdul Gabbar Hayel Saeed.¹ The Managing Director of HSA's principal palm oil company, Pacific Inter-Link Sdn Bhd (PIL), is Fouad Hayel Saeed Anam,² also an HSA board member and Regional Director for Malaysia and Indonesia.³

HSA is a large trader and processor of palm oil with three refineries and a number of oleochemical facilities located in Sumatra and Peninsular Malaysia. The downstream palm oil operations of the group consist of the following companies: PIL, Pacific Oils & Fats Industries Sdn Bhd (PACOIL), PT Pacific Indopalm Industries, PT Pacific Palmindo Industri, PT Pacific Medan Industri, PT Pacific Indomas and PT Oleochem & Soap Industri.⁴ The

majority owner of these companies is Commodities House Investment Ltd in the Cayman Islands.⁵ The first five of these companies are members of the RSPO, but the other two are not; none of the RSPO members has reported oil palm growing operations. The group's multiple RSPO memberships (as well as the non-membership of remaining subsidiaries) suggest it is in breach of RSPO rules requiring group-level membership.⁶

Palm oil trade and marketing of palm oil products is handled by HSA's Malaysian subsidiary PIL,⁷ often the most visible of the HSA palm-related subsidiaries.

Until July 2018, none of HSA's palm oil operations had a public NDPE policy. In July 2018, PIL published a 'Sustainability Charter' on its website, which commits the company to an NDPE supply chain and to launching a sustainability dashboard by the end of the third quarter of 2018.⁸

Since the group denies controlling any oil palm concessions, it is unsurprising that it does not make maps of its concession boundaries publicly available in a usable format.

Until June 2018 the Hayel Saeed family had management control (see below) of four concessions with a total landbank of 154,527ha, forming part of the palm oil development known as the Tanah Merah Project in the Boven Digoel district of Indonesia's Papua province (see case study below).⁹ The plantation companies operating these concessions were (and remain) PT Megakarya Jaya Raya (PT MJR), PT Kartika Cipta Pratama (PT KCP), PT Graha Kencana Mulia (PT GKM) and PT Energi Samudera Kencana (PT ESK). The concession areas totalled 80% primary forest in 2013, according to Ministry of Forestry maps.

In late April 2018, Greenpeace released footage of extensive clearance in two of the concession areas, operated by PT MJR and PT KCP.¹⁰ HSA and PIL have subsequently taken steps to deny and erase evidence of the group's involvement.

As recently as 5 June 2018, HSA was claiming on its website to have 'recently acquired 160,000 acres [sic] of Indonesian land' for palm oil cultivation.¹¹ The relevant page was removed on 6 June 2018 – the same day that HSA released the following statement:

"HSA Group wishes to clarify that – despite recent reports – it has not invested in any palm oil concessions in Indonesia, or elsewhere. While HSA Group had previously considered such an investment, the organisation decided not to proceed after due diligence studies demonstrated there was no clear business case to do so."¹²



1 April 2018,
PT Tulen Jayamas Timber Industries construction
site in PT Kartika Cipta Pratama (HSA), Papua,
6°22'49.025"S 140°18'48.047"E
©Ifansasti/Greenpeace

31 March 2018,
PT Megakarya Jaya Raya (HSA), Papua,
6°26'9.246"S 140°15'4.254"E
©Ifansasti/Greenpeace



A similar statement was made in an email to the *Asia Times*, dated 13 June 2018, from PR consultancy Burson Marsteller, which appears to have been contracted by HSA and/or PIL.¹³

A statement also issued on 6 June 2018 on PIL's newly revamped website provided a more detailed denial:¹⁴

“As an organization which has long placed sustainability at the heart of its business, PIL took recent, misinformed allegations of involvement in the deforestation of concessions in Indonesian Papua extremely seriously.

PIL wishes to clarify that these reports are not accurate. Neither PIL nor HSA owns or operates any palm oil plantation in Papua, or in any other part of the world. The HSA family had once intended to invest in the Indonesian upstream palm oil sector – which was prematurely advertised on its websites – but terminated all such plans by mid-2017 after due diligence studies demonstrated there was no clear business case to do so. Any confusion on this issue is unintended.”

These statements explicitly claim that PIL/HSA never invested in the plantations.

However, registry profiles for the four plantation companies show that from 2014, when planting started, until major changes were made on 31 May 2018, members of the Hayel Saeed family and other directors of PIL and others of the group's downstream palm oil companies¹⁵ were directors or commissioners of all four of these plantation companies. Fouad Hayel Saeed Anam, who is still the Managing Director of PIL, was the Chief Commissioner of all four companies. Salah Ahmed Hayel Saeed, a director of PIL and HSA's Indonesian palm oil operations companies PT Pacific Palmindo Industri, PT Pacific Indopalm Industries, PT Pacific Medan Industri and PT Pacific Indomas, was the President Director of PT KCP and PT GKM and a commissioner of PT ESK.¹⁶

Comprehensive changes to the boards of all four plantation companies were approved by notaries on 31 May 2018 and published on 5 June,¹⁷ the day before the group's denials of involvement were issued. All identifiable members of the Hayel Saeed family were removed from the boards. However, the shareholding structures have not changed, with 80% of shares held by offshore companies based in the United Arab Emirates (UAE) and 20% of shares held by Indonesian holding companies. The plantation companies' registered addresses have also not changed: for instance, PT ESK and PT KCP are still registered at PIL's Jakarta office (Menara Kadin Lantai 17). Arvind Johar – currently listed as the contact for PIL's Indonesia office by METCO¹⁸ (another HSA company) and previously a representative to the RSPO for a PIL subsidiary¹⁹ – remains in his position as President Director of PT MJR, which he has held since 2013, and has been appointed to the same position in PT ESK.²⁰

On 3 August 2012, PIL entered into a joint venture agreement for an integrated timber complex in Boven Digoel, to be operated under the name of PT Tulen Jayamas Timber Industries.²¹ Construction is now under way, as documented by Greenpeace field investigations in April 2018. Some 40% of the shares of the Malaysian parent company, Tulen Jayamas Sdn Bhd, are held by Malindo Investments Ltd, a UAE-registered company believed to be linked to HSA/PIL. The same company also owns 80% of PT KCP – the plantation company operating the concession in which the construction is taking place. Salah Ahmed Hayel Saeed, Fouad Hayel Saeed Anam and Arvind Johar are all directors of Tulen Jayamas Sdn Bhd, in addition to their positions in its Indonesian subsidiary (reaffirmed by the latest corporate registry profile, dated 28 April 2018).

Although the ultimate beneficial owners of Malindo Investments Ltd and the other UAE-registered companies remain hidden, the evidence indicates that the family remains in control of the four Tanah Merah concessions, despite HSA's and PIL's claims never to have had any investment in them.

GROUP RESPONSE

Greenpeace provided the group the opportunity to comment before publication of this report. On 12 September, Arup Pal from PIL replied on behalf of Hayel Saeed Anam Group denying that HSA Group or PIL claiming that they were or operated the four Tanah Merah concessions and were therefore 'not in a position to comment on their ownership structures'.

Regarding the registration of several of the plantation companies at the PIL offices in Jakarta, he stated that 'when PIL had considered investment, it allowed the organisations to register locally using our address. Upon the decision not to invest, this registration should have been transferred to another address. We became aware of this and our legal team is looking into remedying this situation as a priority.'

He acknowledged several family members and executives had had 'prior involvement' with the Papuan concessions and the associated timber processing facility 'out of personal interest distinct from their roles in the PIL business' but stated that '[a]ll of these executives had formally stood down from these positions' and that 'Arvind Johar left the PIL organisation a number of years ago, and no longer represents PIL on any work or assignment.'

Greenpeace stands by the findings of this report.

MARKET RESPONSE

Nestlé and Unilever told Greenpeace that actions had been taken to exclude the group from their supply chains.



1 April 2018,
PT Megakarya Jaya Raya (HSA), Papua,
6°25'17.64"S 140°14'7.542"E
©Ifansasti/Greenpeace

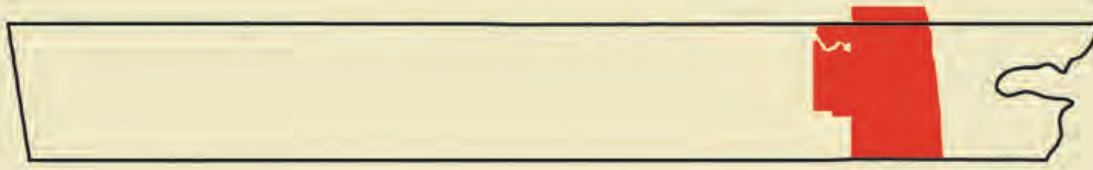


CONCESSION:

**PT MEGAKARYA
JAYA RAYA (PT MJR),
PAPUA PROVINCE,
BOVEN DIGOEL DISTRICT**

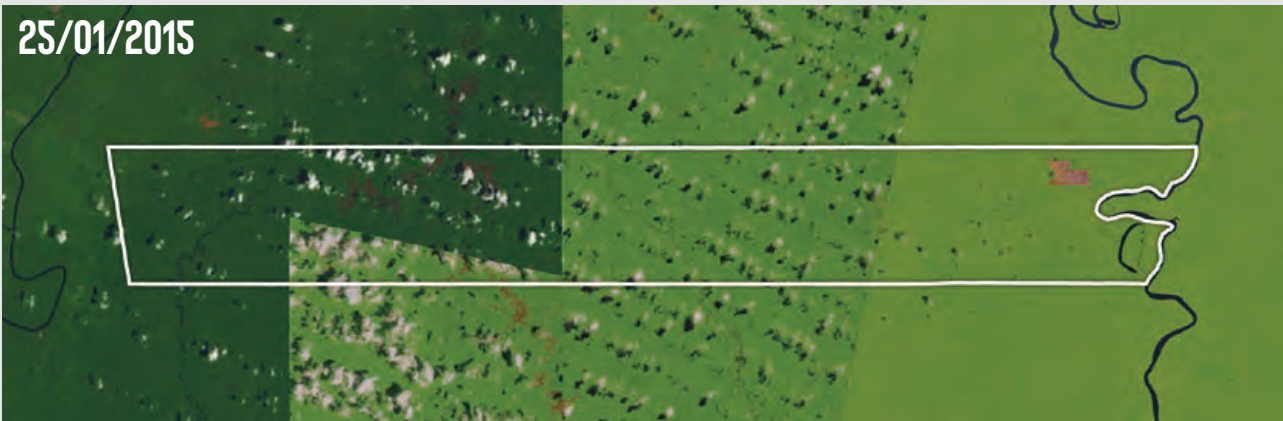


CLEARANCE: 4,500HA



0 2 4 6 KM
0 2 4 6 M
Scale 1:400,000

25/01/2015



24/01/2018



Concession boundary based on State Forest Release Letter reference SK.127/MENHUT-II/2012.

Satellite image sources:
Landsat 8 courtesy of the U.S. Geological Survey.



31 March 2018,
PT Megakarya Jaya Raya (HSA), Papua,
6°26'29.819"S 140°14'13.247"E
©Ifansasti/Greenpeace

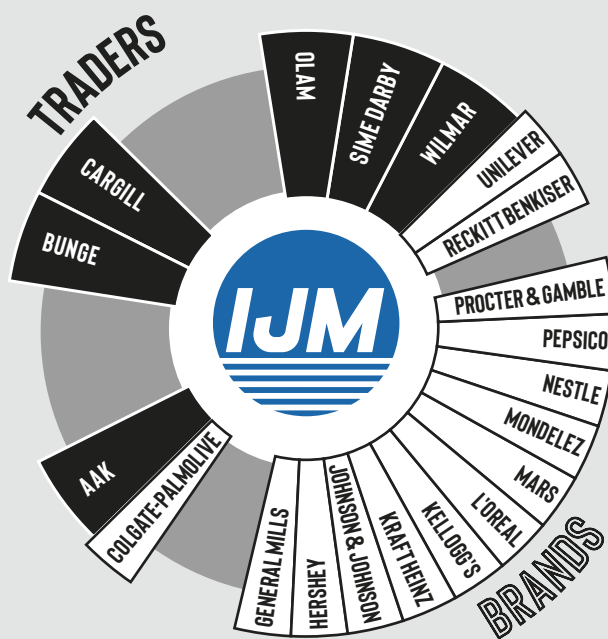
PT MJR is one of the four HSA-linked concessions in the Tanah Merah Project.²² Between May 2015 and 6 February 2018 PT MJR cleared around 4,500ha of forest, including primary forest according to the Ministry of Environment and Forestry 2015 national landcover map and including peatland forest within the government-determined peat protection zone. Recent clearance is also evident in the neighbouring concession of PT Kartika Cipta Pratama.



31 March 2018,
PT Megakarya Jaya Raya (HSA), Papua,
6°25'41.406"S 140°15'14.652"E
©Ifansasti/Greenpeace

IJM CORPORATION

MARKET LINKS TO TRADERS AND BRANDS



MAIN PALM OIL COMPANY: IJM PLANTATIONS BHD

IJM Plantations has a formal parent–subsidiary ownership structure. Its CEO is Joseph Tek Choon Yee.¹

IJM Plantations was an RSPO member until it resigned in February 2016.² The group has no public NDPE policy and does not make maps of its concession boundaries publicly available in a usable format. IJM Corporation is one of four companies that were excluded from Norway's Government Pension Fund Global in August 2015 due to links with deforestation.³

The group's 2017 annual report lists 60,570ha planted area; approximately 60% of this is in Indonesia (Kalimantan and Sumatra) and the remainder in Sabah, Malaysia.⁴ The report states that there is 'no further land-bank for expansion' in Malaysia and that the remaining landbank in Indonesia, approximately 3,000ha, 'will be cultivated over the next two years as conditions permit'.⁵

GROUP RESPONSE

Greenpeace provided the group the opportunity to comment before publication of this report. On 10 September, IJM Corporation replied, acknowledging the identified deforestation. It claimed that two customers – IOI and Wilmar – questioned it about the clearance after seeing a draft version of this report and that it subsequently committed to 'no deforestation, no peat planting and no open burning'. It claims to have ceased all land clearing in the PT Prima Bahagia Permai (PT PBB; see case study below), while undertaking a joint assessment with Wilmar to identify any corrective actions needed. The group failed to provide concession maps for its operations.

MARKET RESPONSE

Mars told Greenpeace that actions had been taken to exclude the group from its supply chain.

CONCESSION:

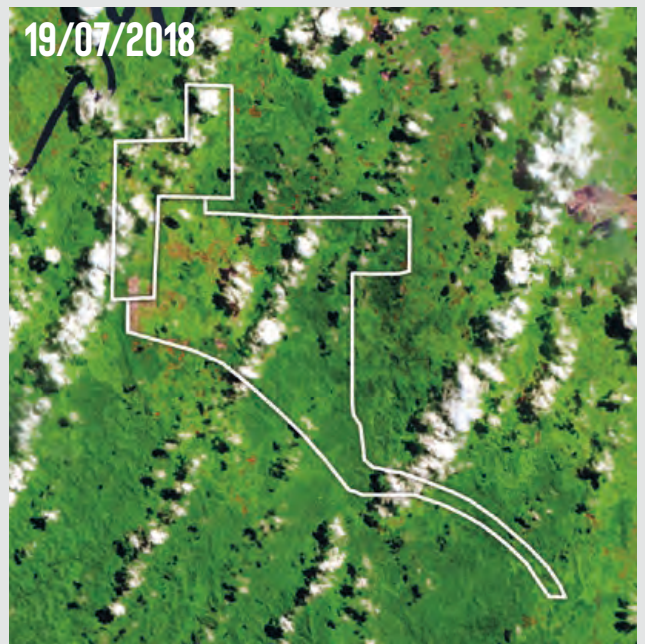
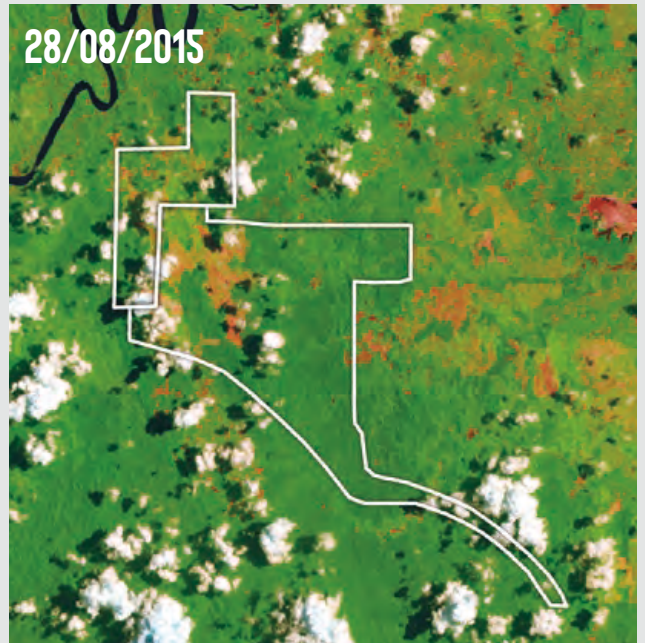
**PT PRIMA BAHAGIA
PERMAI (PT PBP),
NORTH KALIMANTAN,
BULUNGAN DISTRICT**



CLEARANCE :302HA



Between 28 August 2015 and 19 July 2018 PT PBP cleared some 300ha, mostly secondary forest.



Concession boundary based on HGU map from the Indonesian National Land Agency (BPN).

Satellite image sources: Landsat 8 courtesy of the U.S. Geological Survey.

MARKET LINKS TO TRADERS AND BRANDS



The Indonusa Group is family-owned and has a formal parent-subsidiary ownership structure. The group is controlled by Rosna Tjuatja and family.¹ Tjuatja also has interests in financial services through PT Profindo International Securities² and property through PT Suryasakti Bumipersada.³

Indonusa is not a member of the RSPO and does not have a public NDPE policy. The group does not make maps of its concession boundaries publicly available in a usable format.

Indonusa is a small palm oil group with at least two established concessions in Sumatra (in Jambi, managed by PT Indonusa Agromulia, and South Sumatra, managed by PT Hamita Utama Karsa),⁴ one 18,590ha concession in Merauke,

Papua (managed by PT Internusa Jaya Sejahtera), and one concession in South Sorong, West Papua province, which have not yet obtained all the necessary permits.⁵

In 2012 Indonusa reportedly bought a third Sumatran plantation company, PT Sawit Mas Perkasa in Jambi,⁶ whose previous owner had cleared land for timber but had not planted oil palm.⁷ It has not been confirmed whether this land was subsequently planted by the Indonusa Group. It is possible that there are other concessions controlled by the group, as its website claims that it is expanding in Sumatra, Kalimantan and Papua.⁸

At one time, Indonusa had two other plantation companies in West Papua province: PT Persada Utama Agromulia and PT Anugerah Sakti Internusa. However, shares in these companies were transferred in April 2014 to other individuals with no known connection to the Indonusa Group or Rosna Tjuatja.⁹

GROUP RESPONSE

Greenpeace provided the group the opportunity to comment before publication of this report. On 13 September, after expiry of the time window for commenting, Indonusa replied, claiming that the group had 'implemented policies and Standard Operating Procedures (SOP) relating to NDPE Policy'. It claimed to have all the necessary permits for PT Indonusa Agromulia, PT Hamita Utama Karsa and PT Internusa Jaya Sejahtera but did not provide references for them. It clarified that 'the purchase of PT Sawit Mas Perkasa in 2012 by Indonusa Group has been declared legally null and void'. Finally, it stated that 'Land Clearing activities by PT IJS are... Secondary Forests'. The group failed to provide concession maps for its operations.

MARKET RESPONSE

Mars, Nestlé, PZ Cussons, Reckitt Benckiser, Unilever and Wilmar told Greenpeace that actions had been taken to exclude the group from their supply chains.



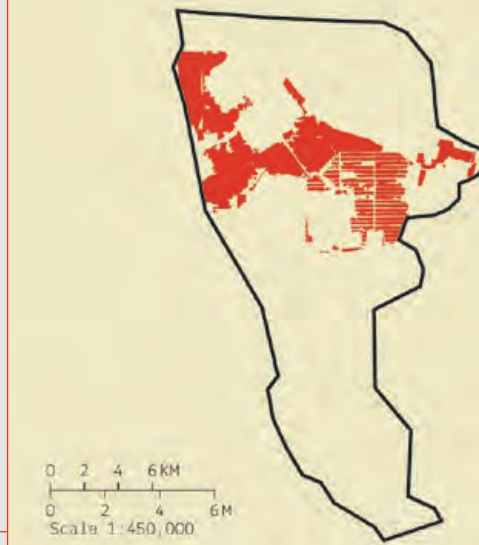
1 April 2018,
PT Internusa Jaya Sejahtera (Indonusa),
Papua, 7°14'16.145"S 140°42'39.293"E
©Ifansasti/Greenpeace



CONCESSION:

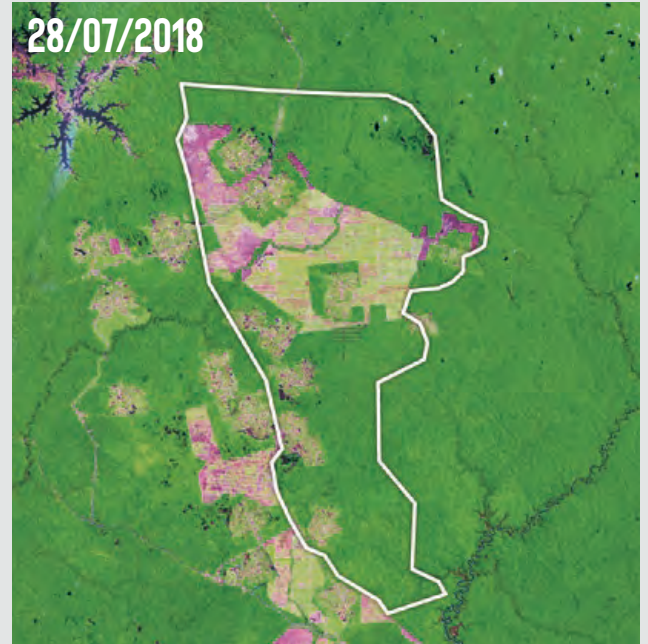
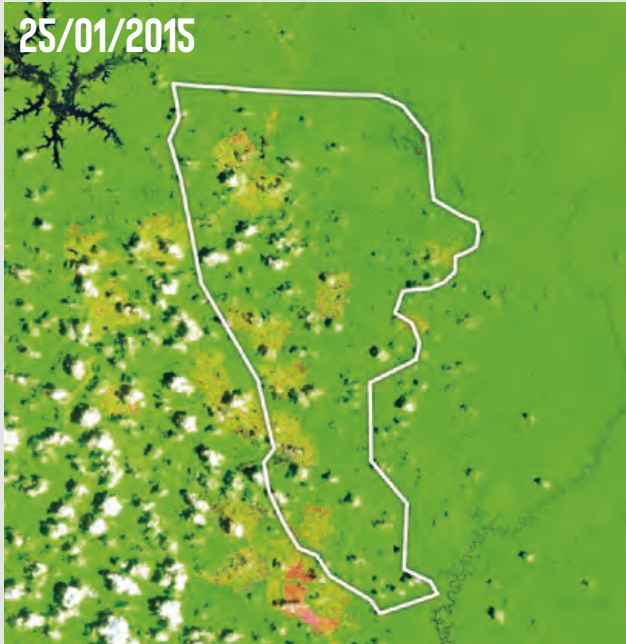
**PT INTERNUSA
JAYA SEJAHTERA
(PT IJS), PAPUA,
MERAUKE DISTRICT**

CLEARANCE: 5,172HA



Between 25 January 2015 and 28 July 2018 PT IJS cleared some 5,170ha of forest, including primary forest according to the Ministry of Environment and Forestry 2015 national landcover map. The company has still not been granted a definitive State Forest Release Letter.





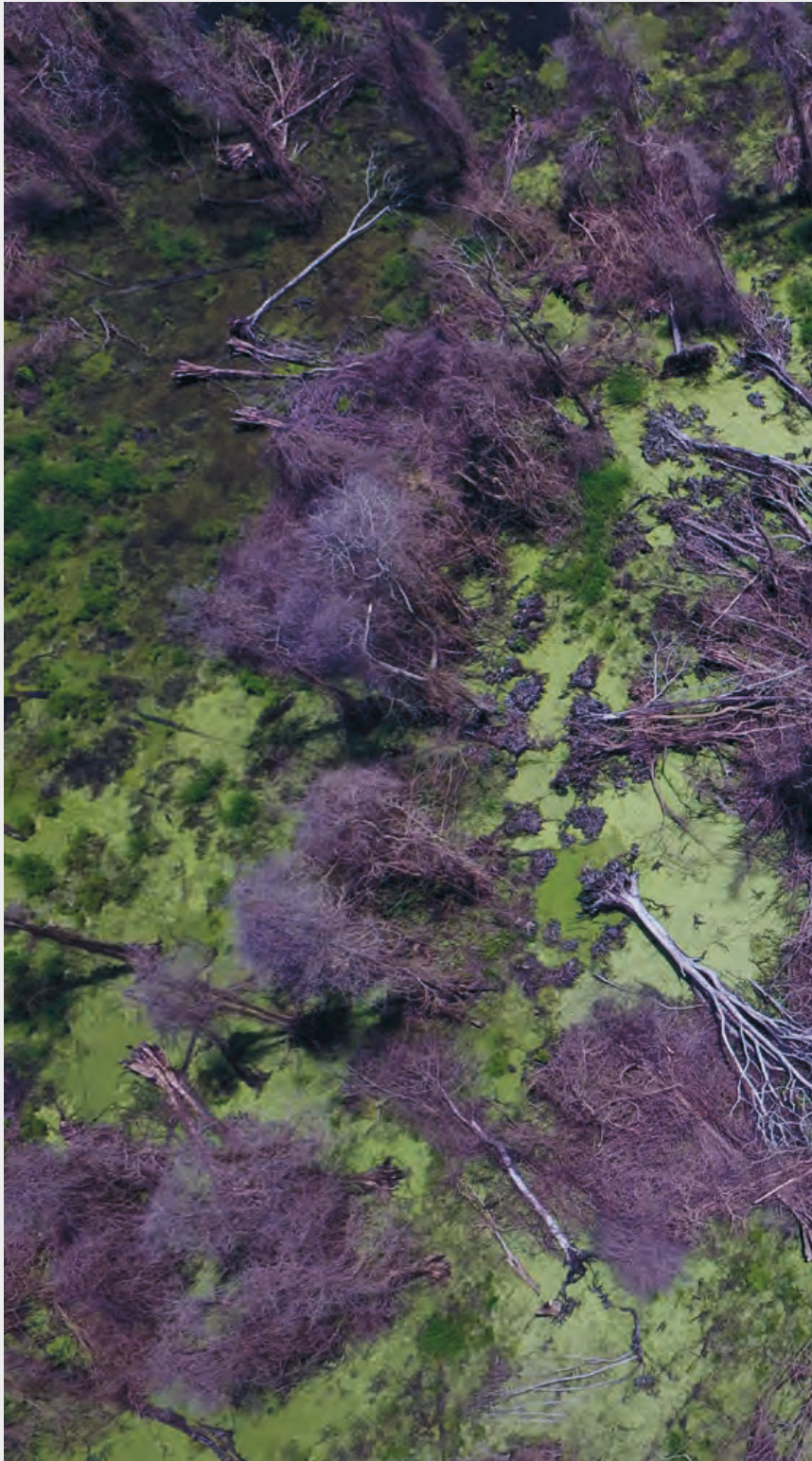
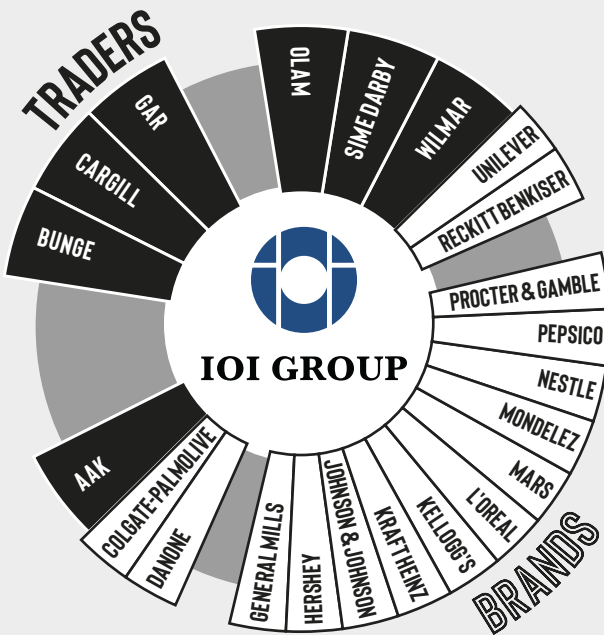
Concession boundary based on location permit (*Izin Lokasi*) signed 1 July 2013.

