

Kalimantan Villagers File Complaint Against RSPO in Switzerland

An Indonesian community rights group filed a complaint against the Roundtable on Sustainable Palm Oil (RSPO) at the Organization for Economic Cooperation and Development (OECD) on Tuesday (23/01) for failing to address complaints by residents of two West Kalimantan villages.

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Jakarta. An Indonesian community rights group filed a complaint against the Roundtable on Sustainable Palm Oil at the Organization for Economic Cooperation and Development, or OECD, on Tuesday (23/01) for failing to address complaints by residents of two West Kalimantan villages.

The indigenous Dayak community in Kerunang and Entapang villages are accusing Malaysian palm oil giant Sime Darby – a member of the RSPO – of stealing tribal land.

Norman Jiwan, a consultant with rights group Transformation for Justice (TuK Indonesia), said the complaint was filed after the community sent a request urging the RSPO to convince Sime Darby to return the tribal lands.

The RSPO allegedly failed to respond to their request.

"Today, we will submit the complaint," said Norman, who serves as a legal consultant for the affected indigenous communities.

He added that the RSPO has failed to meet its obligations under the OECD Guidelines on Multinational Enterprises.

"The complaint against the RSPO is submitted through the OECD's national contact point in Switzerland, where the RSPO is legally constituted," Norman said.

TuK Indonesia said Sime Darby, through its West Kalimantan subsidiary Mitra Austral Sejahtera (MAS), has been operating on indigenous lands for more than 20 years without free, prior and informed consent.

MAS allegedly approached local communities in 1995 and promised that the plasma plantation development would be followed by electrification, infrastructure developments, housing, hospitals, schools and employment opportunities for residents of Kerunang and Entapang. These promises resulted in an agreement to lease the land until 2022.

Despite no formal contract with the communities, MAS obtained cultivation permits and a land-use contract valid until 2030. The Kerunang and Entapang communities were not aware of these developments.

Since 2007, when Sime Darby acquired MAS, the two villages have been urging the company to prove its right to cultivate the land.

Sime Darby's Response

Sime Darby said in a statement in December last year that the land dispute has been discussed at the RSPO's annual meetings since 2012.

"Throughout this period, RSPO's complaint manager also visited the communities four times. As of December 2017, SDP [Sime Darby Plantation] management has held 25 meetings with the communities surrounding MAS to earnestly resolve the outstanding issues," the statement said.

The Malaysian palm oil giant said it is fully aware of the situation and it sympathizes with the communities of Kerunang and Entapang.

"However, we are unable at this point to unilaterally accede to the community's demands over the main contention areas ... as to do so would result in a breach of Sime Darby Plantation's terms of the concessions agreement signed with the government of Indonesia," the company said.

Sime Darby added that it is ready to assist in dialogue with the relevant government officials to find an equitable and legal solution for all stakeholders.

"The company looks forward to the cooperation of the communities towards ensuring that the eventual return of their land is socially, environmentally and economically viable," Sime Darby said.

The company added that it is also committed to the principles of sustainable development, and that it will continue to work to resolve the situation and fully cooperate with the RSPO's complaints panel.

The media story can be found here: <http://jakartaglobe.id/news/kalimantan-villagers-file-complaint-against-rspo-in-switzerland/>