



Permanent Mission  
of the Republic of Indonesia to the  
UN, WTO, and Other International  
Organizations  
in Geneva

Geneva, 9 December 2024

No: 225/POL-II/XII/2024

Dear Sirs and Mesdames,

I have the honor to convey Government of Indonesia's response to your Joint Communication Ref.: AL IDN 4/2024, dated 9 October 2024, concerning the alleged violations of land rights in connection with the business operation of PT Astra Agro Lestari Tbk (PT AAL) in Sulawesi, Indonesia.

At the outset, let me emphasize Indonesia's unwavering commitment to protect the land rights of all Indonesian citizens, including the Customary Law Communities (or "*Masyarakat Hukum Adat*"). The Government also remains resolute in accelerating national agrarian reform and resolving land disputes across the country.

A set of regulatory frameworks and policy measures have been in place to ensure an effective land management, address all land-related issues and register the customary land, forest and coastal areas belonging to *Masyarakat Hukum Adat* throughout the archipelago.

In response to the Joint Communication, the Government affirms that most of the landholdings of PT Astra Agro Lestari Tbk and its subsidiaries are covered by the Cultivation Rights Title ("*Hak Guna Usaha*" or HGU). The conferring of HGU by the Government demonstrates that the lands in question have undergone a rigorous "clean and clear" process, ensuring compliance with prevailing regulations and in consultations with local communities.

Regarding human rights and environmental concerns raised by certain non-governmental organizations, PT AAL has made concerted efforts to address these issues, including with the third-party facilitation to foster dialogue. However, despite multiple attempts, the company continues to face challenges in establishing meaningful communication, primarily due to a lack of responsiveness from the said organizations.

The attached annex to the Government's response provides more comprehensive information on PT AAL's commitment to sustainable business practices, its respect for human rights and detailed responses to the allegations raised.

To conclude, I wish to reiterate that the Government of Indonesia will continue its utmost to promote and protect human rights for its people, and to advance human rights globally by maintaining its constructive engagement with the UN human rights mechanisms.

Please accept, Sirs and Mesdames, the assurances of my highest consideration.

Yours sincerely,



**Achsanul Habib**

Ambassador/Chargé d'affaires a.i./  
Deputy Permanent Representative I

To:

1. Michael Fakhri, ***Special Rapporteur on the right to food.***
2. Fernanda Hopenhaym, ***Chair-Rapporteur of the Working Group on the issue of human rights and transnational corporations and other business enterprises.***
3. Astrid Puentes Riaño, ***Special Rapporteur on the human right to a clean, healthy and sustainable environment.***
4. Irene Khan, ***Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression.***
5. Balakrishnan Rajagopal, ***Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context.***
6. Mary Lawlor, ***Special Rapporteur on the situation of human rights defenders.***
7. José Francisco Cali Tzay, ***Special Rapporteur on the rights of Indigenous Peoples.***
8. Geneviève Savigny, ***Chair-Rapporteur of the Working Group on the rights of peasants and other people working in rural areas.***
9. Pedro Arrojo-Agudo, ***Special Rapporteur on the human rights to safe drinking water and sanitation.***

## **Reply of the Government of Indonesia to the Joint Communication of the Special Procedures Mandate Holders Ref. AL IDN 4/2024 of 9 October 2024**

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With reference to your letter No. AL IDN 4/2024 dated 9 October 2024, please find below information, explanation, and clarifications on points raised regarding the alleged violations of land rights in relation to the business operation of PT Astra Agro Lestari Tbk in Sulawesi, Indonesia.

### **I. Overview of PT AAL's Activities in Sulawesi**

PT Astra Agro Lestari (PT AAL) and its subsidiaries have been operating in Sulawesi since the early 1990s. These companies ('AAL group') focus on the cultivation of palm oil, which has been a major driver of economic development in the region. From the outset, the AAL group has adhered to the licensing and regulatory processes in place during the 1990s and subsequent years. The regulatory landscape in Indonesia has evolved over time, with numerous changes in laws and policies governing land use, environmental protection, and business operations. The company has consistently ensured that its activities align with the regulations in force during each period. While the regulatory environment has undergone significant changes, the AAL group has taken steps to adapt to new requirements, showcasing its commitment to compliance and responsibility.