Satellite image sources:
Landsat 8 courtesy of the U.S. Geological Survey.



1 April 2018, PT Internusa Jaya
Sejahtera (Indonusa), Papua,
7°14'26.544"S 140°42'34.212"E
©Ifansasti/Greenpeace

MARKET LINKS TO TRADERS AND BRANDS



IOI Group (sometimes also referred to as IOI Corporation Berhad¹) has a formal parent–subsidiary ownership structure. IOI is part-owner of Bumitama (see case study above),² and thus the two groups should be considered linked in terms of responsibility. IOI’s CEO Dato’ Lee Yeow Chor is also a non-executive director of Bumitama Agri Ltd.³

IOI has been an RSPO member since 2004.⁴ It has a sustainability policy including NDPE commitments.⁵ IOI has made maps available of its concession boundaries in Indonesia, but claimed in a letter to Greenpeace that it is prevented by law from doing so for its Malaysian concessions.

According to its website IOI has 90 oil palm estates with a total landbank of 217,917ha, of which 179,271ha have been planted. Of the total holding, 64% is located in Malaysian Borneo, 24% in Peninsular Malaysia and 12% in Indonesia. The group’s five Indonesian plantation companies are jointly owned with Bumitama, which has a 28% stake in their holding company PT Sawit Nabati Agro.⁶ A little more than half of the Indonesian landbank (21,062ha of 39,477ha) has so far been cleared for planting.⁷

Several of IOI and Bumitama’s jointly owned concessions in West Kalimantan have been the subject of repeated complaints from Greenpeace and other organisations



regarding illegal planting outside concession boundaries and other breaches of the RSPO's Principles and Criteria, such as clearance of peatland and HCV forest including orangutan habitat.⁸ IOI's Pelita concession in Sarawak is also embroiled in a long-running complaint concerning breaches of community land rights (see case study below).

Until recently IOI Group included the traded oils division IOI Loders Croklaan. However, in March 2018 the US-based commodities trader Bunge completed the purchase of a majority stake in Loders Croklaan, which it has now merged with its own palm oil division.⁹ IOI Group retains ownership of three Malaysian refineries.¹⁰

GROUP RESPONSE

Greenpeace provided the group the opportunity to comment before publication of this report. On 12 September, IOI replied, acknowledging that the Pelita case 'has taken far too long to resolve, costing a lot of anguish to the affected communities'. IOI stated that it had published the maps of its Indonesian concessions on its palm oil dashboard in December 2016 but claimed; 'we are prohibited from publishing [maps of our Malaysian plantations] under the Official Secrets Act in Malaysia'.

CONCESSION:

IOI-PELITA PLANTATIONS SDN BHD, SARAWAK



In 2006 IOI acquired a 70% stake in palm oil plantation joint venture Rinwood–Pelita, changing its name to IOI–Pelita Plantations Sdn Bhd.¹¹ The original minority partner in the joint venture, which has retained its 30% stake, is the Sarawak government’s Land Custody and Development Authority (LCDA), an agency specifically created to promote commercial development on indigenous customary land.¹²

The history of the conflict has been extensively documented by Forest Peoples Programme. In 1996–97 Rinwood–Pelita obtained leases to develop oil palm plantations on 7,840ha of land in the area (later increased to 9,040ha) and proceeded to clear and replant the land, without following a proper FPIC process. Villagers tried to protest but were either ignored by the company and officials or intimidated by company employees.¹³ In 1997 the community took the joint venture partners and the state government to court, seeking recognition and enforcement of their customary land rights. After over 12 years the High Court finally reached a judgment on 25 March 2010, confirming the community’s customary rights and ruling that the company’s leases were invalid and that it should pay the community damages.¹⁴

Meanwhile, however, IOI had taken over Rinwood’s stake in the company and plantation expansion had continued. Compensation was paid but covered only the value of destroyed crops and improvements to the land, not the value of the land itself, while IOI–Pelita apparently pressured villagers not to try to reclaim their land and did not settle claims arising from its predecessor’s clearance, despite the community’s repeated attempts at engagement.¹⁵

Aware that the RSPO’s Principles and Criteria required IOI to resolve the land conflict before

its holdings could be certified, community representatives and supportive NGOs brought the issue to the attention of the RSPO in 2008,¹⁶ with a further complaint filed in March 2010.¹⁷ This led in March 2011 to the RSPO suspending future certification of IOI operations and calling on the company to propose an acceptable resolution.¹⁸

This failed to manifest, and following the success of IOI’s appeal of the High Court judgment in 2013,¹⁹ in February 2014 the company told the RSPO that it was unwilling to comply with FPIC standards because the courts had not recognised the community’s claim to the land.²⁰ Mediation efforts continued through 2016, with the case transferred back to the RSPO Complaints Panel in January 2017.²¹

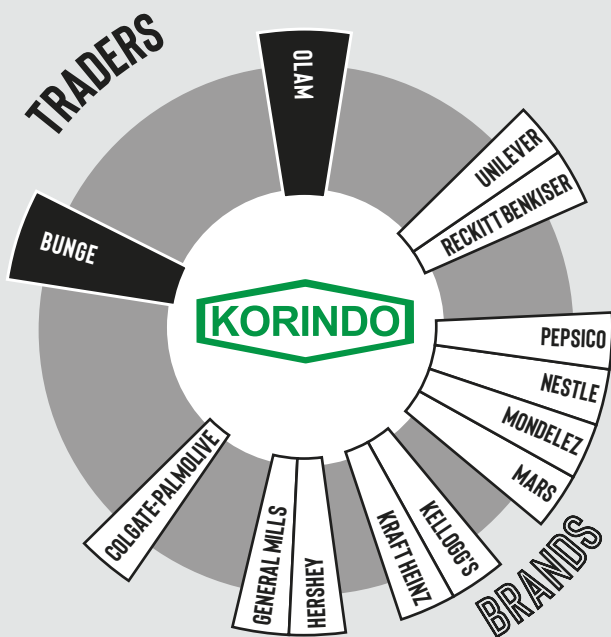
In December 2017, IOI suddenly announced its intention to divest its 70% stake in IOI–Pelita to a third party that was not a member of the RSPO. Such a sale would have made successful resolution of the land conflict all but impossible. However, following intense criticism from NGOs and other stakeholders it stated that it had become ‘clear to IOI that the divestment cannot and will not proceed’.²²

In January 2018, IOI reaffirmed its ‘commitment to resolving the dispute with local communities’.²³ Though the RSPO approved an action plan in June 2018 and IOI claims that ‘the relationship between IOI and the communities has improved significantly’,²⁴ at the time of writing the dispute has not been finally resolved.

16 April 2016
PT Bumi Sawit Sejahtera (IOI), Kalimantan,
2°55'13.4"S 110°43'40.2"E
©Ifansasti/Greenpeace



MARKET LINKS TO TRADERS AND BRANDS



Korindo¹ is a privately held company controlled by the South Korean Seung family. It publishes little financial or ownership information.

Korindo is not a member of the RSPO and does not have a public NDPE policy covering its oil palm and forestry operations. It has not made maps of its concession boundaries publicly available in a usable format.

Korindo holds eight oil palm concessions, seven in Papua province and one in North Maluku, totalling 159,600ha. Mapping analysis indicates that two of these concessions are fully developed, four are partially developed and two remain undeveloped.

An investigation conducted by Aidenvironment in 2016 found that Korindo had cleared over 50,000ha of

forest across its palm oil concessions, of which 30,000ha had been cleared since 2013, including 11,700ha classified as primary forest according to official Indonesian Ministry of Forestry maps.² Some 8,711ha were cleared across five concessions between 2015 and 2017, 1,992ha of which were mapped as primary forest. The Aidenvironment analysis identified 894 fire hotspots in Korindo's concessions between 2013 and 2015, suggesting Korindo deliberately used fire in the course of its clearance.³

Following customer pressure, Korindo subsidiary PT Tunas Sawa Erma (PT TSE) announced in August 2016 a three-month moratorium on development while it established a comprehensive NDPE policy and conducted stakeholder engagement.⁴ Korindo

1 April 2018,
PT Inocin Abadi (Korindo), Papua,
6°52'0.018"S 140°42'20.861"E
©Ifansasti/Greenpeace



subsidiaries PT Papua Agro Lestari (PT PAL; see case study) and PT Gelora Mandiri Membangun (PT GMM) announced further moratoria in December 2016, supposedly to enable completion of HCS and HCV studies on their concessions. Barely two months later the PT PAL moratorium was breached, with over 1,000ha being cleared.⁵

Korindo subsequently claimed to have reinstated the moratorium in PT PAL,⁶ and in 2017 submitted five HCV assessments to the HCV Resource Network.⁷ However, its commitment to NDPE is questionable. For example, in August 2017, Korindo staged high-profile events together with local Papuan government leaders both in Jakarta⁸ and in Merauke, Papua,⁹ where it claimed to

need to clear more forest to meet its commitments to local people. These actions call into question the group's intention to stop deforestation in the long term.

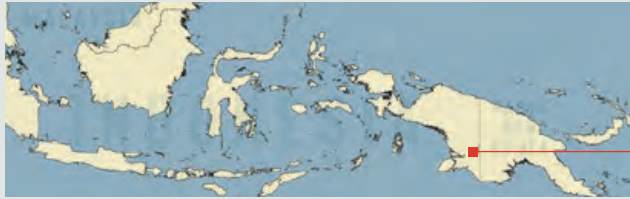
GROUP RESPONSE

Greenpeace provided the group the opportunity to comment before publication of this report. No comment was received.

MARKET RESPONSE

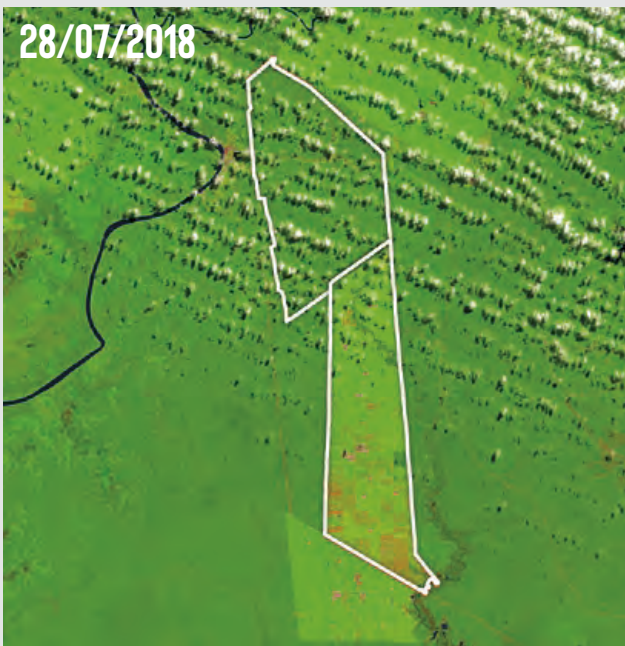
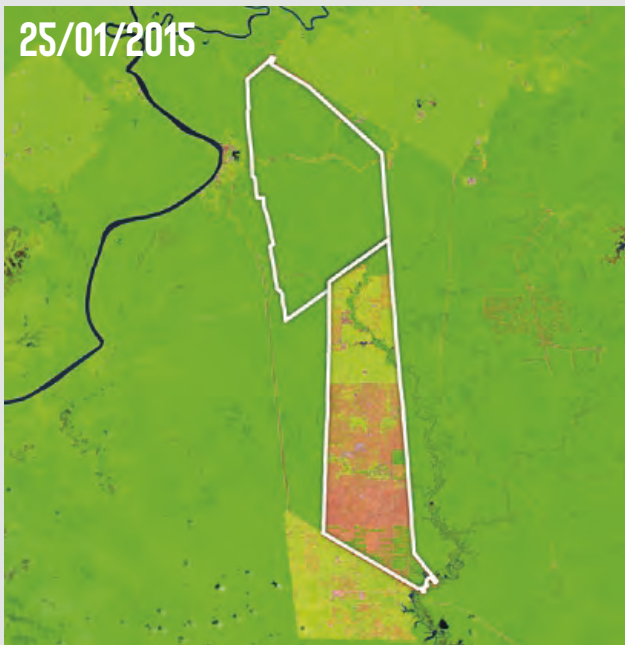
Bunge, Colgate-Palmolive, Hershey, Mars, Nestlé, Reckitt Benckiser and Unilever told Greenpeace that actions had been taken to exclude the group from their supply chains.

CONCESSION:
PT BERKAT
CITRA ABADI



Since 29 January 2016, PT Berkat Cipta Abadi has cleared only a negligible area of forest.

CLEARANCE:
128HA



Concession boundary based on maps from East Kalimantan Plantation Agency (2012).

Satellite image sources: Landsat 8 courtesy of the U.S. Geological Survey.



1 April 2018,
 PT Berkat Cipta Abadi (Korindo), Papua,
 6°51'34.823"S 140°30'29.334"E
 ©Ifansasti/Greenpeace

26 March 2013,
 PT Berkat Cipta Abadi (Korindo), Papua,
 6°48'33.599"S 140°30'14.58"E
 ©Rante/Greenpeace



**CONCESSION:
PT DONGIN
PRABHAWA**

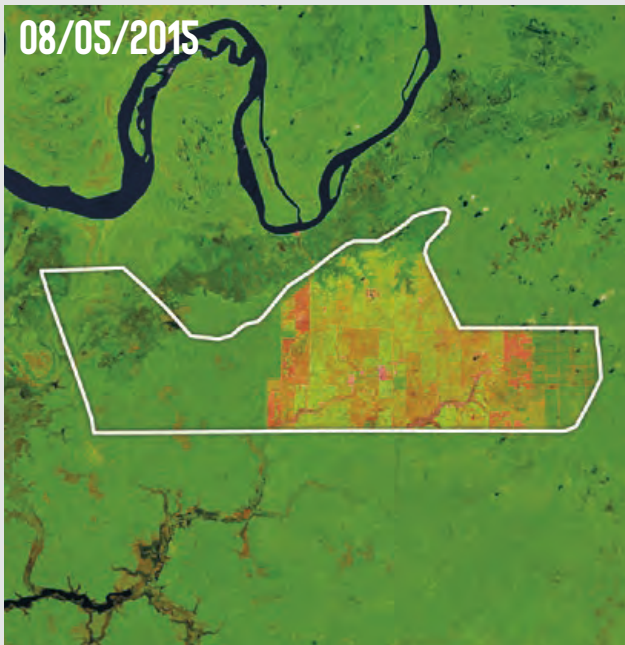


Since 8 May 2015, PT Dongin Prabhawa has cleared some 1,450ha of forest, including primary forest according to the Ministry of Environment and Forestry 2015 national landcover map.

Concession boundary based on BPN online 2017 Surat Keputusan Menteri Kehutanan RI No. : SK. 623/Menhut-II/2009 date 05 October 2009.

Satellite image sources: Landsat 8 courtesy of the U.S. Geological Survey.

CLEARANCE: 1,451HA



29 March 2018,
PT Dongin Prabhawa (Korindo), Papua,
7°20'56.135"S 139°42'2.76"E
©Ifansasti/Greenpeace

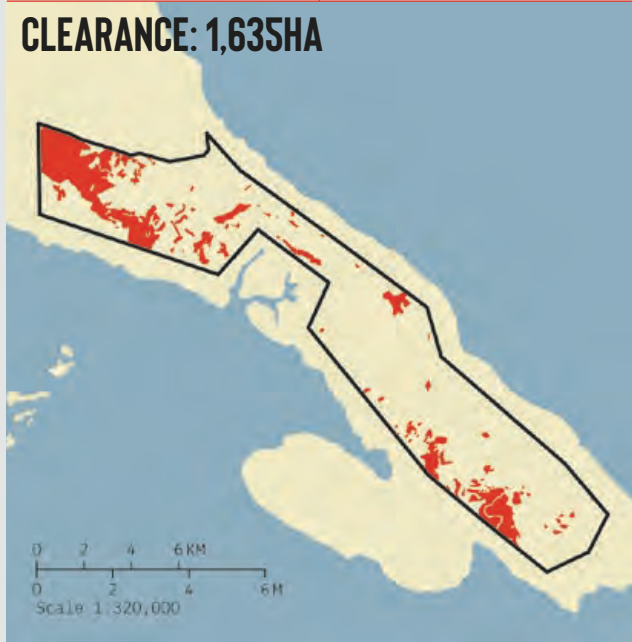


CONCESSION:
**PT GELORA
MANDIRI
MEMBANGUN**

Since 13 March 2015, PT Gelora Mandiri Membangun has cleared some 1,635ha of forest.



CLEARANCE: 1,635HA



13/03/2015





Concession boundary based on MoEF, 2013 SK.266/MENHUT-II/2008.

Satellite image sources:
Landsat 8 courtesy of the U.S. Geological Survey.

CONCESSION:

**PT PAPUA AGRO LESTARI
(PT PAL), PAPUA
PROVINCE, BOVEN
DIGOEL DISTRICT**



According to official Ministry of Environment and Forestry landcover maps, PT PAL's concession was almost entirely covered by primary forest in 2013.¹⁰ Between 25 January 2015 and 28 July 2018, PT PAL cleared some 5,190ha of forest, including primary forest according to the Ministry of Environment and Forestry 2015 national landcover map.

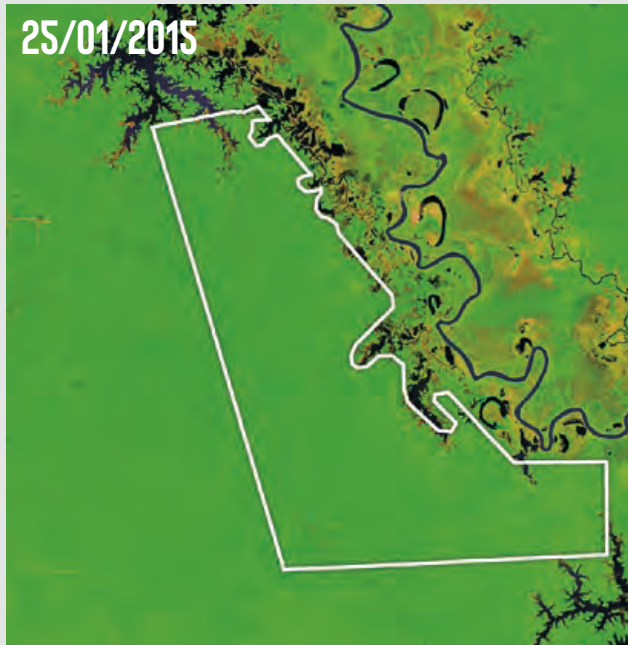
In August 2016, Aidenvironment published an investigation into deforestation in PT PAL and other Korindo concessions.¹¹ Under pressure from customers in the wake of these revelations, PT PAL announced a moratorium on new clearing in December 2016¹² – tacitly admitting that deforestation had been going on. It proceeded to break and – when challenged – reinstate this moratorium in quick succession.¹³

Mapping analysis shows a strong correlation between forest clearance and fire hotspots in PT PAL, strongly suggesting that fire was being deliberately used to clear the land before planting. During 2013 and 2014, prior to the clearance, there had been no recorded fire hotspots in the concession. However, a total of 221 hotspots were recorded between August and November 2015 – mostly in the recently cleared northwest of the concession. In September 2016, Korindo strenuously denied any deliberate use of fire for land clearance to Greenpeace, just as it claimed to have been practising NDPE during the period when PT PAL's concession was being deforested.¹⁴

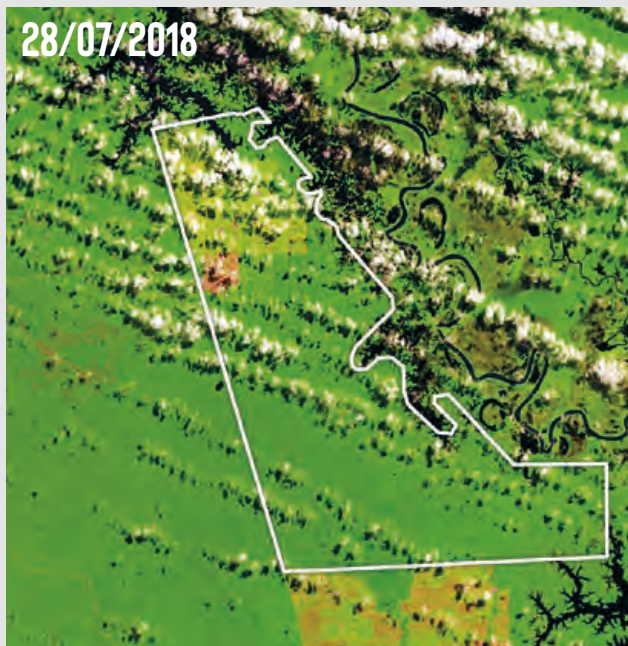
CLEARANCE: 5,190HA



25/01/2015



28/07/2018



Concession boundary based on BPN online 2017 Surat Keputusan Menteri Kehutanan No. 552/Menhut -II/2012, date 4 October 2012.

Satellite image sources: Landsat 8 courtesy of the U.S. Geological Survey.



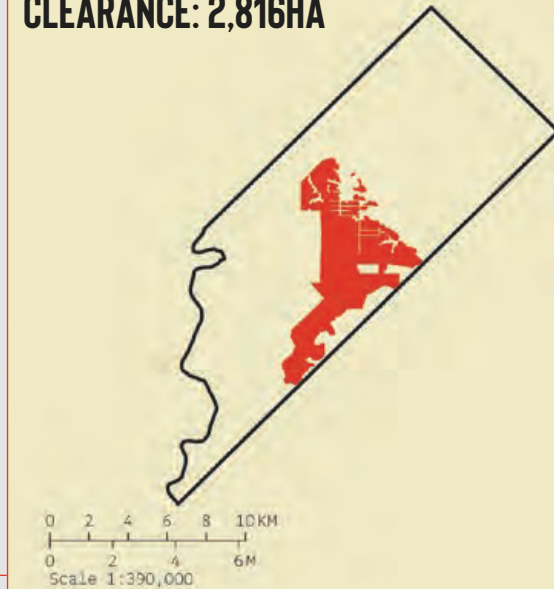
1 April 2018,
PT Papua Agro Abadi (Korindo), Papua,
6°48'54.167"S 140°46'40.812"E
©Ifansasti/Greenpeace

1 April 2018,
PT Papua Agro Abadi (Korindo), Papua,
6°48'47.316"S 140°47'34.127"E
©Ifansasti/Greenpeace

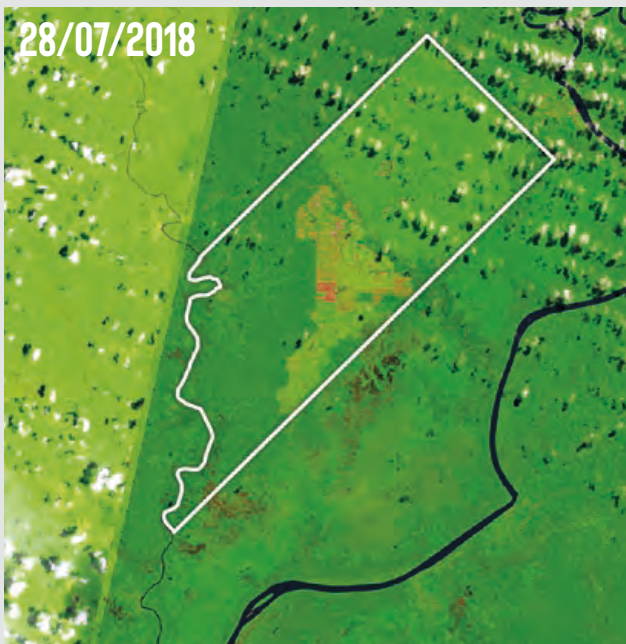
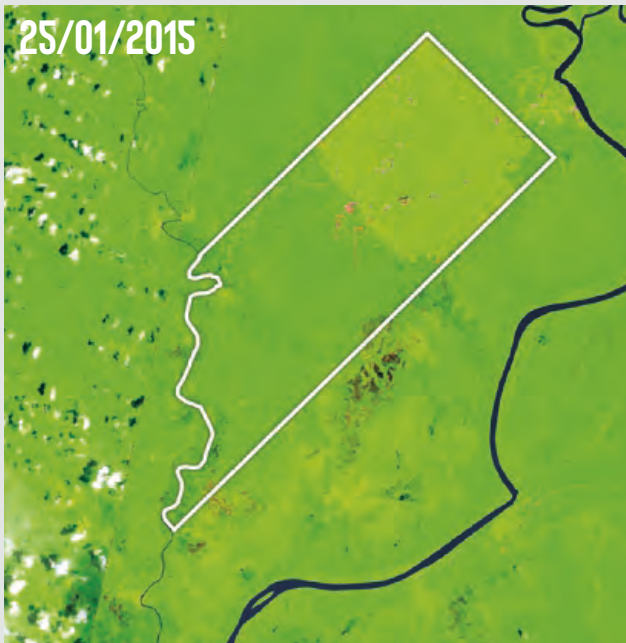


CONCESSION:
PT TUNAS
SAWA ERMA

CLEARANCE: 2,816HA



Since 25 January 2015, PT Tunas Sawa Erma has cleared some 2,815ha in Blok A, potentially including peatland and including primary forest according to the Ministry of Environment and Forestry 2015 national landcover map.



Concession boundary based on MoEF online 171/KPT. S-II/98.

Satellite image sources: Landsat 8 courtesy of the U.S. Geological Survey.



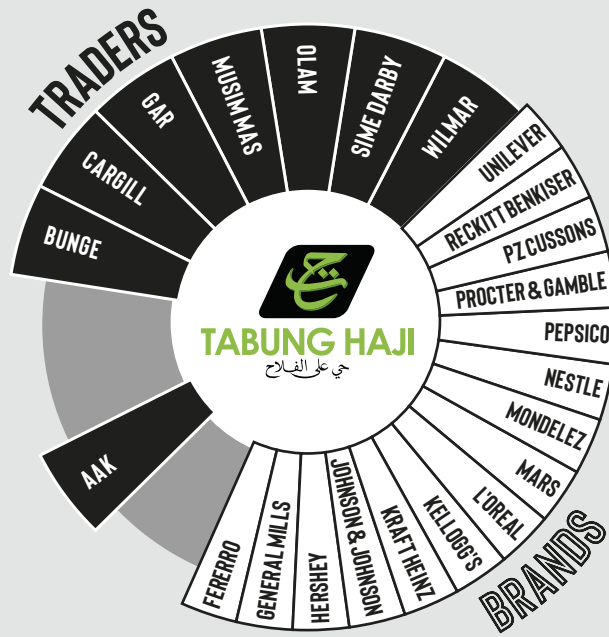
31 March 2018,
PT Tunas Sawa Erma (Korindo), Papua,
6°39'7.998"S 140°14'47.249"E
©Ifansasti/Greenpeace

19 December 2017,
PT Tunas Sawa Erma (Korindo), Papua,
6°38'53.765"S 140°16'33.671"E
©Sukarno/Greenpeace



LEMBAGA TABUNG HAJI

MARKET LINKS TO
TRADERS AND BRANDS



MAIN PALM OIL COMPANY: TH PLANTATIONS BHD

Lembaga Tabung Haji is managed on behalf of the Malaysian government; it is a national savings/investment body funding pilgrimage activities for Malaysian Muslims.¹ TH Plantations covers the group's oil palm plantation interests.²

TH Plantations is not a member of the RSPO and has no public NDPE policy. The group does not make maps of its concession boundaries publicly available in a usable format.

TH Plantations holds a landbank of 100,986ha, mostly in Malaysia, with 60,350ha planted.³ One concession of 8,800ha is in North Kalimantan, Indonesia.⁴

Lembaga Tabung Haji also owns a 50% stake in PT Synergy Oil Nusantara (PT SON), a refinery business with a reported capacity of 1 million tonnes.⁵ PT SON is a member of the RSPO,⁶ but operates without an NDPE policy and is therefore part of the leakage market. PT SON is reported to have continued sourcing from both PT Austindo Nusantara Jaya and PT Sawit Sumbermas Sarana after they were suspended by other traders for deforestation.

PT SON was a joint venture between Lembaga Tabung Haji and FELDA until the latter sold its stake in May 2018;⁷ the buyer's identity is not known.

GROUP RESPONSE

Greenpeace provided the group the opportunity to comment before publication of this report. No comment was received.

MARKET RESPONSE

Bunge and Mars told Greenpeace that actions had been taken to exclude the group from their supply chains.

21 March 2016,
PT Persada Kencana Prima
(Lembaga Tabung Haji), Kalimantan,
3°42'05.85"N 117°04'24.47"E
©Aidenviroment



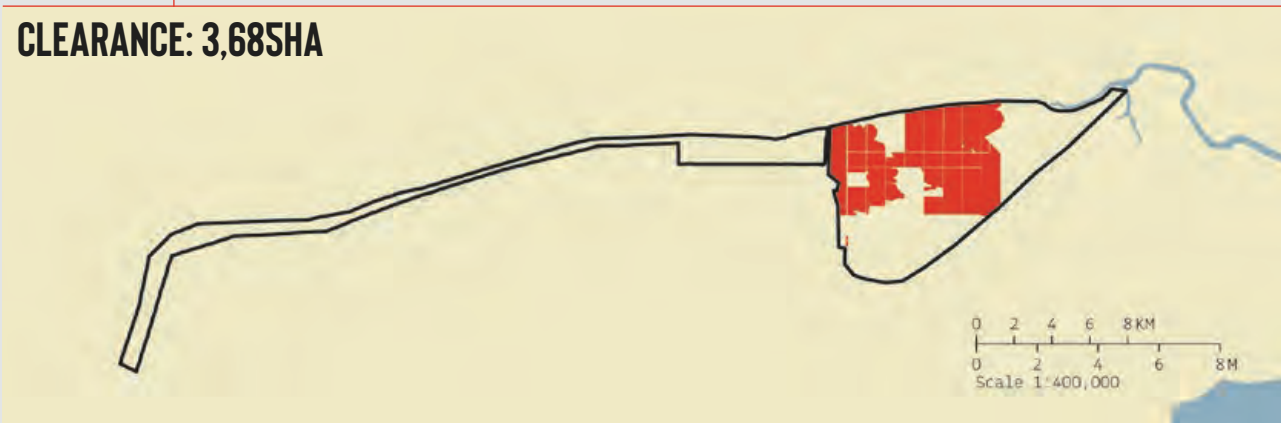
CONCESSION:

**PT PERSADA KENCANA
PRIMA (PT PKP),
NORTH KALIMANTAN**



PT PKP began clearing forest in early 2015. Between 29 November 2014 and 27 October 2017, PT PKP cleared 3,685ha, including peatland forest within the government-determined peat protection zone. Nearly all of the concession is on peat, much of it deep peat.

CLEARANCE: 3,685HA



21 March 2016,
PT Persada Kencana Prima (Lembaga
Tabung Haji), Kalimantan, 3°42'06.29"N
117°03'52.33"E
©Aidenvironment

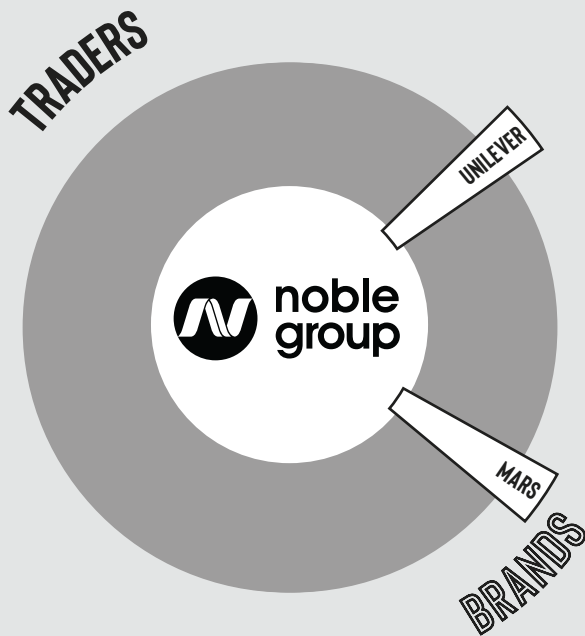


Concession boundary based on information from East Kalimantan
Plantation Agency (2012).

Satellite image sources:
Landsat 8 courtesy of the U.S. Geological Survey.

NOBLE PLANTATIONS

MARKET LINKS TO TRADERS AND BRANDS



Noble Group has a formal parent–subsidiary ownership structure. Noble Plantations is a wholly owned subsidiary of Noble Group,¹ which is listed on the Singapore Exchange.² Noble Group's largest shareholder, with a 17.9% interest, is Noble Holdings Limited,³ which is wholly owned by a discretionary trust whose beneficiaries include the children of the founder of the group, Richard Elman (though not Elman himself).⁴ Various institutions including the China Investment Corporation and Abu Dhabi Financial Group LLC are also substantial shareholders.⁵

Noble Plantations Pte Ltd has been a member of the RSPO since 2011.⁶ In October 2017 it issued a 'Sustainability information document' which masquerades as an NDPE policy, using key words without an absolute commitment to no deforestation or peat development based on credible field assessments.⁷ However, in light of the company's actions in its palm oil concessions (see case studies below), this document lacks any credibility on both environmental and social fronts.

Noble Plantations encompasses two plantation companies with concessions in Papua and West Papua provinces, totalling just under 71,000ha. According to its 2016 ACOP submission to the RSPO, the company had planted or otherwise developed 16,539ha by this date.⁸ Noble Plantations has not made maps of its concession boundaries publicly available in a usable format.

Noble Group formerly included an agricultural trading division, Noble Agri, which its oil palm plantation operations formed part of. However, when in 2014 it sold a 51% stake in Noble Agri to Chinese state-owned enterprise Cofco⁹ (to be followed in 2016 by the sale of the remaining 49% to a Cofco subsidiary¹⁰), its plantation interests were excluded from the sale. Instead, Noble Group issued a promissory note under which the net proceeds of the sale of its two plantation companies would be remitted to Noble Agri – now the Cofco Agri Limited (CAL) Group – once a buyer could be found, and the palm business is now said to be 'classified as held for sale'.¹¹ Although Noble Group claimed to be in talks with



18 December 2017,
PT Pusaka Agro Lestari (Noble),
Papua, 4°20'22.469"S 136°41'3.642"E
©Sukarno/Greenpeace

potential buyers as early as the end of 2014,¹² this claim was repeated at the end of each of the three succeeding years,¹³ suggesting that the plantation companies did not present an attractive commercial prospect. This is unsurprising in view of the controversy in which they have both been mired (see case studies) and the impact that this has had on Noble's credibility – some institutional investors have actually been put off investing in the group as a whole by the shortcomings of its palm oil operations.¹⁴

GROUP RESPONSE

Greenpeace provided the group the opportunity to comment before publication of this report. On 12 September, Noble replied, stating that 'we are in an active RSPO dispute process and as such we are prohibited from a bi-lateral discussion with any other party'. With regards to its 'Sustainability information document', it stated that 'no Noble plantations have planted on peat and we have no desire or intention to do

so', without addressing whether any clearance of peatland has taken place. Regarding PT HIP, the company claimed that it had 'successfully demonstrated the invalidity of the demands of the local clans' made in 2015, on the grounds that they had already received compensation in the past.. It stated it has 'made considerable efforts to address their concerns and implemented a number of additional benefits', including educational support, housing and healthcare. Regarding PT PAL, the company reiterated that it could not comment on whether it had cleared primary forest because of the RSPO Complaints Process. It offered to share concession maps with Greenpeace once it was released from the constraints of the RSPO Complaints Process 'on the basis that the information is not to be put into the public domain'.

MARKET RESPONSE

Mars, Nestlé and Unilever told Greenpeace that actions had been taken to exclude the group from their supply chains.

CONCESSION:

**PT HENRISON INTI
PERSADA (PT HIP),
WEST PAPUA,
SORONG DISTRICT**



PT HIP, in which Noble acquired a majority stake in 2010,¹⁵ operates a 32,546ha oil palm concession and palm oil mill.¹⁶ Community opposition to the concession dates back to 2006, when clan leaders released customary land to PT HIP, with communities allegedly being pressured into entering into exploitative agreements that offered minimal compensation.¹⁷

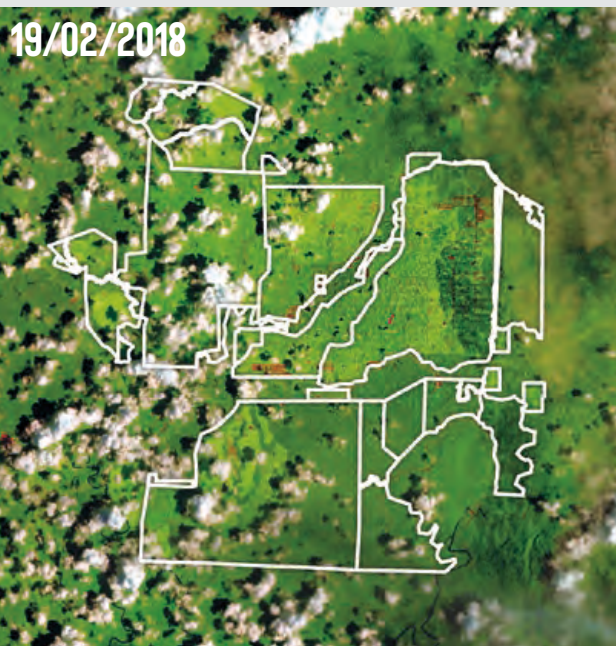
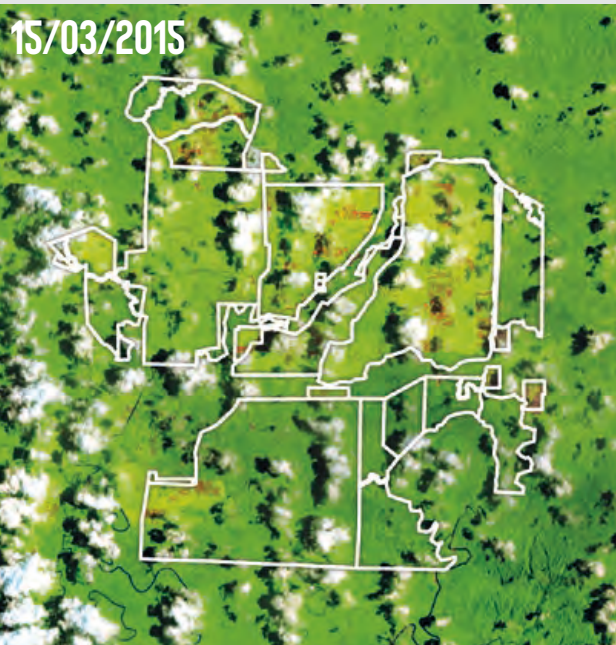
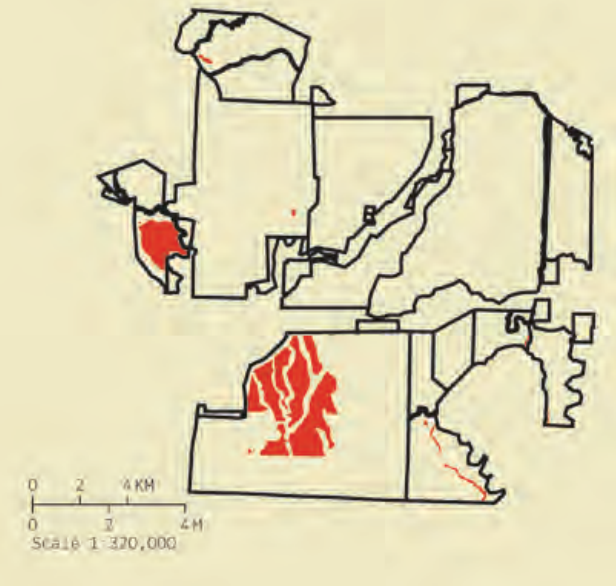
Noble's arrival on the scene brought little improvement. According to a testimony provided in 2014, over four years after Noble took over the concession, communities had still not received in-kind benefits that they had been promised by PT HIP, including support for education and healthcare, new housing and clean water – in fact, according to reports, access to clean water had actually deteriorated, as the company had polluted local streams.¹⁸ A year later, in September 2015, representatives of nine clans stated that PT HIP had not obtained their consent to take over land and that they were seeking compensation from the company.¹⁹

Between 15 March 2015 and 19 February 2018, PT HIP cleared about 1,335ha of forest.

Concession boundary based on Noble Group 2016 SK. 409/MENHUT-II.

Satellite image sources: Landsat 8 courtesy of the U.S. Geological Survey.

CLEARANCE: 1,334HA





18 May 2011,
PT Henrison Inti Persada (Noble), Papua
©EIA

18 May 2011,
PT Henrison Inti Persada (Noble), Papua
©EIA

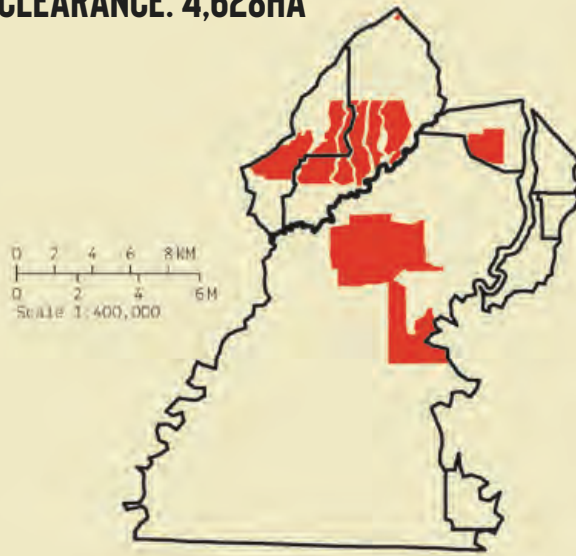


CONCESSION:

**PT PUSAKA AGRO
LESTARI (PT PAL),
PAPUA PROVINCE,
MIMIKA DISTRICT**



CLEARANCE: 4,628HA

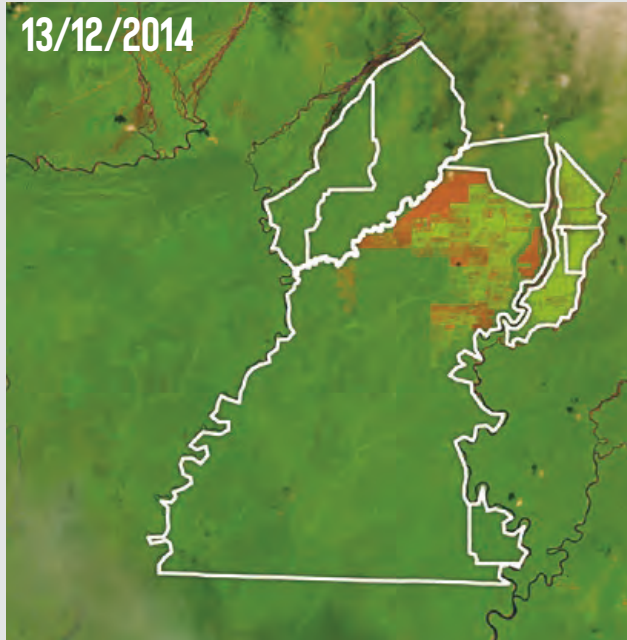


In 2011 Noble acquired 90% of PT PAL,²⁰ with a 38,159ha oil palm concession that it began to clear in 2013.²¹ According to Ministry of Forestry maps, approximately 27,000ha – 70% of the total concession area – was primary forest in 2011. Around two-thirds of PT PAL's concession was classified in 2013 as an Intact Forest Landscape, meaning that it has particular value for conservation as an integral forested area.²² A similar percentage of the concession is on peat of varying depths.²³

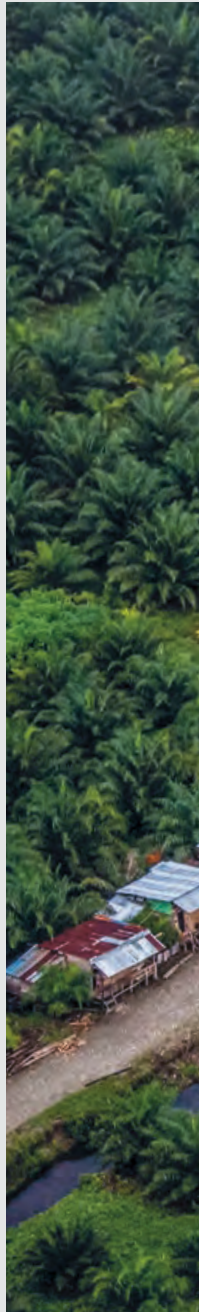
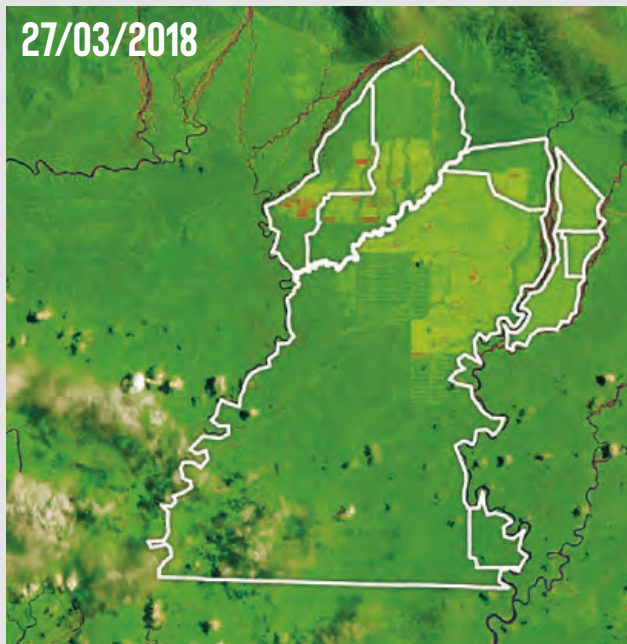
According to analysis of satellite imagery by Aidenvironment, most of the secondary forest in PT PAL's concession was cleared between 2011 and 2014; by 2016, the company had also cleared considerable areas of primary forest. Between 13 December 2014 and 27 March 2018, PT PAL cleared some 4,630ha of forest, more than half of which were mapped by the MoEF as primary forest and including peatland forest. As of 2017, more than 23,000ha of land mapped as primary forest remained in the concession. In July 2017, HSBC triggered an RSPO investigation into clearance of primary forest in PT PAL's concession; the following month the RSPO advised the company to stop all further development of the concession pending the complaints panel's assessment. At the time of writing, the results of an independent investigation are still awaited.²⁴

PT PAL's clearing of forest has been blamed for severe impacts on local communities. In October 2014 serious flooding in Miyoko and Aikawapuka villages, downstream from PT PAL,²⁵ was blamed locally on deforestation there.²⁶ The local bupati responded by revoking the company's operating licence,²⁷ but the company objected with the support of the Director General of Plantations at the Ministry of Agriculture²⁸ and succeeded in getting the decision reversed²⁹ (though later admitting that its plantation had had negative impacts along the rivers and proposing reforestation to mitigate the problem).³⁰

13/12/2014



27/03/2018



18 December 2017,
PT Pusaka Agro Lestari (Noble), Papua,
4°20'47.616"S 136°40'0.096"E
©Sukarno/Greenpeace

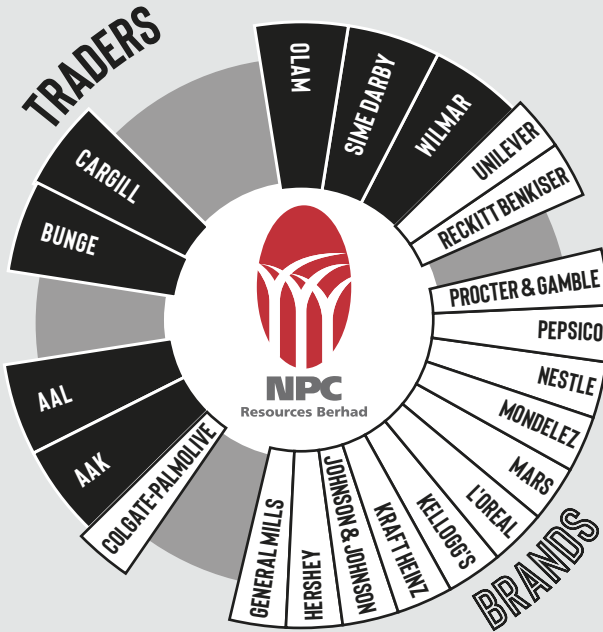


Concession boundary based on HGU Chief of National Land Agency
No. 11/HGU/BPN/2011 IUP Decree of Papua Province Governor No.
143/2008, 30 Dec 2008.

Satellite image sources:
Landsat 8 courtesy of the U.S. Geological Survey.

NPC RESOURCES

MARKET LINKS TO TRADERS AND BRANDS



The group structure of NPC Resources is not clear – it appears to have some formal ownership of concessions along with managerial control of further concessions. The largest owners of NPC Resources are Loo Pang Kee and Wong Siew Ying.¹

NPC Resources is not a member of the RSPO and has no public NDPE policy. The group does not make maps of its concession boundaries publicly available in a usable format.

The group's website lists 11,669ha of 'plantation land' in Malaysia and 46,564ha in Indonesia (East Kalimantan), of which 18,296ha are planted.² Aidenvironment research has identified concessions managed and part-owned by NPC Resources covering 78,900ha in East Kalimantan.³

GROUP RESPONSE

Greenpeace provided the group the opportunity to comment before publication of this report. No comment was received.

MARKET RESPONSE

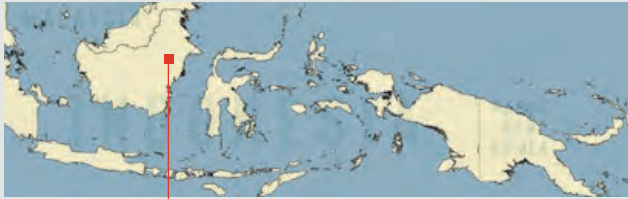
Bunge and Mars told Greenpeace that actions had been taken to exclude the group from their supply chains.



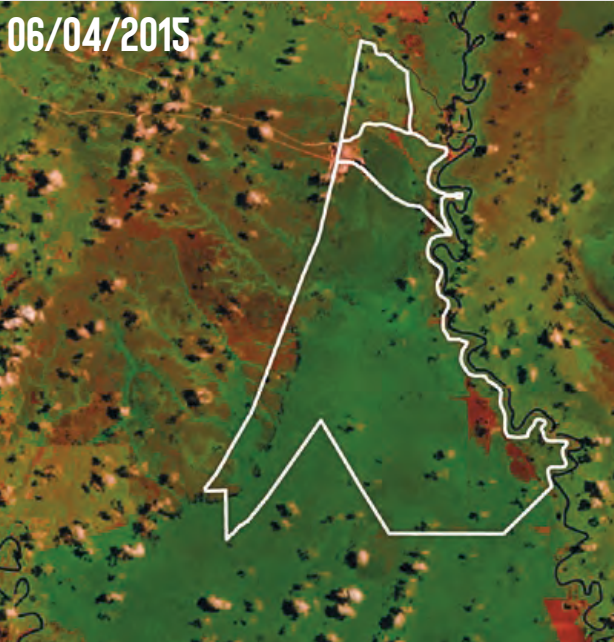
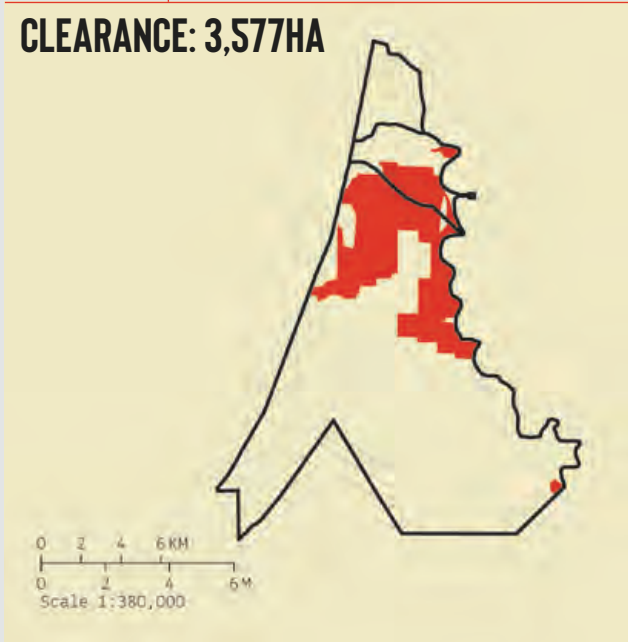


CONCESSION:

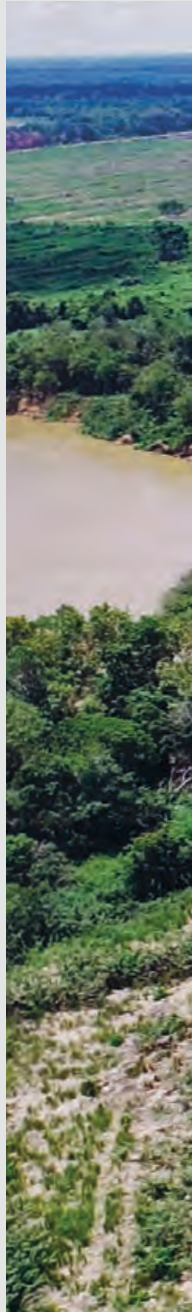
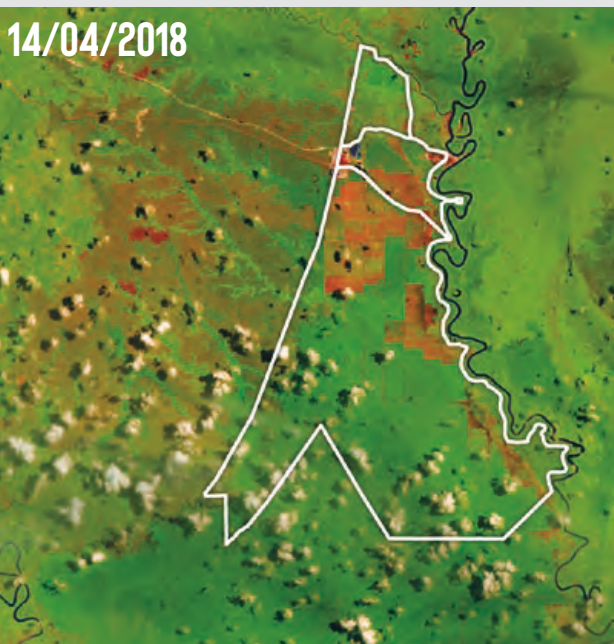
**PT SUMBER ALAM
SELARAS (PT SAS),
EAST KALIMANTAN,
EAST KUTAI DISTRICT**



CLEARANCE: 3,577HA



PT SAS is managed (not owned) by NPC Resources.
NPC Resources cleared some 3,580ha of forest in PT SAS between between 6 April 2015 and 14 April 2018, including orangutan habitat and peatland forest within the government-determined peat protection zone.



Concession boundary based on HGU maps from the Indonesian National Land Agency (BPN) and the regional government.

Satellite image sources: Landsat 8 courtesy of the U.S. Geological Survey.

6 March 2016,
PT Sumber Alam Selaras (NPC), Kalimantan,
0°13'1.64"N; 116°37'16.52"E
©Aidenviroment



6 March 2016,
PT Sumber Alam Selaras (NPC), Kalimantan,
0°13'10.72"N; 116°37'23.90"E
©Aidenviroment



POSCO (POSCO DAEWOO CORPORATION)

MAIN PALM OIL COMPANY: PT BIO INTI AGRINDO

POSCO is a South Korean multinational with interests in steel, oil and gas production and mining, as well as palm oil. The current CEO of POSCO Daewoo Corporation is Young-Sang Kim.¹

PT BIA became a member of the RSPO in July 2018.² It has no public NDPE policy. The group does not make maps of its concession boundaries publicly available in a usable format.

The group holds one concession in Papua, covering 36,401ha.³ Palm oil from this concession is now believed to be entering the marketplace.

GROUP RESPONSE

Greenpeace provided the group the opportunity to comment before publication of this report. On 13 September, POSCO replied, stating that 'PT BIA will publish maps including its concession boundaries and the location of a mill in digital format via its website'. It added that land clearing has been paused since October 2017 'until proper assessments and land use planning are completed', as part of which it is 'exploring credible mechanisms, including the RSPO's Remediation and Compensation Plan', and is in a 'process of engagement with a reputable partner that is experienced in implementation of NDPE'. It claimed the fires in its concession in 2015 resulted from 'burning practices by a third party', and that the 'Forest Department of Regency of Merauke ... made a conclusion that the incident was an accident'. It added that PT BIA has a no burning policy and fire fighting equipment and personnel.

MARKET RESPONSE

Nestlé and Unilever told Greenpeace that actions had been taken to exclude the group from their supply chains.



18 December 2017,
PT Bio Inti Agrindo (POSCO), Papua,
6°59'5.628"S 140°53'25.35"E
©Sukarno/Greenpeace



CONCESSION:

**PT BIO INTI
AGRINDO (PT BIA),
PAPUA PROVINCE,
MERAUKE DISTRICT**



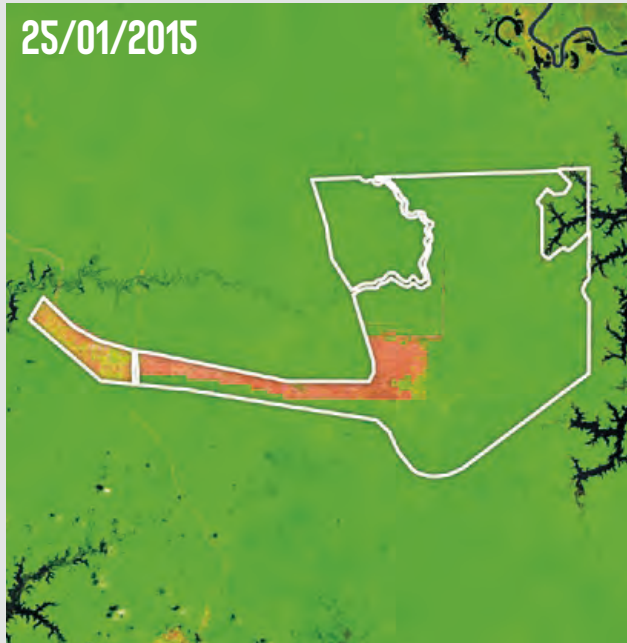
CLEARANCE: 15,385HA



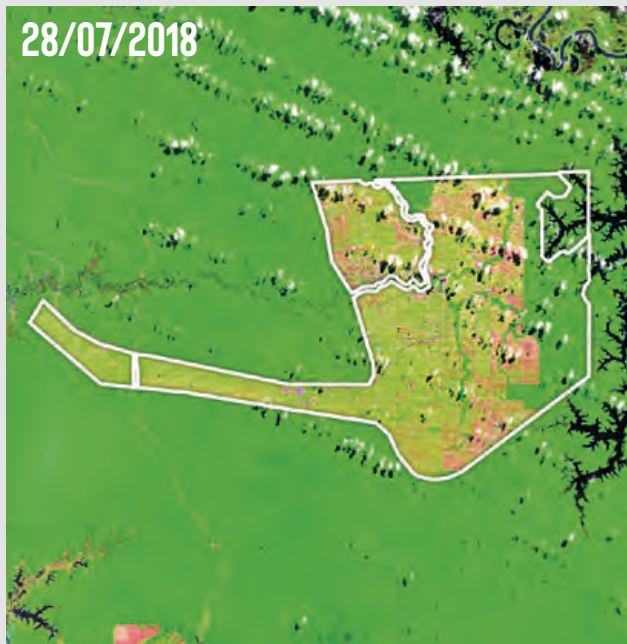
PT BIA cleared some 15,385ha of forest between 25 January 2015 and 28 July 2018, nearly one-third of which was primary forest according to the Ministry of Environment and Forestry 2015 national landcover map.

Satellite analysis by Aidenvironment revealed 158 fire hotspots in the eastern block of the concession in September and October 2015, concentrated in the area that was deforested earlier that year.⁴ Analysis published by the awasMIFEE website suggests a similar pattern in previous years.⁵ This gives rise to the suspicion that the company may have systematically used fire during its land clearing process.

25/01/2015



28/07/2018



Concession boundary based on State Forest Release Letter reference SK.572/MENHUT-II/2009.

Satellite image sources: Landsat 8 courtesy of the U.S. Geological Survey.



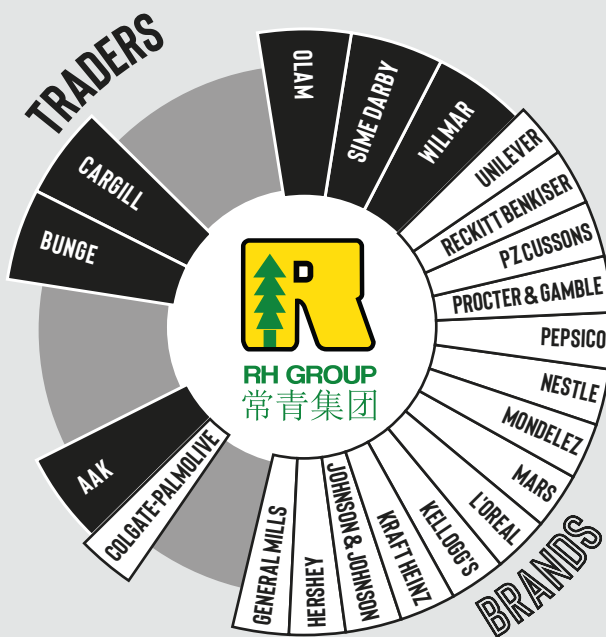
18 December 2017,
PT Bio Inti Agrindo (POSCO), Papua,
7°1'57.786"S 140°54'14.742"E
©Sukarno/Greenpeace

18 December 2017,
PT Bio Inti Agrindo (POSCO), Papua,
7°1'57.786"S 140°54'14.742"E
©Sukarno/Greenpeace



RIMBUNAN HIJAU

MARKET LINKS TO TRADERS AND BRANDS



MAIN PALM OIL COMPANIES: RIMBUNAN SAWIT BHD, JAYA TIASA HOLDINGS BHD, SUBUR TIASA HOLDINGS BHD, MAFRICA CORPORATION SDN BHD AND GILFORD LTD

Rimbunan Hijau is a family-owned group, owned by the Tiong family. The CEO is Tiong Hiew King. Known concessions appear to have a formal ownership structure. Originally a logging company, Rimbunan Hijau now also holds palm oil, media, pulpwood and other interests.¹

Rimbunan Hijau is not a member of the RSPO and has no public NDPE policy. The group does not make maps of its concession boundaries publicly available in a usable format.

Rimbunan Hijau is the largest palm oil company in Sarawak, Malaysia, with an estimated landbank of at least 220,000ha in the state. Palm oil concessions are held via various companies. Jaya Tiasa Holdings Bhd has a landbank of 83,483ha in Malaysia, with 69,652ha planted as of June 2017.² Rimbunan Sawit Bhd holds 92,312ha, of which 55,110ha were planted as of 31 December 2016.³ Subur Tiasa Holdings Bhd has a landbank of 28,743ha, of which 11,080ha were planted by 31 July 2016.⁴ The above three companies are listed on the Bursa Malaysia, but little data is available for the fourth, unlisted company: Mafrica Corporation Sdn Bhd.⁵ Aidenvironment has identified an oil palm landbank of at least 20,000ha for Mafrica.⁶

In Papua New Guinea, Rimbunan Hijau's subsidiary Gilford Ltd holds a concession area of 42,000ha, of which 31,000ha are allocated for oil palm development.⁷

Between June 2016 and July 2017, traders/refiners purchasing from Rimbunan Hijau's palm oil mills in Sarawak included Wilmar, Cargill and IOI (the latter through Wilmar, Cargill and the Kirana palm oil refinery of BLD Plantation).⁸

GROUP RESPONSE

Greenpeace provided the group the opportunity to comment before publication of this report. No comment was received.

MARKET RESPONSE

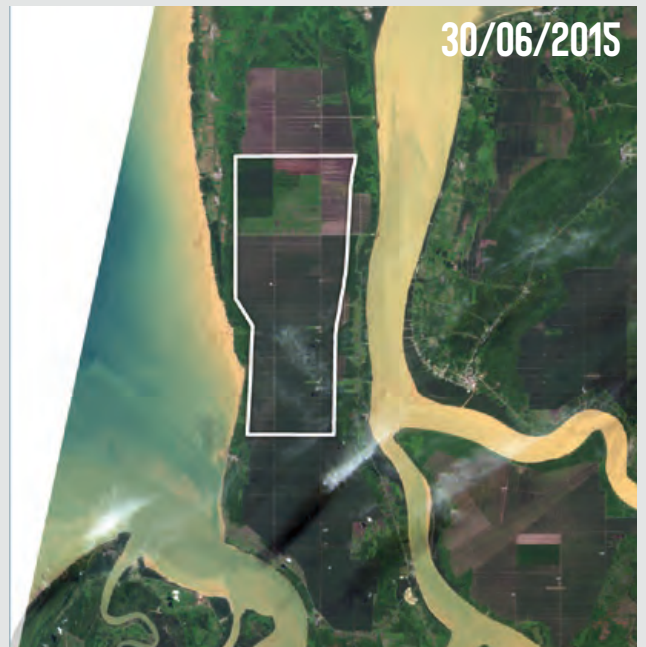
Mars told Greenpeace that actions had been taken to exclude the group from its supply chain.

**CONCESSION:
EASTERN EDEN ESTATE
(EEE), SARAWAK,
MALAYSIA**

**CLEARANCE:
923HA**



EEE is owned by Jaya Tiasa. Satellite imagery is incomplete, but shows around 920ha of clearance or development between 30 June 2016 and 22 June 2018, including potential peatland.



Concession boundary based on map from environmental impact assessment, obtained from library of Natural Resources and Environment Board Sarawak (NREB).¹⁰

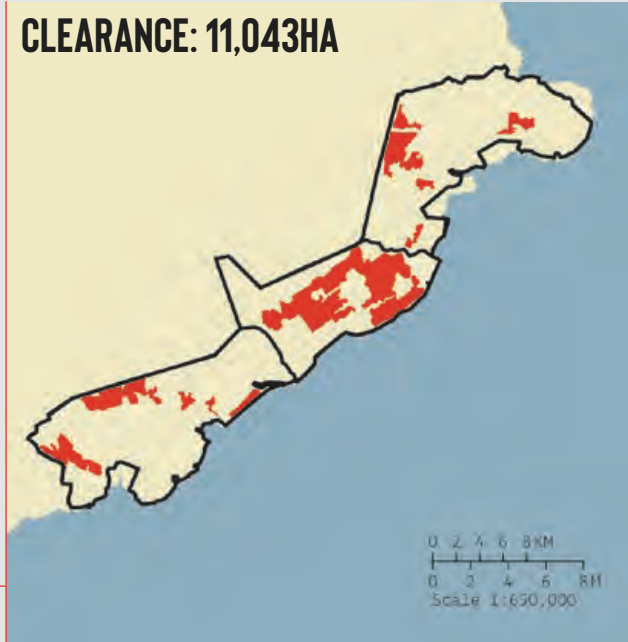
Satellite image sources: Landsat 8 courtesy of the U.S. Geological Survey.

CONCESSION:

**GILFORD LTD,
PAPUA NEW GUINEA,
EAST NEW BRITAIN
PROVINCE**



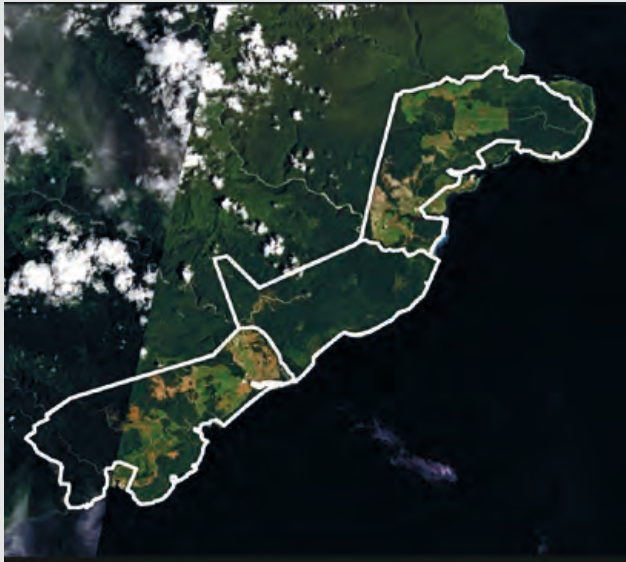
CLEARANCE: 11,043HA



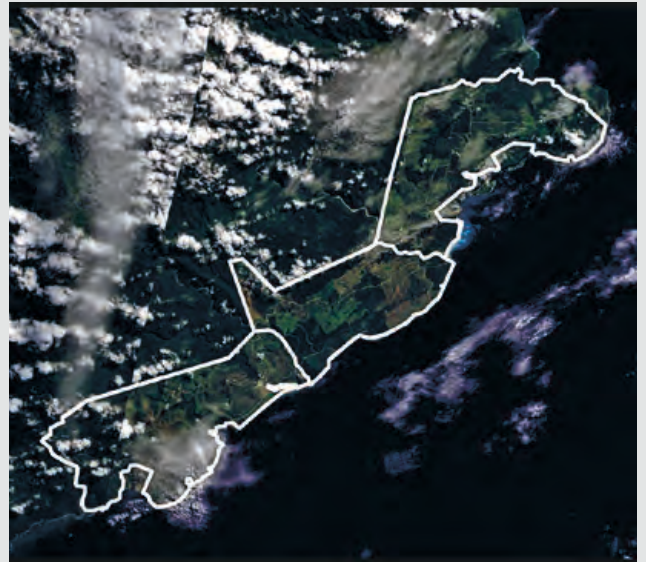
Between 14 December 2014 and 16 June 2018 Gilford Ltd cleared some 11,040ha of forest.

2016, Gilford Ltd (Rimbunan Hijau), Pomio, Papua New Guinea





14/12/2014



16/06/2018

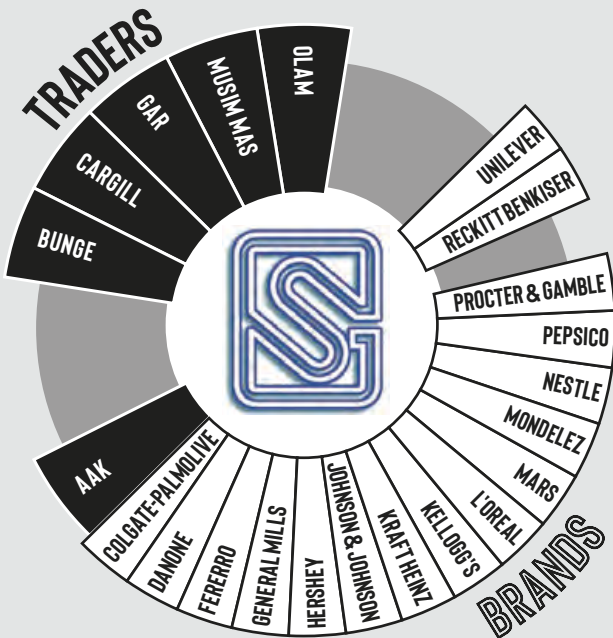
Concession boundary based on Special Agriculture and Business Lease (SABL), as depicted in Global Witness report *Stained Trade*.⁹

Satellite image sources: Landsat 8 courtesy of the U.S. Geological Survey.

2016, Gilford Ltd (Rimbunan Hijau), Pomio, Papua New Guinea ©Alessio Bariviera



MARKET LINKS TO TRADERS AND BRANDS



MAIN PALM OIL COMPANIES: INDOFOOD (INCLUDING INDOAGRI AND DOWNSTREAM BUSINESSES) AND OTHER PLANTATION INTERESTS HELD SEPARATELY BY ANTHONI SALIM OR HIS ASSOCIATES. THIS INCLUDES A NUMBER OF COMPANIES REFERRED TO COLLECTIVELY AS THE INDO GUNTA GROUP.

The Salim group has a complex informal structure, with formal segments alongside various informal segments connected by operational, managerial and possibly financial group links.

As of 31 December 2017, Anthoni Salim held 44.35% of the shares of the Hong Kong-listed First Pacific Company Ltd.¹ As of 20 March 2018, First Pacific had a 50.1% interest in Indofood and a 62.8% interest in Indofood Agri Resources Ltd (IndoAgri).²

IndoAgri's subsidiary PT Salim Ivomas Pratama Tbk (SIMP), which covers all of its Indonesian oil palm concessions, is a member of the RSPO, as is SIMP's subsidiary PT PP London Sumatra (Lonsum). IndoAgri has a partial NDPE policy lacking in scope and substance.³ Other palm oil companies linked to Salim are not members of the RSPO and do not have public NDPE policies. No Salim company makes maps of its concession boundaries publicly available in a usable format.

In its 2016 ACOP submission to the RSPO, SIMP claims a total landbank of 364,195ha, including 56,715ha under scheme/plasma smallholders.⁴ IndoAgri reports a total planted area of 300,387ha as of 31 December 2017, which matches the area listed in SIMP's annual report.⁵

Anthoni Salim also owns stakes in oil palm businesses that are not part of Indofood. For example, he is a 50.5% owner of PT Duta Rendra Mulya (PT DRM; see case study), which has location permits for 7,400ha in Sintang district, West Kalimantan.⁶

27 July 2018,
PT Bintuni Agro Prima Perkasa (Salim),
Papua



Besides these interests, associate companies of Anthoni Salim active in various sectors including property, transportation and foods conducted transactions totalling US\$148m in 2017 with the plantations business of the Indofood group.⁷

Corporate registry profiles reveal at least 25 plantation companies with concessions in Kalimantan and Papua province, including PT DRM, that largely have the same directors and commissioners as one another.⁸ Apart from his majority stake in PT DRM, Anthoni Salim has no ownership stake in these companies;⁹ however, his influence on some of these companies through associates is clear, as set out in Greenpeace International's 2017 report *Dirty Bankers*.¹⁰

In August 2015, job advertisements were circulated for positions in West Kalimantan and West Papua provinces referring to an Indo Gunta (or Indogunta) group;¹¹ the advertisements appeared on paper headed with the name of PT Gunta Samba, an IndoAgri/SIMP subsidiary.¹² The Indo Gunta group now appears to be the Salim group's operational name for the 25 non-IndoAgri plantation companies mentioned above, with many of these companies having been observed to be using the name (eg on staff LinkedIn profiles or on signboards at plantation sites). Evidence of the group link includes shared office premises with PT Gunta Samba and its parent company PT Mega Citra Perdana: a 2017 job advertisement on Indo

Gunta headed paper posted on the University of Lampung website gives its address as Duta Merlin Office Complex B/22, Jalan Gajah Mada 3–5, Gambir, Central Jakarta,¹³ which is the registered address for PT Gunta Samba¹⁴ and is listed in SIMP's 2013, 2014 and 2015 annual reports as the address of PT Mega Citra Perdana.¹⁵ It is also the registered address of PT Gunta Samba Jaya,¹⁶ one of the 25 Indo Gunta plantation companies linked to Anthoni Salim through his associates.

Through analysis of satellite images, recent deforestation has been observed in the concessions of PT Anekareksa Internasional, PT Bintuni Agro Prima Perkasa, PT Duta Rendra Mulya, PT Rimbum Sawit Papua, PT Sawit Berkat Sejahtera, PT Sawit Khatulistiwa Lestari and PT Subur Karunia Raya.

GROUP RESPONSE

Greenpeace provided the group the opportunity to comment before publication of this report. No comment was received.

MARKET RESPONSE

AAK, Bunge, Danone, Ferrero, General Mills, Hershey, Johnson & Johnson, Mars, Mondelēz, Nestlé, Procter & Gamble, Reckitt Benckiser, Sime Darby and Unilever told Greenpeace that actions had been taken to exclude the group from their supply chains.

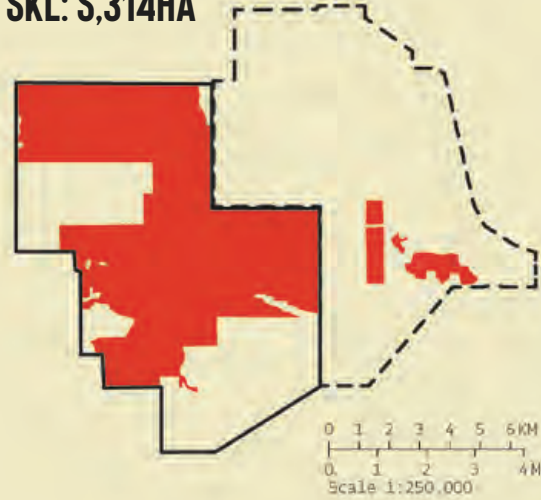
CONCESSION:

PT DUTA RENDRA MULYA (PT DRM) AND PT SAWIT KHATULISTIWA LESTARI (PT SKL), WEST KALIMANTAN, SINTANG DISTRICT

CLEARANCE:

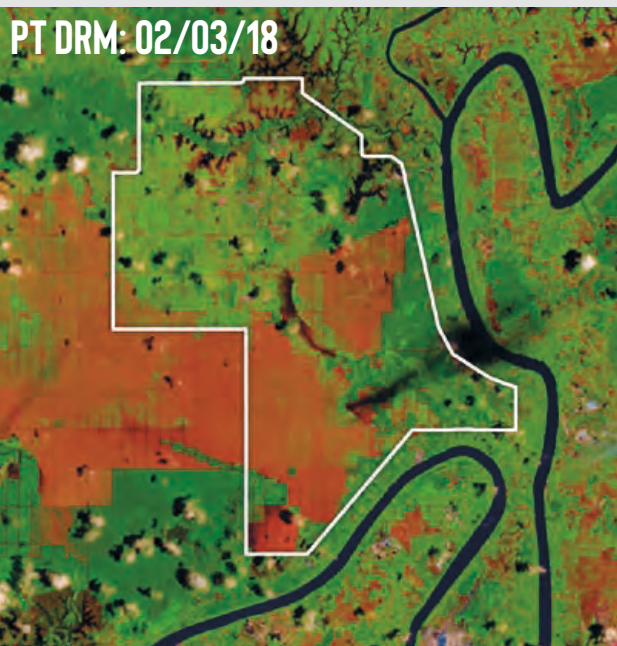
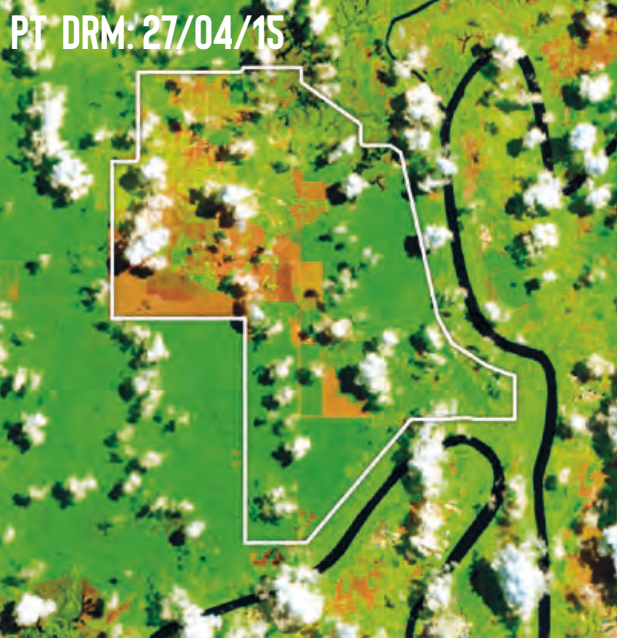
PT DRM: 1,720HA

PT SKL: 5,314HA



Between 27 April 2015 and 2 March 2018, PT DRM cleared some 1,720ha of forest, mostly on peatland, and including peatland forest within the government-determined peat protection zone.

Over the same period, PT SKL cleared 5,315ha of forest, also including peatland forest within the government-determined peat protection zone.

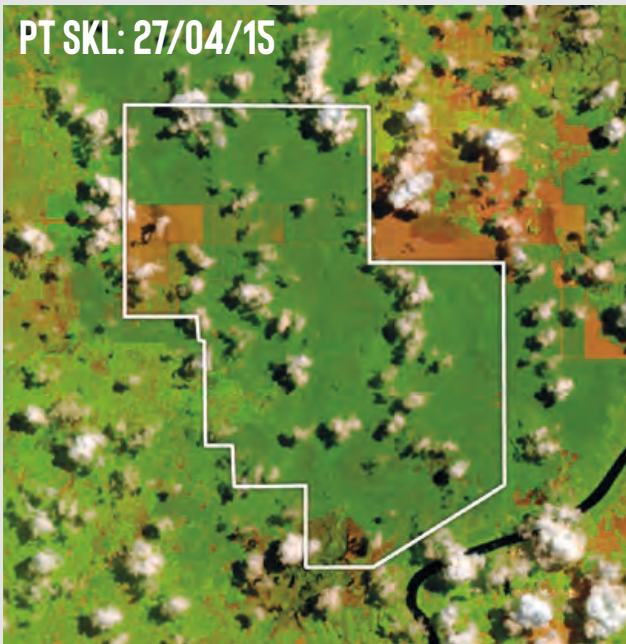


Concession boundary based on 2014 location permit (*Izin Lokasi*).

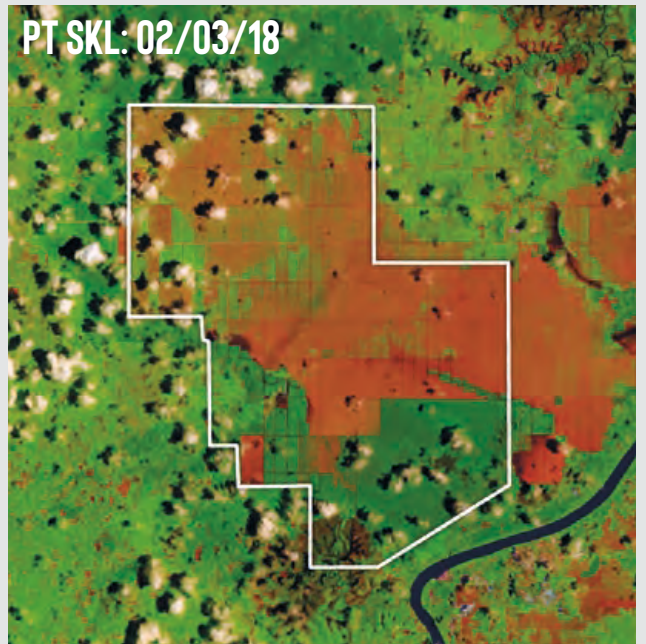
Satellite image sources: Landsat 8 courtesy of the U.S. Geological Survey.



PT SKL: 27/04/15



PT SKL: 02/03/18



CONCESSION:

PT BINTUNI AGRO PRIMA PERKASA (PT BAPP) AND OTHER PAPUAN CONCESSIONS



The Salim group is expanding its operations rapidly in Papua and West Papua provinces, using companies believed to be part of the Indo Gunta group. Three of these – PT Rimbun Sawit Papua (PT RSP), PT Subur Karunia Raya and PT Bintuni Agro Prima Perkasa (PT BAPP) – have begun clearing forest in their concessions, including within areas designated as peatland hydrological units, clearance of which contravenes the Indonesian Government’s 2016 peat regulations.¹⁷

Between 13 September 2014 and 20 June 2018, PT BAPP cleared nearly 100ha of forest.

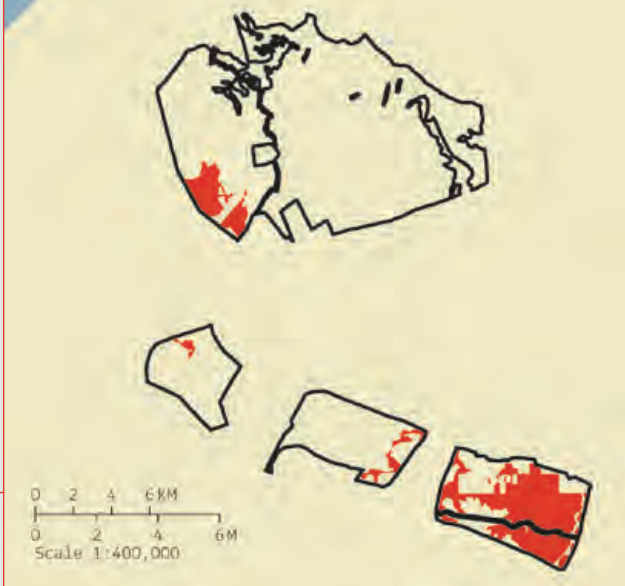
Between 3 January 2015 and 16 March 2018, PT SKR cleared about 800ha of forest.

Between 31 October 2014 and 29 July 2018, PT RSP cleared some 2,650ha of forest, including peatland forest within the government-determined peat protection zone and including primary forest according to the Ministry of Environment and Forestry 2015 national landcover map.

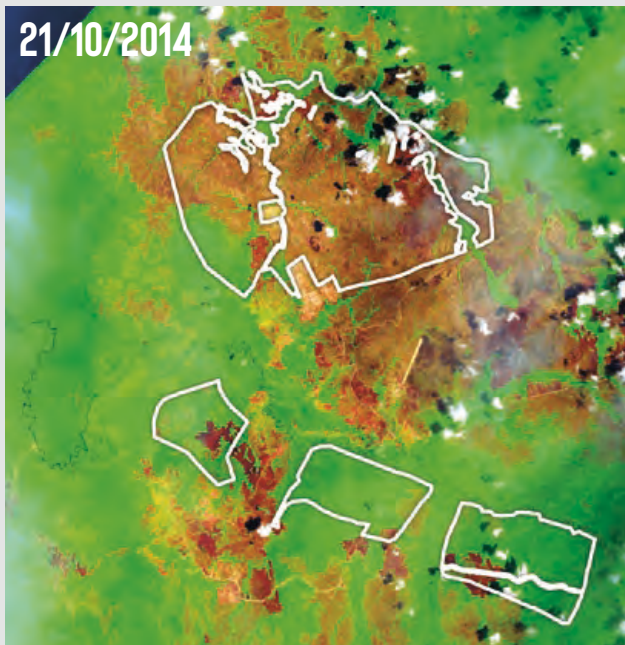
Three further companies (PT Menara Wasior, PT Tunas Agung Sejahtera and PT Permata Nusa Mandiri) are believed to have obtained all the main permits necessary for clearing to begin in their concessions, and at least four other Salim-linked companies¹⁸ have been issued location permits in Papua since 2013.

However, in the case of PT BAPP, it is not oil palm

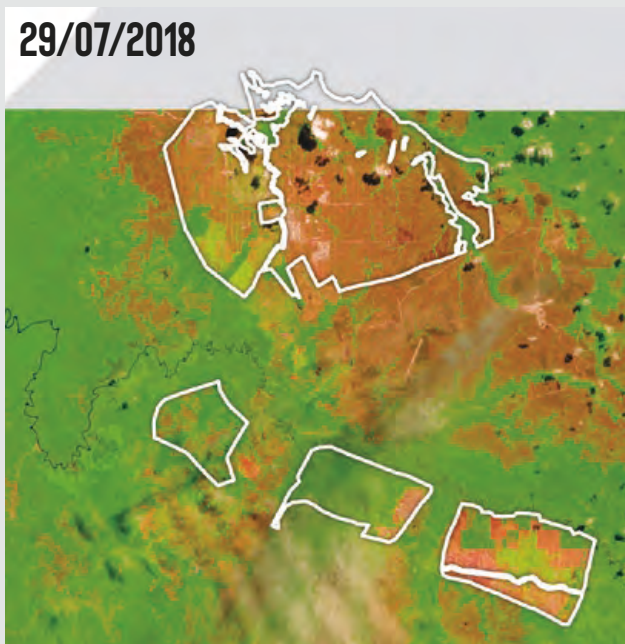
CLEARANCE: PT RSP 2,650HA



21/10/2014



29/07/2018



Concession boundary based on BPN online 2017.

Satellite image sources: Sentinel 2 courtesy of European Space Agency - (ESA) and Landsat 8 courtesy of the U.S. Geological Survey.



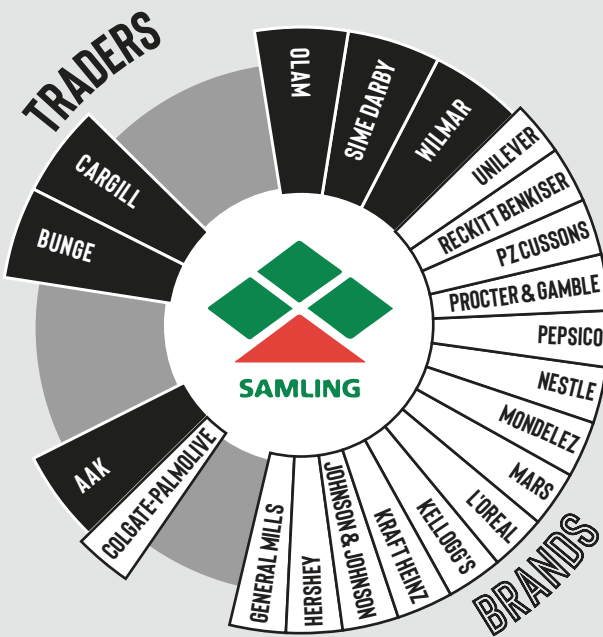
for which the forest is being cleared, but corn. The company gained a State Forest Release Letter from Forestry Minister Zulkifli Hasan on 29 September 2014, his final day as minister. This was one of a raft of letters releasing State Forest land for development that the minister signed on that day, many of which were problematic and several of which broke the ministry's own regulations.¹⁹ The stated purpose of the Forest Release Letter was to enable development of an oil palm plantation; but possibly as a result of opposition to palm oil from the Mpur people of the Kebar Valley, the company instead applied to the District Head of Tambrau district for a location permit to grow food crops (soya, peanuts and corn) on the same land. This was issued in September 2015,²⁰ on the same day as a business permit.²¹ The issuing of all three documents was highly irregular: the State Forest Release Letter should not have been issued until the company had a business licence,²² which in turn should not have been issued until an environmental impact assessment (EIA) had been carried out and approved.²³ In fact the EIA process has still not been completed, even though land clearing and planting have been ongoing for over two years. This is a serious concern in the Kebar Valley, which is a unique mixed ecosystem of forest and grasslands bordering on protected forest areas, and in the headwaters of a major river system.

Presumably soon after it had obtained the business licence, PT BAPP's representatives persuaded the local clans to surrender their customary rights

to the land, amounting to 19,368ha. Interviews with customary landowners in the Kebar Valley indicate that the company did not follow a valid FPIC process.²⁴ In their one and only meeting with the company, clan leaders were allegedly misled into believing that in return for the modest financial compensation offered they were granting permission not for a commercial agricultural development by the same company that had previously proposed to plant oil palm, but merely for a two-year trial by the district agricultural agency that would involve only small grassland areas. They were not shown any maps, were not given a copy of the document they were persuaded to sign and were left unaware that the company possessed a permit covering the entire Kebar Valley area. The company was then able to obtain cultivation rights (HGU; see Annex 1)²⁵ and begin clearing not just of grassland, but of the clans' ancestral forests.

The clans have protested against the loss of their forests and sago groves, although the presence of armed Brimob guards has created an atmosphere of intimidation.²⁶ On 17 November 2017, members of the Mpur ethnic group held an assembly to discuss the issue and produced a joint statement of opposition to the company, which has attracted the support of the Synod of the Evangelical Christian Church in Tanah Papua and the Asian Human Rights Commission.²⁷ Some of the clans affected have attempted to return the money they were given, but the company refuses to accept it.²⁸

MARKET LINKS TO TRADERS AND BRANDS



MAIN PALM OIL COMPANY: GLENEALY PLANTATIONS SDN BHD

Samling is a family-owned group, owned by the Yaw family: Yaw Teck Seng is the founder¹ and Yaw Chee Ming is the CEO of Samling and Managing Director of Glenealy Plantations.² Known concessions appear to have a formal ownership structure.

Neither Samling nor Glenealy is a member of the RSPO and the group has no public NDPE policy. The group does not make maps of its concession boundaries publicly available in a usable format.

Glenealy claimed a total 'plantable area' of 68,679ha in Malaysia, Indonesia, Myanmar and Papua New Guinea as of March 2015, of which 14,545ha were in Indonesia. Of this, 7,682ha were planted, in Sumatra and Kalimantan.³ Aidenvironment research has identified a total landbank of 111,600–116,600ha, including 42,100ha in Indonesia.⁴

Wilmar's grievance tracker records that 'Samling has ... committed to a moratorium on land clearing activities in their Malaysia and Indonesia operation,⁵ although no such commitment appears on the group's website.

GROUP RESPONSE

Greenpeace provided the group the opportunity to comment before publication of this report. No comment was received.

MARKET RESPONSE

Bunge and Mars told Greenpeace that actions had been taken to exclude the group from their supply chains.

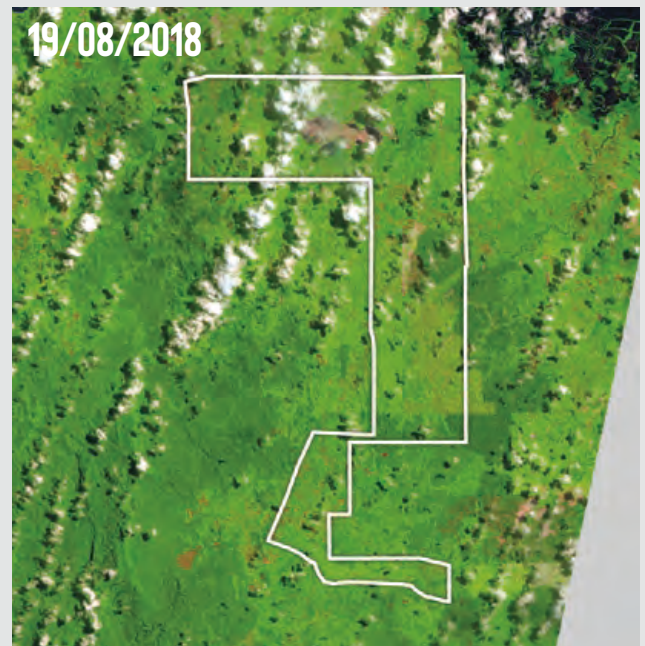
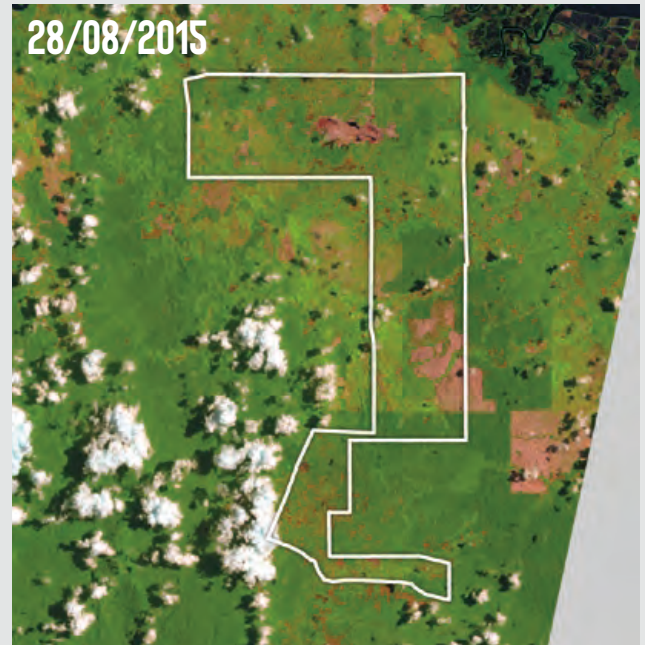
CONCESSION:

**PT TUNAS BORNEO
PLANTATION (PT TBP),
NORTH KALIMANTAN**

**CLEARANCE:
2,868HA**



Some 2,867ha of forest were cleared within the PT TBP concession between 2015 and June 2017, including potential peatland forest.



Concession boundary based on maps from East Kalimantan Plantation Agency (2012).

Satellite image sources: Landsat 8 courtesy of the U.S. Geological Survey.

CONCESSION:

OME OME PROJECT, PAPUA NEW GUINEA, CENTRAL PROVINCE



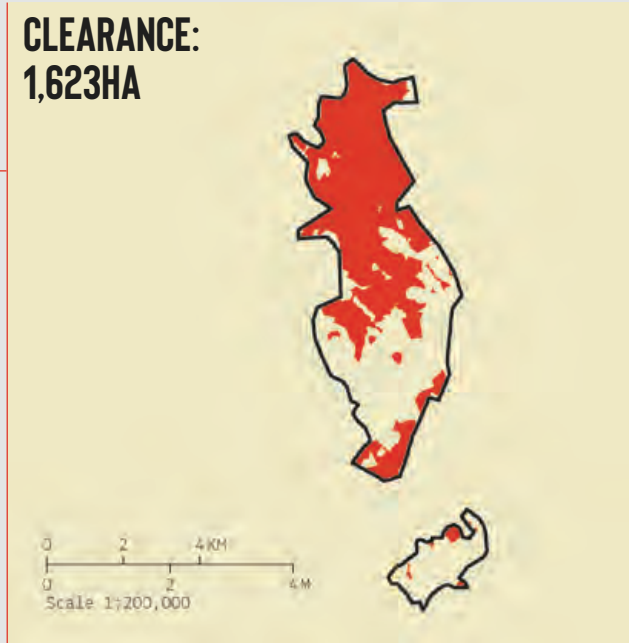
Between 19 April 2015 and 22 February 2018, about 1,625ha of forest were cleared in the Ome Ome Project.

Satellite analysis of fire hotspot data suggests a strong correlation between forest clearance in this concession and outbreaks of fire. Between 2014 and 2017, 74 fire hotspots were recorded in the concession, almost all within previously cleared areas. This suggests that the company may have used fire deliberately during its land clearing process.

Wilmar's grievance tracker records that 'Samling was in the process of divesting their PNG concession in 2017, and the divestment process has officially completed in early 2018'.⁷ In other words, having deforested much of the land – and presumably profited from the sale of the timber – Samling has sold the operation.

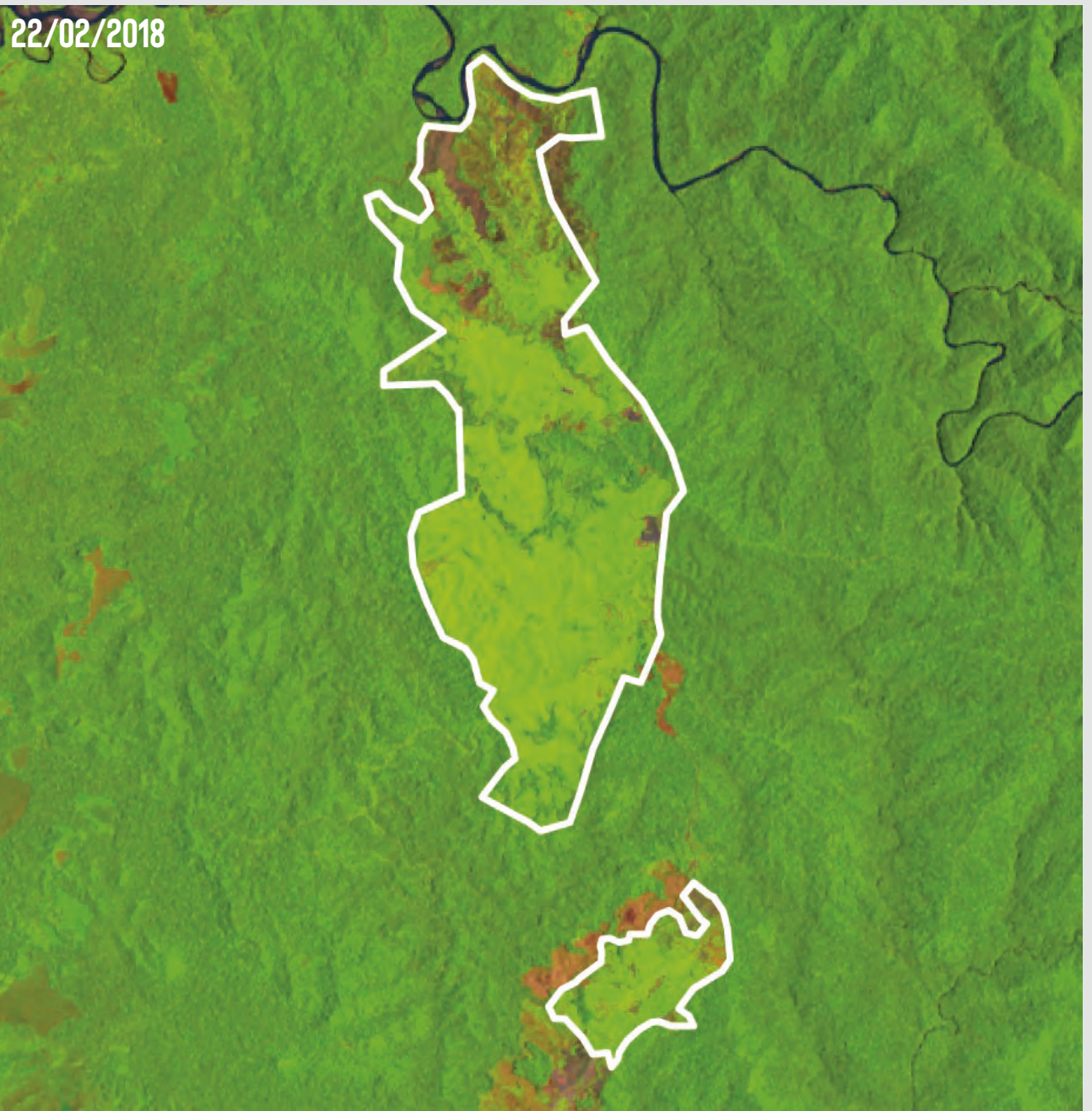
The reported sale does not erase Samling's liability for the deforestation it caused. If anything, it makes the situation worse: the group now has less scope to remedy its NDPE violations. Allowing Samling to continue to supply palm oil to companies with NDPE policies without addressing its deforestation of the Ome Ome Project will just encourage other producer groups to similarly evade their responsibilities by offloading controversial concessions.

**CLEARANCE:
1,623HA**



Concession boundary not available – location based on research article⁶ and location of clearing.

Satellite image sources:
Landsat 8 courtesy of the U.S. Geological Survey.

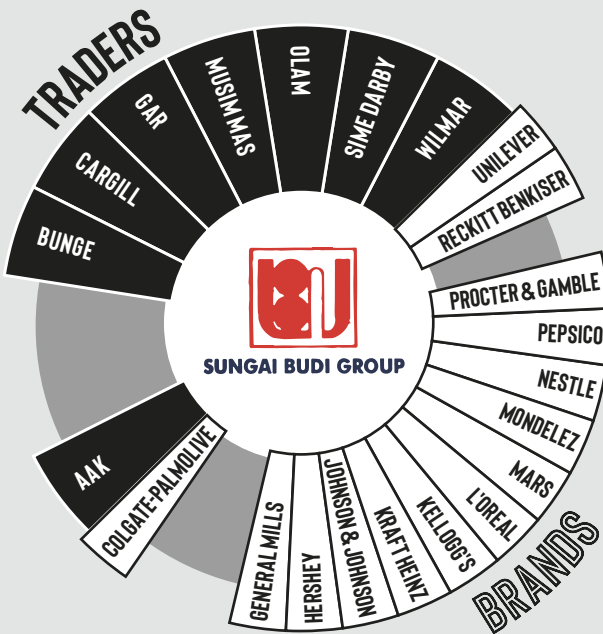


SUNGAI BUDI GROUP



18 November 2017,
PT Samora Usaha Jaya (Sungai Budi), Sumatra,
3°21'41.06"S 105°27'8.47"E
© Aidenvironment

MARKET LINKS TO TRADERS AND BRANDS



MAIN PALM OIL COMPANY: PT TUNAS BARU LAMPUNG TBK

Sungai Budi is a family-owned group, controlled by the Widarto Oey family. Known concessions appear to have a formal ownership structure.

Sungai Budi subsidiary PT Tunas Baru Lampung Tbk (TBL) is a member of the RSPO. It has no public NDPE policy and does not make maps of its concession boundaries publicly available in a usable format.

TBL's website shows a total landbank of 95,393ha for oil palm, in South Sumatra, Lampung and West Kalimantan.¹ The company's 2016 ACOP submission to the RSPO lists only 23,375ha and does not mention land in West Kalimantan,² suggesting that TBL is underreporting its landbank to the RSPO.

In November 2016, the plantation companies PT Dinamika Graha Sarana (PT DGS, majority-owned by TBL's controlling shareholders) and PT Samora Usaha Jaya (PT SUJ, 99% owned by TBL) became the subject of a (pending) Ministry of Environment and Forestry investigation.³ PT DGS obtained a forestland release permit in May 2012 to develop a sugarcane plantation.⁴ However, the released forestland was split into PT DGS and PT SUJ, and PT SUJ started developing an oil palm plantation (see case study below). PT SUJ has a landbank of 27,553ha according to TBL's website.⁵

GROUP RESPONSE

Greenpeace provided the group the opportunity to comment before publication of this report. No comment was received.

MARKET RESPONSE

Bunge, Johnson & Johnson, Mars, Reckitt Benckiser and Wilmar told Greenpeace that actions had been taken to exclude the group from their supply chains.

CONCESSION:

**PT SAMORA USAHA
JAYA (PT SUJ),
SOUTH SUMATRA,
OGAN KOMERING
ILIR DISTRICT**



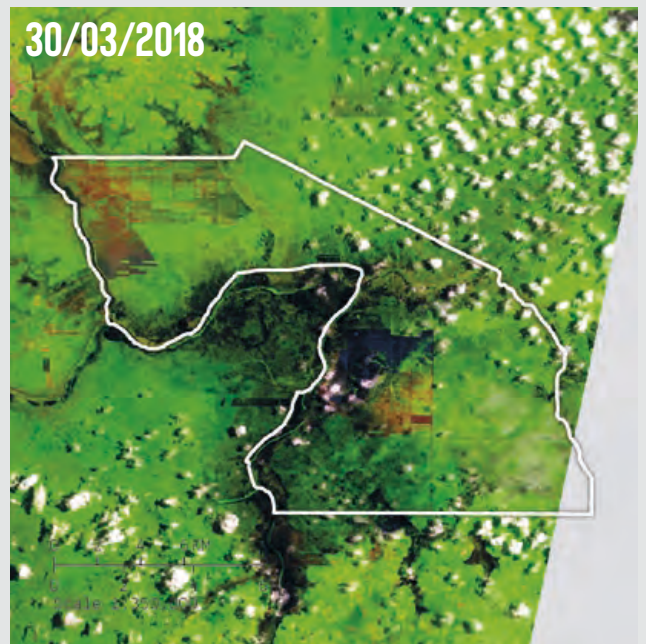
Between 26 June 2015 and 30 March 2018, PT SUJ cleared some 5,535ha of forest, much of this peatland forest including within the government-determined peat protection zone.

Though TBL lists PT SUJ as an oil palm company on its website,⁶ it is apparently also planting sugarcane.

CLEARANCE: 5,535HA



0 2 4 6 KM
0 2 4 6 M
Scale 1:350,000



Concession boundary based on State Forest Release Letter reference SK.249/MENHUT-II/2012 (for PT Dinamika Graha Sarana).

Satellite image sources: Landsat 8 courtesy of the U.S. Geological Survey.

CONCESSION:

**PT SOLUSI JAYA
PERKASA (PT SJP),
WEST KALIMANTAN,
KUBU RAYA DISTRICT**



Between 4 May 2015 and 10 April 2018, PT SJP cleared about 1,415ha of peatland forest, including peatland forest within the government-determined peat protection zone.

**CLEARANCE:
1,414HA**



Concession boundary based on information the company supplied to the RSP0.

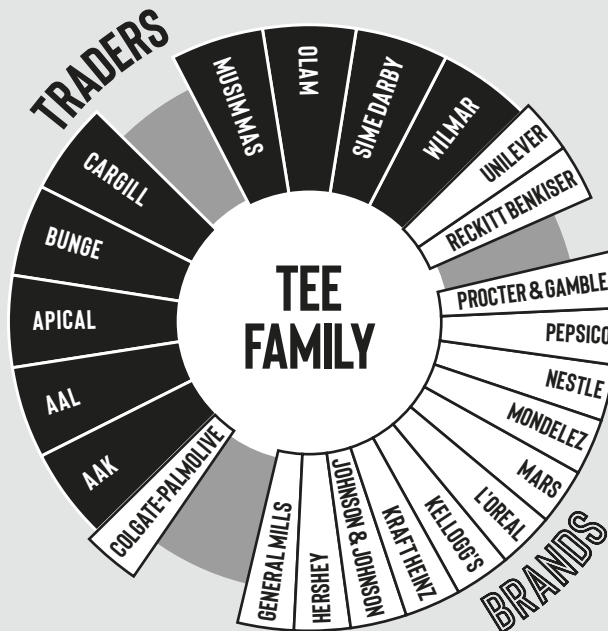
Satellite image sources: Landsat 8 courtesy of the U.S. Geological Survey.



TEE FAMILY



MARKET LINKS TO TRADERS AND BRANDS



MAIN PALM OIL COMPANIES: BEWANI OIL PALM PLANTATIONS LTD, FAR EAST HOLDINGS BHD AND PROSPER GROUP

This is a family group in which formally separate companies owned by members of the same family share operational or managerial control.

The Tee family holds a significant minority of the shares of Far East Holdings Berhad (FEHB),¹ which is listed on the Bursa Malaysia. Prosper Trading Sdn Bhd, one of two major shareholders in FEHB,² is majority-owned by members of the Tee family,³ ten of whom also have individual holdings in FEHB. Tee family members who are FEHB shareholders also hold directorships of FEHB: Tee Cheng Hua is Executive Director, Plantations, while his brother Tee Kim Tee and son Tee Lip Teng are non-executive directors.⁴

According to FEHB's annual reports, its operations encompass 13 palm oil estates covering 21,167ha,⁵ six palm oil mills and a biodiesel plant in Peninsular Malaysia.⁶ The family has interests in another two Malaysian palm oil mills that are not acknowledged by FEHB: Tagar Properties Sdn Bhd (which is majority-owned by Prosper Trading Sdn Bhd and is linked to FEHB through that company and Prosper Palm Oil Mill Sdn Bhd, one of the mill companies that FEHB does acknowledge) and Cheekah-Kemayan Plantations Sdn Bhd (in which Tee Lip Sin – another of the FEHB shareholders – has a significant minority interest). Although the designation appears to have no formal basis, these business interests present themselves collectively as the 'Prosper Group': FEHB's annual reports describe Tee Cheng Hua as the Senior Executive Director and Tee Lip Teng as a director of 'Prosper Group',⁷ while Greenpeace has received correspondence from an individual purporting to be the group's legal manager. Mills (including Tagar Properties Sdn Bhd and Cheekah-Kemayan Plantations Sdn Bhd⁸) are often referred to as belonging to Prosper Group in trader and brand supplier lists.

Nine of the same Tee family members who own stakes in FEHB together own 100% of the Papua New Guinean company Bewani Oil Palm Plantations Ltd (BOPPL).⁹ Tee Kim Tee is a director of the company.¹⁰ The company is subleasing a 139,909ha oil palm concession in Sandaun province, Papua New Guinea.¹¹ In June 2018, BOPPL confirmed that its sister mill Vanimo Green Palm Oil Ltd was due to commence operation;¹² the first shipment was



scheduled to leave in July.¹³ A representative of 'Prosper Group' has denied to Greenpeace that the group has any connection to BOPPL, despite the close family links between the businesses and additional evidence such as the Bewani palm oil project being launched with an official signing ceremony between Prosper Palm Oil Products Marketing Sdn Bhd (a company owned by Prosper Palm Oil Mill Sdn Bhd and its parent company Winners Acres, and of which Tee Lip Teng is a director¹⁴) and the people of Bewani (with the agreement being signed by the then Managing Director of 'Prosper Group', Tee Kim Tee). Strikingly, an article about the ceremony on the website of the Malaysian High Commission in Papua New Guinea¹⁵ appears to have been doctored years after its original publication¹⁶ to remove all references to Prosper Group and Prosper Palm Oil Products Marketing Sdn Bhd, including photographs of press cuttings, with the wording 'Prosper Palm Oil Products Marketing Sdn Bhd, Kelana Jaya, Selangor' being replaced by 'Bewani Oil Palm Plantations Limited'.

In contravention of RSPO rules on group membership,¹⁷ only one company associated with the Tee family is a

member of the RSPO: Future Prelude Sdn Bhd, operator of the aforementioned biodiesel plant belonging to FEHB.¹⁸ No known Tee family-associated company has a public NDPE policy. None of the companies associated with the Tee family makes maps of its concession boundaries publicly available in a usable format.

GROUP RESPONSE

Greenpeace provided the group the opportunity to comment before publication of this report. On 13 September, after expiry of the time window for commenting, Jennifer Lam, legal manager for the Prosper Group, replied, stating that the company was preparing a full reply but that 'we reckon you will not proceed with the publication of the allegations... as they are factually and legally incorrect, clearly defamatory', without elaborating. She failed to provide concession maps for the group's operations.

Greenpeace stands by the findings of this report.

MARKET RESPONSE

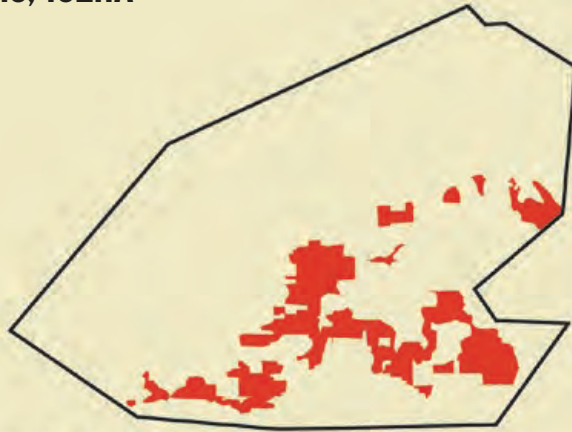
Mars told Greenpeace that actions had been taken to exclude the group from its supply chain.

CONCESSION:

**BEWANI OIL PALM
PLANTATIONS LTD
(BOPPL), PAPUA
NEW GUINEA,
SANDAUN PROVINCE**



**CLEARANCE:
13,462HA**



0 3 6 9 12KM
0 3 6 9 12M
Scale 1: 650,000

Between 25 January 2015 and 28 July 2018, BOPPL cleared some 13,460ha of forest. According to Chain Reaction Research, more than 1,500ha were deforested in 2018.²⁰

The project has a troubled history predating BOPPL's involvement. It was established under a SABL, a type of licence declared invalid in March 2017 by the government of Papua New Guinea,²¹ though this cancellation has not yet been fully enforced. A Commission of Inquiry in 2013 found that 'Informed consent of the landowners ... was not obtained prior to the issuing of the SABL title'²² and that 'Garden areas, sago patches and hunting grounds and other areas of importance to the majority of the people within the SABL area ... were not preserved.'²³ The land is described as '139,909 hectares of virgin tropical rainforest'²⁴ and the means by which the lease was obtained are described diplomatically by

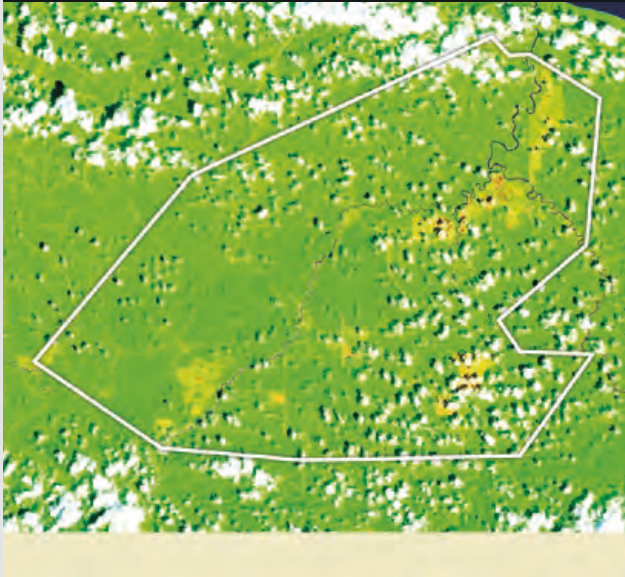
the Commission of Inquiry as 'almost criminal'.²⁵

The Commission's recommendation (which was subsequently quashed, without regard for the correctness of the decision) was that the SABL be 'revoked and reviewed'.²⁶ The local NGO ActNow PNG reports that "Malaysian logging companies" used force to encourage local people to sign over rights to their land,²⁷ and has published accusations by regional leaders that the police and army have been providing support to the company.²⁸ In 2017, InfoSawit reported that BOPPL was sending FFB from its plantation some 76km across the international border from PNG into Indonesia's Papua province to a mill owned by PT Perkebunan Nusantara II²⁹ – the Indonesian government-owned plantation company. As noted above, BOPPL's own mill may now have been commissioned, with oil being shipped directly to the global market.

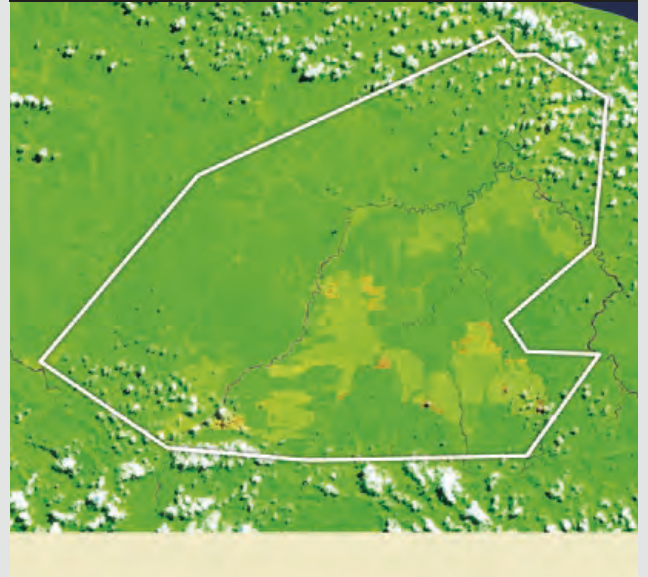


6 April 2016,
Bewani Oil Palm Plantations (Tee),
Sandaun, Papua New Guinea

25/01/2015



28/07/2018



Concession boundary based on Special Agriculture and- Business Lease (SABL), as depicted in Global Witness report Stained Trade.³⁹

Satellite image sources: Landsat 8 courtesy of the U.S. Geological Survey.



7 April 2016,
Bewani Oil Palm Plantations (Tee Family),
Sandaun, Papua New Guinea
3°6'19.548"S 141°23'8.892"E







31 March 2018, Papua
© Ifansasti/Greenpeace

ANNEXES AND APPENDICES

LEGAL PERMITS REQUIRED TO ESTABLISH AND DEVELOP AN OIL PALM PLANTATION

PERMIT PROCESS

Industrial-scale oil palm plantations in Indonesia require permits both to establish land rights and to develop the land. The process includes the following permits, guidelines and legal documents:

1. Usually, an Indonesian limited company (*Perseroan Terbatas*; PT) must be established. Regulations limit the area of oil palm plantation held per company or group of companies to 20,000ha per province,¹ and nationally to a total of 100,000ha. The maximum total area is doubled to 40,000ha for operations located in Papua and West Papua provinces. Exceptions are made for cooperatives, state-owned companies and publicly listed companies where the majority of shares are held by the public.²
2. District governments may issue preliminary documents with names such as in-principle permit (*Izin Prinsip*), land information permit (*Izin Info Lahan*) or in-principle location referral (*Persetujuan Prinsip Arahkan Lokasi*) indicating that a company is allowed to survey the land and to consult with landowners.
3. A location permit (*Izin Lokasi*) is issued by the district head (*bupati*) or by the provincial governor where the permit area falls across two districts.³ Regulations state that neither location permits nor in-principle permits may be issued outside areas where plantation development is permitted according to the district spatial plan.⁴ The location permit itself does not give a company landholding rights;⁵ it gives the company the opportunity to seek to acquire those rights from the state or from private landholders, as the case may be, through appropriate compensation payment once landholders' agreement is secured.⁶ The acquisition should be based on consultations with the current landowners, including the Ministry of Environment and Forestry (MoEF), other plantation companies and local communities.

Under regulations in place since 1999 and updated in 2015, location permits are valid for three years⁷ with a further year's extension possible in cases where a company has acquired rights over more than 50% of the land within the

location permit area.⁸ Previously, under the 1993 regulations, a location permit was limited to one year, with a maximum extension of one year.⁹

Where a company secures rights over more than half the location permit area before the permit period (plus extension) expires, the location permit area is reduced accordingly and subsequent steps in the plantation permitting process may continue. Where rights have not been secured or have been secured over less than half the area, the concession is forfeited.¹⁰

4. State Forest (*Kawasan Hutan Negara*) is a legal designation and does not necessarily indicate the presence of natural forest in an area. Where the area of interest designated under the location permit includes State Forest, the MoEF must approve the release of forestland through a State Forest Release Letter (*SK Pelepasan Kawasan Hutan*), and the land area must be delineated and its status converted to 'other land uses' (*Areal Penggunaan Lain*; APL).¹¹ Conducting land clearing and other operations within State Forest prior to the completion of the release process is a criminal offence under forestry law.¹² Only 'convertible production forest' (*Hutan Produksi Yang Dapat Dikonversi*; HPK) may be released.¹³
5. An environmental permit (*Izin Lingkungan*) is issued when the regional environmental impact assessment commission (*Komisi AMDAL Daerah*) is satisfied with the environmental impact assessment (*Analisis Mengenai Dampak Lingkungan*; AMDAL). An environmental impact assessment consists of an Environmental Impact Study (*Analisis Dampak Lingkungan Hidup*; ANDAL), an Environmental Monitoring Plan (*Rencana Pemantauan Lingkungan Hidup*; RPL) and an Environmental Management Plan (*Rencana Pengelolaan Lingkungan Hidup*; RKL).

Under the original Plantation Law 2004,¹⁴ and continuing under the current Plantation Law 2014,¹⁵ a plantation business permit must not be issued to a company until it has produced an environmental impact assessment. Since 2009 it has been a criminal offence under environmental law to operate without this permit.¹⁶

The Plantation Law requires environmental monitoring, risk analysis and adherence to the environmental plan.¹⁷ It also requires the government to involve the community in monitoring companies,¹⁸ and requires companies to carry out their own reporting. The law states that such reporting 'constitutes public information which must be published and be made openly available to the public'.¹⁹ The Environment Law 2009 also enshrines the public right to access environmental information, including environmental impact assessments, environmental monitoring and government monitoring of companies' legal compliance.²⁰

6. A plantation business permit (*Izin Usaha Perkebunan*; IUP) is issued by the district head or by the provincial governor, where the area falls across more than one district. It allows a company to develop a nursery and carry out land preparation and clearing on undisputed land within the area covered by the location permit. It provides no rights to land but is merely a licence to operate; operating without one is a criminal offence.²¹

Plantation business permits must only be issued over areas permitted under district spatial plans,²² and cannot be issued prior to an environmental permit.²³ IUPs must not be issued over indigenous lands, except where the consent of traditional landowners has been obtained;²⁴ breaching this protection is punishable by up to five years' imprisonment.²⁵

7. Plasma is the name for community plantations that a company must facilitate for the benefit of people living in the area surrounding its plantation. Plasma should cover at least 20% of the total company concession area and must be established within three years of securing a plantation business permit.²⁶ Funding assistance is to be provided in the form of credit, profit sharing or similar.
8. Under Indonesia's Basic Agrarian Law, all land is ultimately owned by the state.²⁷ After being granted a location permit and completing acquisition negotiations over the land it intends to use to establish a plantation, a company must apply for a land use permit, known as land cultivation right (*Hak Guna Usaha*; HGU).²⁸ Land cultivation right is a

temporary land title in the form of an HGU certificate issued by the National Land Agency (*Badan Pertanahan Nasional*; BPN)²⁹ and is valid for up to 35 years, extendable for up to a further 25 years.³⁰ Land cultivation right may be used as collateral for loans and may be transferred to another company. Only Indonesian citizens and companies incorporated in Indonesia, including foreign investment companies, can be granted land cultivation right.

Legally, land cultivation right is granted only over non-State Forest land (APL; see [4] above). Time limits apply: companies are required to obtain land cultivation right within two years of receiving a plantation business permit³¹ and where a company has been required to obtain a State Forest Release Letter (see [4] above),³² the forest release may be cancelled if the company fails to obtain an HGU certificate within one year.³³

Land cultivation right must be secured before a company commences plantation operations.³⁴

The Indonesian Sustainable Palm Oil (ISPO) standard, introduced by the government in 2011, is mandatory for all large plantation companies. The standard, which largely seeks to ensure compliance with existing legislation, specifically requires companies to have an HGU certificate (criterion 1.4) and is explicit about legal requirements regarding land and permits.³⁵

9. A timber utilisation permit (*Izin Pemanfaatan Kayu*; IPK) must be obtained by a plantation company or its contractor prior to clearing any forest with remaining, commercially viable standing timber.³⁶ The IPK is not directly connected to the land acquisition permits and plantation business permit.

To obtain an IPK, a timber stand survey must be conducted to estimate royalties payable. These include stumpage fees (*Penggantian Nilai Tegakan*) and Reforestation Fund (*Dana Reboisasi*) contributions.³⁷ Based on the survey, the company must deposit a bank guarantee for 100% of the expected yield. Thereupon, if an environmental permit and (where applicable) a State Forest Release Letter have been submitted, the IPK will be issued by the local Forestry Office.



22 September 2017,
Gunung Palung National Park,
Kalimantan
©Sukarno/Greenpeace

ANNEX 2:

PRODUCER GROUP IDENTIFICATION AND CASE STUDY SELECTION

The palm oil producer group profiles and case studies presented here focus on groups' involvement in deforestation and peatland clearance. Spatial analysis exposing these violations of NDPE policies can be carried out quickly and remotely. The companies responsible can choose to end clearance activities immediately. Violations of the social component of NDPE policies (including failure to obtain the free, prior and informed consent (FPIC) of affected communities; reliance on the coercive presence of security forces; and use of child or forced labour) are just as important as deforestation and peatland destruction but are much harder to monitor and often slower to rectify. In this report, some social issues have been noted where information was available (eg with regard to PT Austindo Nusantara Jaya); however, identifying such violations was not the primary objective.

The producer groups discussed in this report are generally listed under the group names traders are likely to be familiar with, though these sometimes appear under the 'Main palm oil company' heading in cases where the group also has other interests (eg Lembaga Tabung Haji/TH Plantations) or where the group structure is informal and the key family or individual has control of more than one major palm oil company (eg Salim/IndoAgri). The list of groups is not comprehensive, nor do the case studies for each group constitute a complete review of their violations.

The analysis underlying the profiles and case studies is based primarily on a review of publicly available

information. Primary sources of information used included RSPO Annual Communications of Progress (ACOPs) and producers' annual reports and stock market disclosures, as well as official Indonesian, Malaysian or Singaporean corporate registry profiles, which detail current and historic shareholders, commissioners and directors in addition to registered addresses for companies. Social network profiles (eg Facebook, Instagram, LinkedIn), media reports, court transcripts and other public domain sources were also drawn upon, while photographs and testimonies from workers, members of affected communities and reports from other NGOs provided supporting evidence.

While every effort has been made to keep information up to date and reflect current ownership structures, many of the producer groups discussed frequently restructure the ownership or management of their plantation companies – perhaps in part to obscure their true control. The full extent of a group's control of plantation companies and mills may therefore be underestimated.

Prior to publication Greenpeace contacted all the producer groups discussed in this report to offer them the opportunity to comment on the findings. Responses received can be viewed in full at the following location: https://drive.google.com/drive/folders/1GOCTrTgu-_LVZsSLm8ToLBBYdSHL3uZI?usp=sharing.

ANNEX 3:

MAPPING METHODOLOGY FOR THIS REPORT

1 September 2005,
Lake Murray, Papua New Guinea
©Sewell/Greenpeace



Public availability of concession information is an important vehicle for limiting the corruption that drives deforestation, verifying that FPIC is upheld and ensuring accountability across the palm oil sector. Accurate and publicly available official maps showing the concessions belonging to each producer group would demonstrate who controls the forests – and thus play a key role in identifying who is responsible for deforestation, peatland development and social conflict. Combining such maps with satellite imagery allows improved analysis and monitoring of land clearance, planting and other plantation activities. However, neither the governments of Indonesia or Malaysia, nor any of the major palm oil producer groups currently publish in a usable format up-to-date maps of all their palm oil concession boundaries and ownership.

Prior to publication Greenpeace contacted all the producer groups discussed in this report to request comprehensive and current lists and maps of group mills and concessions. Most did not respond to this request. The partial exceptions are POSCO, which holds only one concession, and IOI which has recently published boundaries for its Indonesian concessions but claimed in a letter to Greenpeace that it is prevented by law from doing so for its Malaysian concessions.

At present, therefore, information about concession boundaries (as well as about concession and mill ownership – see above) must be pieced together from a variety of sources, which may be incomplete, out of date or inaccurate. The case studies in this report are based on the best available concession maps, usually obtained by requesting documents from the licensing agencies and digitising maps from individual concessions' permit documents. (See Annex 1 for an explanation of the plantation permit process.) In determining boundaries for case studies, permits from later in the process

have been preferred where available (eg HGU boundaries are preferred to *Izin Lokasi* boundaries). Boundaries have been checked against (or, in the absence of other sources taken from) RSPO New Planting Procedure (NPP) documents where these are available.

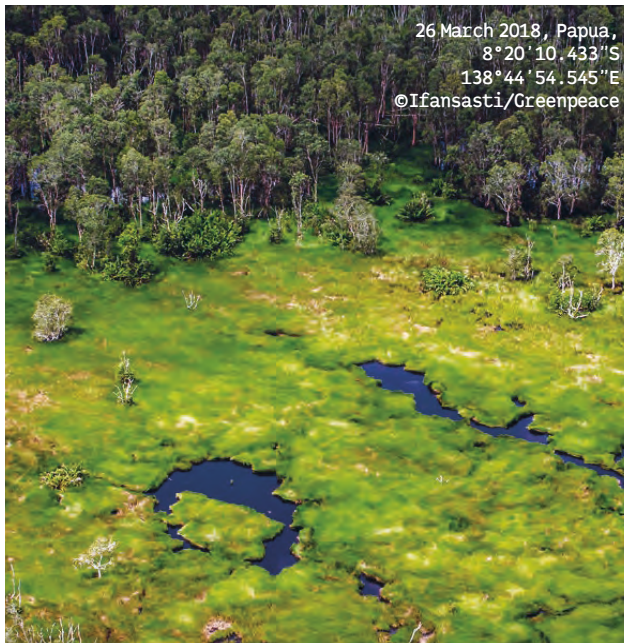
In some cases, where no official permit information or NPP documents are available, concession ownership and location can only be inferred from local media sources or by observing clearance and plantation development by means of satellite imagery. The satellite imagery used for the case studies in this report is from USGS, ESA and Planet Inc (Landsat 5, 7 and 8 and Sentinel 2, Planet) accessed through Google Earth Engine, Landviewer and www.planet.com. In some cases, imagery was compiled from different dates (eg over a month) to provide a relatively cloud-free view. Satellite image analysis to identify deforestation, development and planting was carried out by Aidenvironment and Greenpeace.

In order to identify plantation development within known concessions on forestland, satellite images from 2015, 2017 and 2018 were overlaid with concession boundaries and official landcover maps were analysed using GIS (Geographical Information System) software. Presence or absence of forest was confirmed visually, and areas of forest loss measured. To identify deforestation on peatland or within the government-determined peat protection zone and loss of orangutan habitat, areas with forest loss were overlaid with peat and habitat maps. In all but one case study (PT LAIK), both recognised peatland maps used confirmed the presence of peat. In the case of PT LAIK, only the Wetlands International map showed peat. The analyses presented here do not include an assessment of loss of high carbon stock (HCS) forest, which requires detailed field work.

ANNEX 3: SOURCES

INITIAL IDENTIFICATION OF LAND COVER:

MoEF (2015) National Forest Monitoring System http://nfms.dephut.go.id/ArcGIS/rest/services/LandcoverRC_Upd/LandcoverRC_2013_Upd/MapServer accessed September 2015



PEATMAPS:

MoEF (2017) 'Peat ecological function' http://geoportal.menlhk.go.id/arcgis/rest/services/KLHK_EN/Peat_Ecological_Function/MapServer

Ritung S et al (2011) 'Map of Indonesian peatlands at 1:250,000 scale / Peta lahan gambut Indonesia skala 1:250.000'

Wahyunto et al (2003–2006) 'Maps of peatland distribution area and carbon content in Sumatra (2003), Kalimantan (2004) and Papua (2006) / Peta-peta sebaran lahan gambut, luas dan kandungan karbon di Sumatera (2003), Kalimantan (2004) dan Papua (2006)' Wetlands International – Indonesia Programme & Wildlife Habitat Canada (WHC)

ORANGUTAN HABITAT:

IUCN/SSC Conservation Breeding Specialist Group (2017) 'Final report: Orangutan population and habitat viability assessment' <http://forina.or.id/orangutan-population-and-habitat-viability-assessment-2016/>





1 April 2018, PT Inocin Abadi (Korindo), Papua,
6°51'37.374"S 140°41'23.483"E
©Ifansasti/Greenpeace

©Hamilton/Greenpeace



ANNEX 4:

NOTE ON ANALYSIS OF TRADER DASHBOARDS AND IDENTIFICATION OF GROUP CHAIN-OF-CUSTODY LINKS

In the last two years, many palm oil traders have taken a welcome step towards transparency and the implementation of NDPE commitments by publishing details of the mills that supply them, usually as part of the online ‘sustainability dashboards’ on which they publish statistics relating to their progress towards their NDPE commitments. Since the palm oil industry is vertically integrated, with most traders engaging in refining of crude palm oil (CPO) and palm kernel oil (PKO) and manufacturing oleochemicals and specialty fats, this information is often presented in the form of summary reports for each of the trader’s downstream processing units, showing the originating mills for all the palm oil or PKO that has entered that unit. Identifying information for each mill may include GPS coordinates, the name of the plantation company that owns the mill (referred to as the ‘third-party supplier’) and/or the ultimate group owner (parent company).

For this report we analysed mill data from the following palm oil traders, covering the most recently available periods as of May 2018, as noted: AAK (undated, published May 2018),³⁸ Apical (Q4 2017–Q1 2018),³⁹ Cargill (Q4 2017),⁴⁰ Bunge Loders Croklaan (Jan–Dec 2017, for what were at the time IOI Loders Croklaan’s downstream processing units),⁴¹ GAR (Jan–Dec 2017),⁴² Musim Mas (Q4 2017–Q1 2018),⁴³ Olam (2017),⁴⁴ Sime Darby (Jan–Sep 2018)⁴⁵ and Wilmar (Jan–Dec 2017).⁴⁶ (Some dashboards may now have more recent data available.) IOI Group’s mill lists⁴⁷ for its refineries not acquired by Bunge have now been made public, as have the lists of mills in the supply chains for Fuji Oil,⁴⁸ Louis Dreyfus Corporation⁴⁹ and Mewah,⁵⁰ but these were not available at the time of analysis and are therefore not included in this report.

Traders that have not made details of their mill supply bases publicly available include Astra Agro Lestari and KLK.

Despite the large number of traders that have made their mill data available, and despite consumer brands ostensibly having access to their suppliers’ mill data, prior to 2018 no consumer brand published full details of the mills and producer groups that produced the palm oil that it received from its suppliers. In January 2018, therefore, Greenpeace challenged a number of consumer brands with NDPE commitments to publish lists of the mills in their palm oil supply chains, along with the producer groups controlling those mills.⁵¹ Several brands rose to this challenge, and more continue to follow, although – as noted below – the quality of the information is variable and generally brands significantly underreport their exposure to producer groups.

For this report, we analysed the published mill information of the following brands, covering the time periods indicated: Colgate–Palmolive (2017),⁵² Danone (2017),⁵³ Ferrero (January–June 2017),⁵⁴ General Mills (undated, published March 2018),⁵⁵ The Hershey Company (January–June 2017),⁵⁶ Johnson & Johnson (2017),⁵⁷ Kellogg Company (2017),⁵⁸ L’Oréal (2017),⁵⁹ Mars (2016),⁶⁰ Mondelēz International (undated ‘snapshot’, published March 2018),⁶¹ Nestlé (‘snapshot November 2017’),⁶² PepsiCo (2017),⁶³ P&G (2017),⁶⁴ PZ Cussons (undated, published March 2018),⁶⁵ Reckitt Benckiser (2017)⁶⁶ and Unilever (2017).⁶⁷ Kraft Heinz recently published links to the most recent mill lists of its main palm oil suppliers (AAK, ADM and Sime Darby), which we have taken as the brand’s most recent mill information.⁶⁸

Smuckers did not respond to our request to publish lists of the mills in its supply chain.

Disclosures by traders and brands are not standardised, with the scope and the quality of the traceability data varying widely. Greenpeace analysis revealed a range of omissions, inaccuracies and discrepancies. Notably, information on the producer groups owning the mills is often out of date, incomplete or missing entirely. Mill names are spelled inconsistently and GPS coordinates are not universally provided. Many of the producer groups identified in this report incorporate several discrete subgroups; when asked about their exposure to these producer groups, some traders or brands responded that they were not exposed to a particular subgroup, while not commenting on their relationship with the producer group as a whole, even though their disclosed mill data revealed supply from other parts of the group that they failed to identify.

In view of the deficiencies in the data provided by brands, traders and producers, Greenpeace’s analysis of the trading relationships between the 25 problematic producer groups reviewed in this report and the global market is based on our own extensive working data sets, identifying groups’ known concessions, mills and refineries. Data sources include company annual reports and websites, corporate registry profiles, permits and RSPO/ISPO documentation, as well as the available concession mapping as described in Annex 3. In assigning probable current group-level ownership to the mills disclosed in brand and trader traceability data, we have defined and applied a source hierarchy to determine which sources are most accurate, authoritative and up-to-date, in cases where multiple sources are available.⁶⁹



APPENDIX 1:

CHAIN REACTION RESEARCH'S 52 LEAKAGE REFINERS



12 November 2007, Dumai, Riau
©Åslund/Greenpeace

As part of the research for its November 2017 report on refiners that are not compliant with NDPE requirements,⁷⁰ Chain Reaction Research identified a total of 52 leakage refiners:⁷¹

- 3F Group (India)
- Agri Asia Group (Indonesia)
- Agro Jaya Perdana (Indonesia)
- Almarbaee Holding Company (Saudi Arabia)
- BCL Industries & Infrastructure (India)
- BEST Group (Indonesia)
- Bina Karya Prima (Indonesia)
- Bintang Tenera (Indonesia)
- BL Agro Oils (India)
- BLD Plantation (Malaysia)
- Camela (Nigeria)
- Chinatex Corporation (China)
- Deli Muda (Indonesia)
- Dutapalma/Darmex (Indonesia)
- Edible Group (India)
- EFKO Group (Russia)
- Emami Group (India)
- Felda IFFCO (Malaysia)
- Gokul Group (India)
- Great Wall Enterprise (Taiwan)
- Green Ocean (Malaysia)
- Hasil Karsa Group (Indonesia)
- Incasi Raya (Indonesia)
- Keck Seng Group (Malaysia)
- Kretam Holdings (Malaysia)
- Kurnia Tunggal (Indonesia)
- Kwantas Corporation (Malaysia)
- Lam Soon Group (Malaysia)
- Muridke Refine Oil Mills (Pakistan)
- MVO (Malaysia)
- Nisshin Oil (China)
- Pacific Inter-Link (PIL)/HSA Group (Malaysia/Yemen)
- Pamina Adolina (Indonesia)
- Royal Industries/Royal Group (Indonesia)
- Ruchi Soya Industries (India)
- Sangsook Industry (Thailand)
- Sarawak Oil Palms (Malaysia)
- Sarimas (Indonesia)
- SARL Group (India)
- Sawit Asahan Tetap Utuh (Indonesia)
- Sawit Kinabalu SDN BHD (Malaysia)
- Sawit Raya (Malaysia)
- Senari Synergy (Malaysia)
- Sheel Chand Agroils (India)
- Siat (Nigeria)
- Soon Soon (Malaysia)
- Southern Group (Malaysia)
- SSD Oil Mills Company (India)
- Syarikat Kion Hoong Cooking Oil Mills (Malaysia)
- Tunas Baru Lampung (Indonesia)
- Uni-President Enterprises (China)
- Yee Lee Group (Malaysia)

ENDNOTES

PART 1

1. Consumer Goods Forum (2010)
2. Wilmar International Ltd (2013b) p8
3. Chain Reaction Research (2017c)
4. Greenpeace mapping analysis
5. Wilmar International Ltd (2013b)
6. Unilever (2018)
7. Cartwright J (2016)
8. Greenpeace mapping analysis. See also Wijaya A et al (2017) and Gaveau DFL et al (2016).
9. Figures cover loss of natural forest. Sources: 1990–2012: MoEF (2016b) Table Annex 5.1, pp90–1 – gross deforestation 21,339,301ha 2012–2013: MoEF (2014) Lampiran 1, Tabel 1.1 – gross deforestation 953,977ha 2013–2014: MoEF (2015) Lampiran 1, Tabel 1.1 – gross deforestation 567,997ha 2014–2015: MoEF (2016a) Lampiran 1, Tabel 1.1 – gross deforestation 1,223,553ha
10. UK total area: 24,249,500ha (source: https://en.wikipedia.org/wiki/United_Kingdom)
11. Greenpeace mapping analysis
12. Greenpeace mapping analysis
13. GFED website '2015 fire season' and Harris N et al (2015)
14. Koplitz SN et al (2016)
15. World Bank Group (2016)
16. Luskin MS, Albert WR & Tobler MW (2017)
17. Voigt M et al (2018)
18. Greenpeace mapping analysis
19. IUCN Red List of Threatened Species website 'Elephas maximus ssp. sumatranus'
20. Briggs H (2017)
21. International Rhino Foundation website 'Sumatran rhino (Dicerorhinus sumatrensis)'
22. Meijaard E et al (2018) p75
23. Mongabay.com (2016)
24. Jong HN (2018)
25. Several examples are detailed in the case studies in Greenpeace International (2017a). See also RSPO website 'Case tracker: PT Nabire Baru' (Goodhope), Environmental Investigation Agency & Telepak (2012) (Noble), RSPO website 'Case tracker: PT Henrison Inti Persada subsidiary of RSPO member Noble Plantation Pte Ltd' (Noble), Langowuyo Y (2014) (Rajawali) and Thoumi G (2017) (Salim).
26. Amnesty International (2016b)
27. OPPUK, Rainforest Action Network & International Labor Rights Forum (2017)
28. See eg TNS (2015).
29. See eg Bellantonio M et al (2017), Mighty Earth (2017b) and Harvey F (2017).
30. Delegation of the European Union to Malaysia (2018)
31. SPAR (2018)
32. Iceland website 'Palm oil'
33. Consumer Goods Forum (2010)
34. Forest Trends (2017) p3
35. Greenpeace International (2018a)
36. Greenpeace International (2017c)
37. Greenpeace International (2018a)
38. Ling LS (2016)
39. RSPO website 'GeoRSPO – RSPO mapbuilder app'
40. Kuok KH (2018b)
41. Greenpeace analysis; see also eg Gore-Langton L (2017)
42. Wilmar International Ltd (2018a) p4
43. RSPO website 'Wilmar International Limited'
44. Wilmar International Ltd (2013a)
45. Steering Group on No Deforestation and the High Carbon Stock Approach (2015) p5
46. Greenpeace International (2018c)
47. Greenpeace International (2018c)
48. Wilmar International Ltd (2018a) p24
49. Daubach T (2018)
50. Wilmar International website 'Tropical oils: Plantations'
51. Wilmar International website 'Oil palm plantation Mar 2017'
52. Frazer S (2015)
53. First Pacific Company Ltd (2017) p239
54. RSPO website 'Case tracker: PT Permata Hijau Pasaman 1 (Wilmar International Ltd)'
55. RSPO website 'Case tracker: PT Bumi Sawit Kencana II'
56. Forest Peoples Programme (2018)
57. Amnesty International (2016a)
58. Kiezebrink V (2017)
59. Greenpeace analysis of Wilmar refinery summary reports and mill lists (source: Wilmar International website 'Supply chain map')
60. Wilmar International Ltd (2013a)

61. Kuok KH (2018a)
62. George P (2018)
63. Wilmar International Ltd (2018d)
64. Greenpeace analysis of Wilmar refinery summary reports and mill lists (source: Wilmar International website 'Supply chain map')
65. Unofficial translation. The original reads 'Kelompok (group) Perusahaan Perkebunan adalah kumpulan orang atau badan usaha perkebunan yang satu sama lain mempunyai kaitan dalam hal kepemilikan, kepengurusan, dan/ atau hubungan keuangan'. Source: Minister of Agriculture (2013) p4.
66. RSP0 (2013a)
67. Minister of Agriculture (2013) p4 (unofficial translation)
68. Council on Ethics for the Government Pension Fund Global (2015b) p1
69. RSP0 (2017) pp6-7, clause 5.2
70. Wilmar International Ltd (2013a)
71. Bumitama Agri Ltd (2015b) p7
72. President of the Republic of Indonesia (2018)
73. ABNR (2018)
74. Defined in the regulation as 'an individual who enjoys the power to appoint and remove the directors, commissioners, managers, trustees, or supervisors of a corporation, who has control over the corporation, who is entitled to receive, and/or actually receives, direct or indirect benefit from the corporation, who is the true owner of the assets or share capital of the corporation, and/ or who satisfies the other criteria set out in this Presidential Regulation' (source: ABNR (2018)).
75. ABNR (2018)
76. Chain Reaction Research (2017c) p1
77. Chain Reaction Research (2017c) p7
78. Chain Reaction Research (2017c) p2
79. Chain Reaction Research (2018c) pp8-9
80. Chain Reaction Research (2017c) pp7-8
81. TFT Transparency Hub website 'Palm oil Indonesia update: December 13, 2016'
82. Pearce F (2014)
83. TFT website 'Members' and 'Clients'
84. Proforest website 'About us - Implementing responsible practices'
85. TFT (2017b) p2
86. TFT (2017a)
87. Brandeis L (1914) p92
88. Tempo.co (2014) and Greenpeace International (2014)
89. High Carbon Stock Approach website 'The HCS Approach toolkit'
90. HCVRN & HCSA (2017)
91. Conversion cut-off dates are common practice in certification schemes; when properly enforced they discourage deforestation by ensuring that producers know they will be unable to sell their products if they continue to clear forest. Trade with producers that have cleared forest or developed peatlands after the cut-off date should be suspended unless the producer commits to restoring the relevant areas (and to obtaining independent third-party verification that all its plantations are now NDPE-compliant).
92. Using the Palm Oil Innovation Group (POIG) Verification Indicators or equivalent; see POIG (2016).

ENDNOTES

CASE STUDIES

ANGLO-EASTERN PLANTATIONS

1. Anglo-Eastern Plantations PLC (2017) p37
2. Anglo-Eastern Plantations PLC (2017) p27

AUSTINDO NUSANTARA JAYA

1. PT Austindo Nusantara Jaya Tbk (2017) p32
2. The Nature Conservancy Indonesia (2017)
3. PT Austindo Nusantara Jaya Tbk (2016b)
4. PT Austindo Nusantara Jaya Tbk (2018) pp28
5. PT Austindo Nusantara Jaya Tbk (2016a) p7
6. Sudaka S (2016)
7. PT Austindo Nusantara Jaya Tbk (2017) pp132, 136
8. RSPO website 'New planting procedures public notification'
9. See for instance the Peat Ecological Function map (http://geoportal.menlhk.go.id/arcgis/rest/services/KLHK_EN/Peat_Ecological_Function/MapServer).
10. Moran S (2017)
11. Yaacob S (2018)
12. Yaacob S (2018)
13. RSPO website 'New planting procedures public notification: PT Austindo Nusantara Jaya – PT Permata Putera Mandiri' and 'New planting procedures public notification: ANJA – PT Putera Manunggal Perkasa'
14. HCV Resource Network website 'Ongoing and historical evaluations of assessment reports' accessed 22 November 2017. At the time of writing the assessment is under appeal.
15. Google Earth Engine, Landsat 7 and 8 imagery
16. awasMIFEE (2017a)
17. Suara Pusaka (2015c)
18. Suara Pusaka (2015a) and Suara Pusaka (2015b)

19. Mucholik I (2016). The judges accepted ANJ's argument that the case should also have included the individuals who had accepted money from the company.
20. awasMIFEE (2017d)
21. Yayasan Pusaka et al (2017)
22. awasMIFEE (2017d)

BUMITAMA

1. To aid comprehension, the term 'Bumitama' is used throughout this section when referring to companies owned, controlled or managed by the officially recognised parent company, ie Bumitama Agri Ltd (BAL) and its subsidiaries. When describing explicit ownership links between companies, the term 'BAL' is used.
2. Held through Wellpoint Pacific Holdings Ltd, a wholly owned subsidiary of Fortune Holdings Ltd. Source: Bumitama Agri Ltd (2018a) p142.
3. Held through Oakridge Investments Pte Ltd and Lynwood Capital Resources Pte Ltd, both wholly owned subsidiaries of IOI Corporation Berhad. Source: Bumitama Agri Ltd (2018a) p142.
4. Castle J et al (2007) p82
5. IOI Group website 'Dato' Lee Yeow Chor'
6. Bumitama Agri Ltd website 'Dato' Lee Yeow Chor'
7. Bumitama Agri Ltd (2018a) pp2, 154
8. Bumitama Agri Ltd (2013) p101; Bumitama Agri Ltd (2018a) p97
9. For example, the PT Gunajaya Harapan Lestari (PT GHL) and PT Golden Youth Plantation Indonesia (PT GYP) concessions were managed by Bumitama under the GHL Cooperation Agreement and the GY Cooperation Agreement for several years from 2011 while they continued to be owned by members of the Lim Hariyanto family. Source: Bumitama Agri Ltd (2012) p33; see also Bumitama Agri Ltd (2014b).
10. Corporate registry profiles; see case studies for details.
11. RSPO website 'Bumitama Agri Ltd'
12. Bumitama Agri Ltd (2015b)
13. Bumitama Agri Ltd (2018a) pp98–9
14. Bumitama Agri Ltd (2018a) p3
15. Bumitama Agri Ltd (2012) p25
16. Bumitama Agri Ltd (2012) p32
17. Bumitama Agri Ltd (2012) p47. 'Title' here refers to HGU and/or freehold (Hak Milik).
18. Bumitama Agri Ltd (2012) p45: '(a) Ijin Prinsip of 11,104 hectares, of which 8,684 hectares have expired Ijin Prinsip; (b) Ijin Lokasi of 136,320 hectares, of which 111,820 hectares have expired Ijin Lokasi'.
19. Bumitama Agri Ltd (2012) p175
20. Bumitama Agri Ltd (2012) p46: '(c) Hak Guna Usaha of 32,729 hectares; and (d) Plasma Programme of 11,795 hectares where the plasma holders have obtained their own Ijin Lokasi and/or Hak Milik'.
21. See, for example, RSPO (2013a)
22. RSPO website 'Complaints'
23. Bumitama Agri Ltd (2016d) p100 regarding the acquisition of PT Nabati Agro Subur
24. Bumitama Agri Ltd (2016b) p1 regarding the acquisition of PT Langgeng Makmur Sejahtera
25. Bumitama Agri Ltd (2016a) p4 regarding the acquisition of PT Damai Agro Sejahtera
26. Mach M (2017a)
27. Corporate registry profiles
28. Corporate registry profile for PT GHL; Bumitama Agri Ltd website 'Contact us'
29. 'Pursuant to the GY Cooperation Agreement and GHL Cooperation Agreement, the Group will (i) manage and operate the plantations of GMS and GHL in return for a management fee; (ii) have the exclusive right to purchase any FFB produced from

- the plantations of GMS and GHL; and (iii) have a call option over up to 95% and 80% of the total issued shares in GMS and GHL (i.e. the GY Call Option and the GMS Call Option), respectively.' Source: Bumitama Agri Ltd (2014b) p1.
30. Bumitama Agri Ltd (2016c) p2
 31. Minister of Agrarian Affairs and Spatial Planning/Head of National Land Agency (1999) Article 5(3). See Annex 1 on legal permits.
 32. Bumitama Agri Ltd (2014b)
 33. In Bumitama Agri Ltd (2016c) the company states that 'the approval of the Minister of Marine and Fishery [is] now no longer being required'; however, there was no relevant legal revision.
 34. Janta Winata Halim and Nita Gartika: Mr Janta Winata Halim was co-director with Lim Gunawan Hariyanto in Lim Hariyanto family nickel mining company PT Trimegah Bangun Persada in 2013, while Ms Nita Gartika sat on its board of commissioners beside Lim Gunardi Hariyanto. Gartika was also an employee of Lim Hariyanto family plywood company Tirta Mahakam Resources in 2009.
 35. Bumitama Agri Ltd (2016c). Corporate registry profiles show that during the nine-month period 30/9/14-10/6/2015, PT GHL was owned by Selaras Hijau Sentosa (235 shares) and Tommy Santoso (15 shares). Immediately prior and subsequent to these dates, it was owned by PT Karya Manunggal Sawitindo (PT KMS; 50 shares) and PT Sukses Manunggal Sawitindo (PT SMS; 200 shares rising to 950 shares on 10/6/2015). PT SMS was directly controlled by the Lim Hariyanto family until February 2016, when BSL bought 95% of shareholdings, with PT KMS holding the remainder.
 36. Bumitama Agri Ltd (2016c) p2
 37. This is the spelling used by the company and which appears on its corporate registry profile; however, most government correspondence uses the conventional three-word company name form, ie Hati Prima Agro.
 38. Corporate registry profile
 39. Corporate registry profile
 40. See RSPO website 'Case tracker: PT Hati Prima Agro' and Minister of Forestry (2008).
 41. Orders 3(1) and 3(2) in Minister of Forestry (2008)
 42. Chain Reaction Research (2014) pp14-5. In court documents the company stated it had planted areas of PT HPA during 2010-2012 (source: Palangkaraya High Court, Central Kalimantan (2015) p6).
 43. Kotawaringin Timur District Head Supian Hadi (2012a), and Kotawaringin Timur District Head Supian Hadi (2012b)
 44. RSPO website 'Case tracker: PT Hati Prima Agro'
 45. Krishnan R (2012)
 46. Supreme Court of Indonesia (2013)
 47. Corporate registry profile. Djoni Rusmin was Commissioner and 10% shareholder; Tommy Santoso was Managing Director and 90% shareholder.
 48. Bumitama Agri Ltd (2014a)
 49. Kotawaringin Timur District Head Supian Hadi (2014a)
 50. Kotawaringin Timur District Head Supian Hadi (2014b). The letter serves to issue plantation business permit (IUP) no. 009/IUP-B/PT.LMS/Kec. Antang Kalang-1 Kec - Kab. Kotim/2014.
 51. Bumitama Agri Ltd (2015a). The sale involved PT HPA's 'plantation (biological assets) and other fixed assets over the Land, inventories and plasma receivables (collectively, the "Assets")'.
 52. RSPO website 'Case tracker: PT Hati Prima Agro'
 53. PT Karya Manunggal Sawitindo - also owned by the Lim Hariyanto family - was the minority shareholder. Source: Bumitama Agri Ltd (2016b).
 54. Bumitama Agri Ltd (2017c)
 55. Bumitama Agri Ltd (2017b) p23
 56. As evidenced by Greenpeace field investigations and by a criminal case instigated by 'PT. HPA BGA Group' in late 2014 claiming theft of FFB from the company's plantation on 15 October 2014, a point in time after PT LMS had begun applying for plantation permits and was already holding a location permit over the area. Source: Palangkaraya High Court, Central Kalimantan (2015).
 57. RSPO website 'Case tracker: PT Hati Prima Agro'
 58. Email from RSPO to complainants, 22 June 2018
 59. Mach M (2017b)
 60. Corporate registry profiles
 61. Location permit no. 27/PEM/2016, granted 8 January 2016
 62. In 2011, PT GYP was acquired by members of the Lim Hariyanto family. The sale included extensive plantation areas previously developed with neither forest release nor environmental permit. Bumitama entered into an explicit agreement from November 2011 until August 2014 with other Lim Hariyanto interests to manage the plantations, which also gave it exclusive rights to purchase PT GYP's palm fruit, although such trade would be illegal. (Bumitama Agri Ltd (2014b))
 63. Bumitama Agri Ltd (2014b)
 64. GPS coordinates:
 - Marker stakes (10 34' 56.02"S 1100 20' 6.33"E)
 - Security post (010 35' 44.06"S 1100 19' 55.26"E)
 - Welcoming sign of PT LSM-BTJE (010 35' 11.91"S 1100 20' 17.10"E)
 65. Bumitama Agri Ltd (2016a) p3
 66. Bumitama Agri Ltd (2017a)
 67. See Bumitama Agri Ltd (2016a) p1 and p4, which states that 'none of the directors or controlling shareholders of the Company has any direct or indirect interest in the Acquisition'. As recently as 2018 Bumitama was declaring it had no prior connection to PT DAS; see Bumitama Agri Ltd (2018b).
 68. Bumitama Agri Ltd (2016a) pp1-2

CENTRAL CIPTA MURDAYA

1. Corporate registry profile of plantation company Hardaya Plantations Group. See also <http://www.hartatimurdaya.com> and Alexander H (2015).
2. Firdaus E (2013)
3. Analysis by Aidenvironment (2017), held internally

CITRA BORNEO INDAH

1. PT Sawit Sumbermas Sarana (2018) pp2, 5, 35
2. Environmental Investigation Agency (2015)
3. REDD-Monitor (2016); see also Forbes website 'Profile: Abdul Rasyid'
4. Baskoro NB (2017)
5. RSPO (2017) pp6-7, clauses 5.2 and 5.3
6. PT Sawit Sumbermas Sarana (2017)
7. PT Sawit Sumbermas Sarana (2016b) p2
8. PT Sawit Sumbermas Sarana (2016a) pp64-5
9. Palm Oil Magazine (2016)
10. RSPO website 'Case tracker: PT Sawit Sumbermas Sarana subsidiary of PT Sawit Mandiri Lestari'
11. Through PT Metro Jaya Lestari and PT Agro Jaya Gemilang. Source: corporate registry profiles.
12. See Blog Souvenir123.com (2014) and Citra Borneo Indah job advertisements, eg <http://jobmediaonline.blogspot.com/2010/02/vacancy-vacancy-at-cbi-group.html>
13. House of Representatives of the Republic of Indonesia website 'Members of Parliament: Period 2014-2019'
14. Gedung Palma One, Lantai 6, Jl. H.R. Rasuna Said Kav. X-2, Nomor 4, Jakarta. Sources: PT Sawit Sumbermas Sarana (2016a) pp47, 57 and corporate registry profile for PT Sawit Mandiri Lestari.
15. PT Sawit Sumbermas Sarana (2018a)
16. foresthints.news (2018b)
17. See Wright S & Karmini N (2017).
18. PT Sawit Sumbermas Sarana (2018) p12
19. foresthints.news (2018b)
20. foresthints.news (2018b)
21. PT Sawit Sumbermas Sarana (2017)
22. PT Sawit Sumbermas Sarana (2018b)
23. PT Sawit Sumbermas Sarana (2018b)
24. PT Sawit Sumbermas Sarana (2018b)
25. foresthints.news (2018c)
26. RSPO website 'New planting procedures public notification: PT Sawit Sumbermas Sarana Tbk - PT Sawit Mandiri Lestari'

DJARUM

1. Dolan K (2016). See also <https://www.forbes.com/profile/r-budi-michael-hartono/>.
2. Aidenvironment (2017) p14

3. Aidenvironment (2017) p28
4. Auriga et al (2018) pp2-3 citing corporate registry profiles and mapping analysis based on Hansen MC et al (2013)
5. Auriga et al (2018) p2 citing BMJ Performance Board website (www.bmjperformanceboard.com), Tribun Kaltim (2015) and Pro Kaltim (2015)
6. Ministry of Forestry (2010). This map shows the concession as PT Global Sawit Kencana. At some point the name was changed to PT Gemilang Sawit Kencana; this name appears in, for example, BCA's 2014 annual report (see BCA (2015) p477).

DTK OPPORTUNITY

1. Incorporation forms of Hong Kong companies, available from <https://www.icris.cr.gov.hk/csci/>
2. Analysis by Aidenvironment (2017), held internally
3. Palangkaraya District Court, Central Kalimantan (2013)
4. PT Musim Mas (2011)
5. Letter from Apical to PT Karya Dewi Putra (PT KDP), 27 January 2017

FANGIONO FAMILY

1. Indonesian sources usually refer to Martias by a single name; sources from elsewhere often refer to 'Martias Fangiono'.
2. Source: First Resources annual reports since 2010, available at <http://www.first-resources.com/annualreports.php>.
3. First Resources (2018a) p142
4. First Resources (2018c)
5. Corporate registry profile for PT Ciliandry Anky Abadi. Beyond corporate registry profiles, an in memoriam page for Martias's father provides some evidence of the extent of the Fangiono family (see <http://meninggaldunia.blogspot.com/2011/02/bapak-hertanto.html>). Details of Martias's and Silvia Caroline's silver wedding anniversary are found at <http://www.lightworks.id/2015/02/silver-wedding-a-moment-to-remember>. Assumptions about the parentage of the younger Fangiono family members are

based on their dates of birth.

6. First Resources (2007) p142
7. Corporate registry profiles
8. Corporate registry profile
9. First Resources (2007) p155
10. CIFOR (nd)
11. First Resources (2015)
12. First Resources (2017b,c)
13. First Resources (2017a) p4
14. In a statement of 12 July 2018, in response to a report by Chain Reaction Research, First Resources claims:
 - a) PT Ciliandry Anky Abadi is not a subsidiary, an associated company, or a related party of First Resources.
 - b) First Resources does not have any financial or operational relationship with PT Ciliandry Anky Abadi.
 - c) The controlling shareholders of First Resources, Mr. Ciliandra Fangiono and his siblings, do not have any ownership, nor hold any management roles in PT Ciliandry Anky Abadi.
 - d) First Resources has not purchased any palm oil products from PT Ciliandry Anky Abadi, and will not buy from any company that cannot prove that they are in compliance with First Resources' sustainability policy.
15. First Resources (2017b)
16. First Resources (2007) p5
17. <https://www.facebook.com/pages/Ciliandra-Perkasa-PT/965160946897952>
18. Note that here and elsewhere the corporate registry profiles conflict. PT FPS's own registry profile, obtained in January 2017, has its registered address at the Surya Dumai building, Jl Jend. Sudirman No. 395 with no change in registered address since its incorporation. Other corporate registry profiles place it at APL Tower.
19. First Resources (2012) p1
20. First Resources website 'Contact us'
21. PT Setia Agrindo Jaya, which in turn holds PT Citra Palma Kencana, PT Indo Manis Lestari, PT Indogreen Jaya Abadi, PT Setia Agrindo Lestari and PT Setia Agrindo Mandiri
22. First Resources (2018b)

23. Chain Reaction Research (2018a)
24. Sulaidy and his partner each own 50% of PT PPAM, which held 51% of the JV.
25. As of 29 July 2018. See Bloomberg website 'Executive profile: Lau Cong Kiong'.

FELDA / FELDA GLOBAL VENTURES

1. Tan CK (2017)
2. FGV (2016b)
3. RSPO website 'Board of governors'
4. RSPO website 'Principles & Criteria review'
5. FGV (2017) pp4, 33
6. FGV (2017) p11
7. Jakarta Post (2014)
8. FGV (2017) p34
9. Rainforest Action Network et al (2016)
10. Al-Mahmood SZ (2015)
11. FGV (2016a)
12. RSPO website 'New planting procedures public notification: FELDA – PT Temila Agro Abadi'
13. Aziz A (2017)
14. Bursa Malaysia website 'Company announcements [announcement dated 26 May 2017]'
15. FGV (2016b)
16. Khairil AA (2017)

GAMA

1. Wilmar International Ltd (2018b)
2. Greenpeace International (2018c)
3. Compliance Advisor/Ombudsman (2009) p17
4. Wilmar International Ltd (2018a) p24
5. Wilmar International Ltd (2018c)
6. InfoSawit (2017); see also Singapore Exchange (2015)
7. Daubach T (2018)
8. Greenpeace International (2018c)
9. Greenpeace International (2018c)
10. PT Agro Alam Nusantara, PT Alam Jaya Persada, PT Berkat Sawit Utama, PT Bumi Alam Sentosa, PT Citra Mahkota, PT Citra Riau Sarana, PT Ganda Sawit Utama, PT Graha Agro Nusantara, PT Intitama Berlian Perkebunan, PT Jatimjaya Perkasa, PT Karya Agung Megah Utama, PT Nusa Jaya Perkasa, PT Patiware, PT Perkebunan Anak Negeri Pasaman, PT Putralirik Domas, PT Sentosa Asih Makmur, PT Sumatera Unggul Makmur, PT Swadaya Indopalma, PT TH Indo

- Plantations, PT Wahana Karya Sejahtera Mandiri and PT Wawasan Kebun Nusantara. The letter also acknowledges Gama shareholdings in PT Gandaerah Hendana and PT Inecda. Source: Indigo A (2018a).
11. Greenpeace International (2018c)
12. Corporate registry profiles of PT Gandaerah Hendana and PT Inecda and their parent companies, and Samsung C&T Corporation and Subsidiaries (2017) p23
13. RSPO website 'S&G Biofuel Pte. Ltd'
14. Indigo A (2018a)
15. Indigo A & Adriani (2018), copy held by Greenpeace
16. Indigo A (2018b), copy held by Greenpeace
17. Krisno O (2017)
18. Corporate registry profiles
19. Irawan Y (2015) and Arlinus Z (2015)
20. foresthints.news (2018a)
21. awasMIFEE (2018b)
22. foresthints.news (2018a)
23. Wright S & Karmini N (2017)
24. Tribun Pontianak (2018)
25. Benny Djuarsa is described on this site as management of PT Wilmar Cahaya: <http://pupukmahkota.co.id/news/temu-tani-brebes-092017.html>. Johannes (his full name) is described on this site as management: <http://britama.com/index.php/2012/10/sejarah-dan-profil-singkat-ceka/>. Ownership information was found in corporate registry profiles.
26. Redaksi (2009)
27. SK No. 42, tgl 22-02-2010
28. Corporate registry profiles
29. Corporate registry profiles
30. Corporate registry profiles
31. Greenpeace mapping analysis based on official MoEF landcover data shows an area of 3,190ha was cleared
32. Asrida E (2018)
33. Greenpeace mapping analysis; see also Suara Pusaka (2018)
34. Suara Pusaka (2018)
35. Basik-Basik M (2016)
36. Ngelia Y (2016)
37. Koalisi Organisasi Masyarakat Sipil (2016)
38. awasMIFEE (2017b)
39. Indigo A & Adriani (2018), copy held by Greenpeace, and Indigo A (2018b)
40. Benny Djuarsa and Johannes. Source:

- corporate registry profiles.
41. Corporate registry profiles
42. Greenpeace mapping analysis of satellite imagery; see also Suara Pusaka (2018)
43. Interview with a community leader from Bupul village (name withheld for security reasons), August 2017
44. Paino C (2017)
45. Government of Indonesia (2001)
46. Indigo A & Adriani (2018), copy held by Greenpeace, and Indigo A (2018b)

GENTING

1. Genting Group website 'Stock information'
2. Genting Group website 'Directors & management' and Genting Plantations website 'Directors & management'
3. Genting Group website 'Home'
4. RSPO website 'Genting Plantations Berhad'
5. Genting Plantations Berhad (2017) pp28-9
6. RSPO website 'Genting Plantations Berhad'
7. Genting Plantations Berhad (2016) p2
8. Genting Plantations Berhad (2017) p32
9. Genting Berhad (2018) p148
10. RSPO website 'Case tracker: PT Susantri Permai'
11. RSPO website 'Case tracker: Genting Plantation Berhad (PT Susantri Permai, PT Kapuas Maju Jaya and PT Dwie Warna Karya)'
12. PT Permata Sawit Mandiri (2014)
13. PT Permata Sawit Mandiri (2014) pp2, 7-8
14. Greenomics Indonesia (2014) p5
15. Wilmar International Ltd (2018d) p24
16. Greenomics Indonesia (2015)
17. Genting Plantations Berhad (2018)
18. Corporate registry profiles
19. See also Kementerian Lingkungan Hidup dan Kehutanan (2017b).
20. Corporate registry profiles
21. IUCN/SSC Conservation Breeding Specialist Group (2017)

HAYEL SAEED ANAM

1. HSA Group website 'Group leadership'
2. PIL website 'Message from management'
3. HSA Group website 'Group leadership'
4. HSA Group website 'Malaysian

- companies' and HSA Group website 'Indonesian companies'
5. Corporate registry profiles. The link between Commodities House Investment and PIL was documented in 2005 as part of the US Congressional Investigation mentioned elsewhere. See United States House of Representatives (2005).
 6. RSP0 (2017) pp6-7, clauses 5.2 and 5.3
 7. PIL website 'About'
 8. PIL website 'Sustainability'
 9. Corporate registry profiles and Chain Reaction Research (2017a) pp10-1
 10. Greenpeace International (2018b)
 11. HSA Group website 'Commodities'. The page has since been deleted, but an archive is available at <https://web.archive.org/web/20171218223219/http://www.hsagroup.com/business-activities/core-business/commodities.aspx>.
 12. HSA Group website 'Environmental statement'
 13. Hagen C (2018)
 14. PIL (2018)
 15. Mohamed Hamid Abdullah Al-Sarari has been a director of PT Pacific Palmindo Industri, PT Pacific Indopalm Industries, PT Pacific Medan Industri and PT Pacific Indomas since November or December 2016, and was the President Director of PT ESK. Nakul Rastogi, another director of PT GKM and PT KCP, is a long-term director at PIL. Rami Mohammed Abdo Saeed, who was a commissioner of PT GKM and PT KCP, was also a director of PIL from 22 May 2014 until 12 January 2018. He was also a director of PIL's Indonesian processing and trading companies from October 2012 to November or December 2016.
 16. Corporate registry profiles
 17. Corporate registry profiles
 18. METCO website 'Sister companies -> Pacific Inter-Link representative office V'
 19. PT Pacific Palmindo Industri. See RSP0 (2013b) p3.
 20. Corporate registry profiles
 21. Tadmax Resources Bhd (2012)
 22. See corporate registry profiles and Chain Reaction Research (2017a) pp10-1.

IJM CORPORATION

1. IJM Plantations website

'Director profile'

2. SPOTT website 'IJM Plantations Bhd'
3. Norges Bank (2015)
4. IJM Plantations (2017) p25
5. IJM Plantations (2017) p26

INDONUSA

1. Notes on group structure: of the concessions described in this profile, Rosna Tjuatja owns 99.875% of the shares of PT Internusa Jaya Sejahtera directly. PT Indonusa Agromulia is 90% owned by another Indonesian company, PT Radiant Internusa Utama, which in turn is 90% owned by the Singapore-registered company Paramount Royale Pte Ltd, whose owner is not known. Rosna Tjuatja owns the remaining 10% of both PT Internusa Agromulia and PT Radiant Internusa Utama. Source: corporate registry profiles.
2. Profindo website 'Board of commissioner' and Britama.com (2015)
3. Beritasatu.com (2012)
4. Concessions are listed on the group website, <http://www.indonusaagromulia.com/index.php>.
5. PT Internusa Jaya Sejahtera, PT Anugerah Sakti Internusa and PT Persada Utama Agromulia were given in-principle State Forest Release Letters by former Forestry Minister Zulkifli Hasan on 13 August 2014, two weeks before his term in office ended. PT Persada Utama Agromulia has now been granted a definitive State Forest Release Letter by his successor.
6. Insider Stories (2012). The corporate registry profile shows that the board changed at the time of this news, with Rosna Tjuatja and other company leaders Risna Tjuatja, Djawi Santoso and Ardian appointed as directors and commissioners; however, the two shareholders Ripin and Sumadi continued to hold the same stake.
7. Hadinaryanto SE (2014) and Beritabatavia.com (2012)
8. Indonusa Group website 'Lowongan'
9. According to corporate registry profiles, the shareholders of PT Persada Utama Agromulia since

April 2014 are Agus Frenando Gurning and Andi Nurmanshah Pramono, whilst PT Anugerah Sakti Internusa is owned by Togap Gurning and Herry Sen.

IOI

1. Strictly speaking IOI Corporation Berhad is one of two arms of the group, which also encompasses the separate IOI Properties Group Berhad. Source: IOI Group website 'Group structure'.
2. Held through Oakridge Investments Pte Ltd and Lynwood Capital Resources Pte Ltd, both wholly owned subsidiaries of IOI Corporation Berhad. Source: Bumitama Agri Ltd (2018a) p142.
3. IOI Group website 'Dato' Lee Yeow Chor'
4. RSP0 website 'IOI Corporation Berhad'
5. IOI Group (2017b)
6. See IOI Group (2017a) pp228-9 and Bumitama Agri Ltd (2018a) p105.
7. IOI Group website 'Estates and mills'
8. See Greenpeace International (2017a) pp28-9 and RSP0 (2013a).
9. Bunge (2018)
10. IOI Group website 'Refinery'
11. Colchester M, Jalong T & Chuo WM (2013) pp240-1
12. Colchester M, Jalong T & Chuo WM (2013) pp237, 239
13. Colchester M, Jalong T & Chuo WM (2013) pp239-40
14. Colchester M, Jalong T & Chuo WM (2013) pp241-2
15. Colchester M, Jalong T & Chuo WM (2013) pp240, 244
16. Colchester M, Jalong T & Chuo WM (2013) pp243-4
17. RSP0 website 'Case tracker: IOI - IOI Pelita Sdn Bhd'
18. See Colchester M, Jalong T & Chuo WM (2013) p246 and RSP0 website 'Case tracker: IOI - IOI Pelita Sdn Bhd'. The suspension of new certifications by IOI was lifted in February 2013, with the exception of IOI-Pelita.
19. RSP0 website 'Status of current disputes'
20. RSP0 website 'Case tracker: IOI - IOI Pelita Sdn Bhd'

21. RSP0 website 'Status of current disputes'
22. IOI Group (2017c); see also Rainforest Action Network & Forest Peoples Programme (2017)
23. IOI Group (2018a)
24. IOI Group (2018b); see also Bunge Loders Croklaan (2018b) pp10-3

KORINDO

1. Korindo website 'Group profile: At a glance'
2. Aidenvironment (2016) p13
3. Aidenvironment (2016) p15
4. Musim Mas (2016)
5. Mighty Earth (2017a) p10
6. Mighty Earth (2017a) p11
7. HCV Resource Network website 'Ongoing and historical evaluations of assessment reports'
8. Mongabay Indonesia (2017)
9. awasMIFEE (2017c)
10. Mapping analysis from Kepo Hutan and Global Forest Watch
11. Aidenvironment (2016) p15
12. Mighty Earth (2016)
13. Mighty Earth (2017a) pp10-1
14. Korindo (2016), copy held by Greenpeace

LEMBAGA TABUNG HAJI

1. Tabung Haji website 'About us'
2. Tabung Haji website 'Plantation'
3. TH Plantations Bhd (2018) p104
4. Information from East Kalimantan Plantation Agency (2012)
5. Chain Reaction Research (2017b)
6. RSP0 website 'PT. Synergy Oil Nusantara'
7. FGV (2018)

NOBLE

1. As inferred from Noble Group (2017) pp17, 149 and Noble Group (2018) p153. Noble Group's palm oil business is acknowledged in its annual reports among subsidiaries classified as held for sale (see most recently Noble Group (2018) p139). Noble Plantations Pte Ltd is the company listed on the RSP0 website as responsible for the business (see RSP0 website 'Noble Plantations Pte Ltd'), but it is not acknowledged as a subsidiary of Noble Group in the annual reports.

2. Noble Group (2018) inside front cover
3. Noble Group (2018) p159
4. Noble Group (2018) pp25, 17
5. Noble Group (2018) p159
6. RSP0 website 'Noble Plantations Pte Ltd'
7. For example, the policy refers to the government's national peat map as proof that there is no peatland in PT PAL, rather than any actual peat survey. The HCS commitment is only a commitment to 'applying HCSA as defined by HCSA toolkit' and mentions discredited HCS surveys conducted by Nyoto Santoso in 2013 and 2014 - before significant deforestation in the concession. No new assessments are registered on the HCSA website (<http://highcarbonstock.org/registered-hcs-assessments/>). See Noble Plantations Pte Ltd (2017).
8. Noble Plantations Pte Ltd (2016) p2
9. Yun M & Humber Y (2014)
10. Noble Group (2016b)
11. Noble Group (2015a) p118 and Noble Group (2018) pp121, 139
12. Noble Group (2015a) p118
13. Noble Group (2016a) p188, Noble Group (2017) p149 and Noble Group (2018) p139
14. In 2013 the Council on Ethics that advises the Norwegian Government Pension Fund Global (GPF) recommended against any future investment in Noble Group, on the grounds that HCV assessments for the two concessions were inadequate to ensure the conservation of important habitats (source: Council on Ethics for the Government Pension Fund Global (2015a) pp137-8); in June 2015 Norwegian life insurance and pensions company KLP also announced its intention to exclude Noble as a result of this decision (source: KLP (2015)).
15. Channel News Asia (2010)
16. Noble Plantations Pte Ltd (2017) p2
17. Environmental Investigation Agency & Telepak (2012)
18. Testimony of Bernadus Gilik at 'Profil Kasus, Temu Rakyat Korban Investasi Kehutanan dan Perkebunan Besar', an event

- organised by Yayasan Pusaka and other organisations in Waena, Jayapura, 4-7 November 2014.
19. Radar Sorong (2015)
20. Noble Group (2012)
21. Noble Plantations Pte Ltd (2017) p2
22. The concept of an Intact Forest Landscape (IFL), as mapped by WRI, Greenpeace and Transparent World in 2000 and 2013, refers to 'an unbroken expanse of natural ecosystems within the zone of current forest extent, showing no signs of significant human activity, and large enough that all native biodiversity, including viable populations of wide-ranging species, could be maintained'. See <http://www.intactforests.org/index.html>.
23. Based on peat survey data published in Wetlands International (2006). In January 2017 Noble Group stated that no new development on peat would take place (source: email to Greenpeace from Bell Pottinger, 11 January 2017).
24. RSP0 website 'Case tracker: PT Pusaka Agro Lestari'
25. Tabloid Jubi (2014)
26. Suara Papua (2014)
27. Antara Papua (2014)
28. Noble Group (2015b)
29. Tabloid Jubi (2015)
30. Salam Papua (2016)

NPC RESOURCES

1. NPC Resources (2017) pp37-8
2. NPC Resources website 'Company overview'
3. Analysis by Aidenvironment (2017), held internally

POSCO (POSCO DAEWOO CORPORATION)

1. POSCO Daewoo website 'Trade'
2. RSP0 website 'PT. Bio Inti Agrindo'
3. Kementerian Lingkungan Hidup dan Kehutanan (2017a)
4. Aidenvironment (2016) pp35-7
5. awasMIFEE (2015)

RIMBUNAN HIJAU

1. Teng LJ (2017)
2. Jaya Tiasa (2017) pp6-7
3. Rimbunan Sawit Bhd (2017) p8
4. Subur Tiasa (2017) p12

5. Mafrica Corporation website <https://www.mafrika.com.my>
6. Analysis by Aidenvironment (2017), held internally
7. Rimbunan Hijau website 'Home'
8. Greenpeace analysis of trader dashboards
9. Global Witness (2017)
10. Global Forest Watch website 'Sarawak oil palm concessions'

SALIM

1. First Pacific Company Ltd (2018) p116
2. First Pacific Company Ltd (2018) p252
3. See IndoAgri (2017) and Greenpeace International (2017b).
4. PT Salim Ivomas Pratama Tbk (2016b) p2
5. IndoAgri (2018) p14 and PT Salim Ivomas Pratama Tbk (2018) p39
6. Corporate registry profiles. PT DRM is owned by several companies including PT Adi Mulya and PT Mulia Abadi Lestari; a 50% stake is held by PT Citra Kencana Kasita. Two companies hold a 50% stake each in PT Citra Kencana Kasita: PT Zamrud Indahpersada and PT Wahanamulia Wiranusa. Anthoni Salim holds a 99% stake in both companies.
7. First Pacific Company Ltd (2018) pp86-7
8. PT Agro Mulia Lestari, PT Anekareksa Internasional, PT Berau Sawit Sejahtera, PT Bintuni Agro Prima Perkasa, PT Citra Palma Sejati, PT Duta Rendra Mulya, PT Duta Sejahtera Utama, PT Ekolindo Palm Lestari, PT Ekolindo Palm Nusantara, PT Gunta Samba Jaya, PT Menara Wasior, PT Perdana Sawit Plantation, PT Permata Nusa Mandiri, PT Putra Palma Cemerlang, PT Remboken Sawit, PT Rimbun Sawit Papua, PT Sawit Berkat Sejahtera, PT Sawit Golden Prima PT Sawit Khatulistiwa Lestari, PT Sawitindo Plantation,, PT Subur Karunia Raya, PT Tunas Agung Sejahtera, PT Wahana Murni Plantation, PT Wahana Tritunggal Cemerlang and PT Wira Inova Nusantara.
9. Corporate registry profiles
10. Greenpeace International (2017a) p49
11. PT Gunta Samba (2015)
12. PT Salim Ivomas Pratama

- Tbk (2016a) p111
13. Fakultas Pertanian Universitas Lampung (2017). Note other online job sites give the office address as elsewhere within the same complex, eg Blok A no 34 and Blok C no 56-57 – see, for example, <http://www.loker.id/profile/indo-gunta-group>.
14. Duta Merlin Blok B no 22-23. Source: Corporate registry profile.
15. PT Salim Ivomas Pratama Tbk (2016a) p111, PT Salim Ivomas Pratama Tbk (2015) p127 and PT Salim Ivomas Pratama Tbk (2014) p125
16. Corporate registry profiles
17. In violation of government regulation 57/2016.
18. PT Ekolindo Palm Nusantara, PT Ekolindo Palm Lestari, PT Putra Palma Cemerlang and PT Remboken Sawit.
19. awasMIFEE (2018b)
20. PT Bintuni Agro Prima Perkasa, Kerangka Acuan Analisis Dampak Lingkungan
21. SK Bupati Tambrauw 521/297/2015
22. See Minister of Forestry Regulations 33/2010 and 28/2014.
23. The relevant legislation for Food Crops Business Licences is Minister of Agriculture Regulation 39/2010.
24. awasMIFEE (2018a)
25. The HGU area does not yet include the whole 19,368ha concession area. It is shown on the National Land Agency Map: <http://peta.bpn.go.id/>.
26. awasMIFEE (2018a)
27. Asian Human Rights Commission (2018)
28. awasMIFEE (2018a)

SAMLING

1. Samling Group website 'Our milestones: Corporate'
2. Bloomberg website 'Executive profile: Yaw Chee Ming'
3. Samling Group website 'Oil palm plantations'
4. Analysis by Aidenvironment (2017), held internally
5. Wilmar International Ltd (2018d)
6. Nelson PN et al (2014)
7. Wilmar International Ltd (2018d)

SUNGAI BUDI

1. PT Tunas Baru Lampung Tbk website 'Plantation profile'
2. PT Tunas Baru Lampung Tbk (2016) p2

3. See Redaksi (2016), foresthints.news (2016a) and foresthints.news (2016b).
4. Kementerian Lingkungan Hidup dan Kehutanan (2017a)
5. PT Tunas Baru Lampung Tbk website 'Plantation profile'
6. PT Tunas Baru Lampung Tbk website 'Plantation profile'

TEE FAMILY

1. Corporate registry profiles
2. Far East Holdings Bhd (2017) p112
3. Corporate registry profile
4. Far East Holdings Bhd (2018) pp16, 17, 19
5. Far East Holdings Bhd (2018) pp7, 29
6. Endau Palm Oil Mill Sdn Bhd, Future Prelude Sdn Bhd, Kilang Kosfarm Sdn Bhd, Kilang Sawira Makmur Sdn Bhd, Prosper Palm Oil Mill Sdn Bhd, Rompin Palm Oil Mill Sdn Bhd and Wujud Wawasan Sdn Bhd. Source: Far East Holdings Bhd (2018) p7.
7. Far East Holdings Bhd (2018) pp17, 19
8. See eg Bunge Lodders Croklaan (2018a).
9. Corporate registry profile
10. Corporate registry profile
11. Numapo J (2013) pp125-30
12. Patjole C (2018)
13. The National (2018)
14. Far East Holdings Bhd (2018) p19
15. Ministry of Foreign Affairs, Malaysia (2010a)
16. Ministry of Foreign Affairs, Malaysia (2010b)
17. RSP0 (2017) pp6-7, clauses 5.2 and 5.3
18. RSP0 website 'Future Prelude Sdn Bhd'
19. Global Witness (2017)
20. Chain Reaction Research (2018b)
21. Orere B (2017)
22. Numapo J (2013) p141
23. 'Not preserved' in this context appears to mean 'not excluded from development plans'. See Numapo J (2013) p139.
24. Numapo J (2013) p127
25. Numapo J (2013) p128
26. Numapo J (2013) p141
27. ActNow PNG (2017a)
28. ActNow PNG (2017b)
29. InfoSawit (2017b)

ENDNOTES

ANNEXES

1. Minister of Agrarian Affairs and Spatial Planning/Head of National Land Agency (1999) Article 4(1) (c) prescribes a plantation limit of 20,000ha per province for companies or corporate groups. This limit was retained when the location permit regulations were updated in Minister of Agrarian Affairs and Spatial Planning/Head of National Land Agency (2015).
2. See Minister of Agrarian Affairs and Spatial Planning/Head of National Land Agency (2015) Article 4 and Minister of Agriculture (2013), which updates Minister of Agriculture (2007).
3. The process is set out in two regulations: Minister of Agrarian Affairs and Spatial Planning/Head of National Land Agency (1993) and Minister of Agrarian Affairs and Spatial Planning/Head of National Land Agency (1999).
4. President of the Republic of Indonesia (2010) Articles 160, 163 and 165 require *Izin Prinsip* and *Izin Lokasi* to be allocated based on district spatial plans.
5. As emphasised in the explanatory text accompanying Section 5 of Minister of Agrarian Affairs and Spatial Planning/Head of National Land Agency (1999).
6. This process is often abbreviated GRTT (*ganti rugi tanah dan tanam tumbuh*; compensation for land and plantings). It requires payment for land acquired from private titled landowners and compensation for landholders (such as local communities) who use state land. Source: President of the Republic of Indonesia (1996) Article 4.
7. This is for location permits of over 50ha. For smaller areas, shorter periods of one year (<25ha) or two years (25–50ha) apply. See Minister of Agrarian Affairs and Spatial Planning/Head of National Land Agency (1999) Article 5(1); retained in Minister of Agrarian Affairs and Spatial Planning/Head of National Land Agency (2015) Article 5(1).
8. Minister of Agrarian Affairs and Spatial Planning/Head of National Land Agency (1999) Article 5(3)
9. Minister of Agrarian Affairs and Spatial Planning/Head of National Land Agency (1993) Article 3(5)
10. Minister of Agrarian Affairs and Spatial Planning/Head of National Land Agency (2015) Article 5(7)
11. Minister of Environment and Forestry (2016)
12. Forestry Law 1999 Article 50. The Prevention and Eradication of Forest Destruction Law 2013 Article 82(3) provides additional penalties for corporations of up to IDR 15 billion (US\$1m) and/or 15 years' imprisonment.
13. Under the latest (Minister of Environment and Forestry (2016)) regulations, only 'unproductive' production forest may be released, meaning unforested land dominated by shrublands, empty land or mixed gardens, except in provinces where no such unproductive land is found ('yang penutupan lahannya didominasi lahan tidak berhutan antara lain semak belukar, lahan kosong, dan kebun campur'). This represents an intention to preserve remaining forest areas, and was not present in the 2010 regulation it supersedes (No. P.33/MENHUT-II/2010).
14. Plantation Law 2004 Article 25
15. Plantation Law 2014 Article 67
16. Environment Law 2009 Article 109
17. The requirement is found in Plantation Law 2014 Article 68, and Article 109 states that failure to comply is a criminal offence carrying a penalty of up to three years' imprisonment for company staff or an IDR 3 billion (approximately US\$222,000) fine.
18. Plantation Law 2014 Article 98(2). Article 70 of the Environment Law 2009 similarly empowers the community to be actively involved in environmental monitoring.
19. Plantation Law 2014 Article 99(3). Article 100 also states that plantations must be developed in a participatory manner, including the public in planning and monitoring and enabling them to make suggestions and complaints.
20. Environment Law 2009 Article 65(2), with scope and examples of documents provided in the official explanatory note
21. Plantation Law 2014 Article 105
22. Plantation Law 2014 Article 45(1)(b)
23. Plantation Law 2014 Article 45(1)(a). Environment Law 2009

- Article 111 also makes it a criminal offence for a government official to issue the plantation business permit in the absence of an environmental permit. This legal requirement has been in place since at least 2002, via Minister of Agriculture (2002) Article 10(k).
24. Plantation Law 2014 Article 17
 25. Plantation Law 2014 Article 103
 26. Minister of Agriculture (2013) Article 15; see also Plantation Law 2014 Article 58
 27. Basic Agrarian Law 1960 Article 2(1)
 28. Minister of Agrarian Affairs and Spatial Planning/Head of National Land Agency (1993) Article 7(1)
 29. For plantation areas of less than 200ha, the land cultivation right certificate is issued by the provincial office of the BPN.
 30. An expired HGU can be reissued to the same company if the land is still being put to the same use.
 31. Minister of Agriculture (2007) Article 34(a)
 32. Additionally, land cultivation right may not be issued over any State Forest area before that status is changed. See President of the Republic of Indonesia (1996) Article 4(2).
 33. Minister of Forestry (2003) Article 15(1)(c)
 34. The Constitutional Court (2015) ruled (see p294 point 1.8) that the correct and valid formulation of Article 42 of the Plantation Law 2014 is that for a company to legally carry out plantation operations it must have secured both land rights AND a plantation business permit. The original wording of that article in the Plantation Law 2014 was land rights AND/OR a plantation business permit.
 35. Minister of Agriculture (2015) p41, criterion 1.4, and SawitIndonesia.com (2015)
 36. Minister of Environment and Forestry (2016) Article 22
 37. Minister of Environment and Forestry (2015)
 38. AAK (2018)
 39. Apical website 'Supply chain map'
 40. Cargill (2018)
 41. Bunge Lodders Croklaan website 'List of mills'
 42. GAR website 'Supply chain map'
 43. Musim Mas website 'Supply chain map'
 44. Olam (2018)
 45. Sime Darby website 'Open palm traceability dashboard'. More recent lists have been made available since our analysis.
 46. Wilmar International website 'Supply chain map'
 47. IOI Group website 'List of mills'
 48. Fuji Oil Holdings (2018)
 49. Louis Dreyfus Co (2018)
 50. Mewah (2018)
 51. See Greenpeace International (2018a).
 52. Colgate-Palmolive (2018)
 53. The mill list was published in July 2018 as an annex to Danone's 2015 NDPE commitment; see Danone (2015) pp11-13.
 54. Ferrero (2017)
 55. General Mills (2018) and AAK (nd); see General Mills website 'Statement on responsible palm oil sourcing'
 56. The Hershey Company (2017)
 57. Johnson & Johnson (nd)
 58. Kellogg Company (2018)
 59. L'Oréal (nd)
 60. Mars (2018)
 61. Mondelēz International (2018)
 62. Nestlé (2018)
 63. PepsiCo (2018)
 64. P&G website 'P&G's direct palm suppliers - 2017'
 65. PZ Cussons (nd)
 66. Reckitt Benckiser (nd)
 67. Unilever (nd)
 68. Kraft Heinz (2018)
 69. In a few cases, a concession or a mill is currently defined as 'linked' to a particular producer group rather than as an outright group member. Some concessions or mills are defined as 'potentially' belonging to a group - for example where unofficial evidence such as LinkedIn profiles or social media indicates ownership but there is no other evidence to establish it, or in some cases where a mill name is generic, shared with one or more other mills, or otherwise not unique to a producer group and where GPS coordinates (which would potentially locate the mill in a known concession) are not disclosed.
 70. Chain Reaction Research (2017c)
 71. Chain Reaction Research (2018c) pp8-9

Ornate Fruitdove
(*Ptilinopus ornatus*)
in the Arfak Mountains,
Kwau, West Papua.
© Bernard Van Elegen



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