In recent years, PT AAL and its subsidiaries have faced criticism from environmental groups, particularly Walhi (Indonesian Forum for the Environment) and Friends of the Earth, who have raised concerns about the impact of palm oil plantations on the environment and local communities. In response, the company has engaged with these groups through the assistance of EcoNusa, a non-profit organization aimed to foster dialogue and achieve common solutions between all stakeholders in the palm oil industry. Despite efforts to engage Walhi in constructive discussions, the company has found it challenging to establish meaningful communication, as Walhi has been largely unresponsive to these outreach attempts.

For a more detailed understanding of the AAL group's operations, including its environmental and social impact, additional supporting data are attached. These resources provide a comprehensive view of the company's efforts in Sulawesi, including its commitment to sustainable practices of oil palm plantation and peatland restoration, adherence to local regulations, and responses to allegations related to human rights concerns.

### **II. Discussions on Issues of Concern**

The Government of Indonesia has put in place a range of regulations and mechanisms to address land-related issues, ensure effective management and resolution of land disputes, as well as manage the registration of Customary Law Communities' (*Masyarakat Hukum Adat*) lands and forests. These measures are critical for overseeing the administration of land rights and effective resolution of conflicts, particularly in the context of large-scale agricultural activities such as palm oil plantations. Additionally, the government also focuses on monitoring processes to ensure that these lands are in compliance with regulations while balancing the interests of local communities, the environment, and businesses in land management practices.

In the AAL group's case, most of its landholdings are already covered by the Cultivation Rights Title (*Hak Guna Usaha* or HGU), a key legal document for land use under Indonesian law. The process for obtaining HGU involves several stages, including consultations with local

communities to address their concerns and safeguard their rights. The process is a form of due diligence, aiming to ensure that land use aligns with local interests and legal standards. For lands subject to dispute or unresolved conflicts, the government withholds issuing the HGU until the issues are resolved. This highlights the importance of ensuring that the land is "clean and clear" before legal permits are granted to avoid potential conflicts arising from overlapping claims.

Moreover, the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency of Indonesia has introduced Regulation No. 21 of 2020, outlining procedures for handling and resolving land disputes. This regulation emphasizes the role of Customary Institutions in conflict resolution, providing a platform for traditional practices to contribute to modern land management (Article 45). Once a resolution is achieved through the assistance of Customary Institutions, it can be formalized through a Court Deed, and processed by the National Land Agency for official recognition. Beyond conflict resolution, the AAL group has also taken proactive steps towards environmental sustainability by implementing peatland restoration on their land, demonstrating its commitment to addressing environmental challenges.

In addition, the Government has also maintained the database on the presence of Customary Forest Areas in Sulawesi, further illustrating the efforts to recognize and respect *Masyarakat Hukum Adat's* territories and rights within a broader land management framework. The database as of October 2024 is as follows:

**Progress of Customary Forest Designation in the Sulawesi Region up to October 2024**

No	Name of <i>Masyarakat Hukum Adat</i> / MHA	District	Designated Area (ha)	Number of Households	Ministerial Decree
<b>A. South Sulawesi</b>					
1	MHA Ammatoa Kajang	Bulukumba	313.99	2,000	SK. 6742/MENLHK-PSKL/KUM.1/12/2016
2	MHA Marena	Enrekang	155	790	SK. 4716/MENLHK-PSL.1/PKTHA/PSL.1/7/2018
3	MHA Orong	Enrekang	81	350	SK. 4715/MENLHK-PSL.1/PKTHA/PSL.1/7/2018
4	MHA Tangsa	Enrekang	115	750	SK. 10435/MENLHK-PSKL/PKTHA/PSL.1/12/2019
5	MHA Uru	Enrekang	2,154	371	SK. 10436/MENLHK-PSKL/PKTHA/PSL.1/12/2019
6	MHA Andulang	Enrekang	725	169	SK. 7757/MENLHK-PSKL/PKTHA/PSL.1/12/2020
7	MHA Pasang	Enrekang	888	170	SK. 7755/MENLHK-PSKL/PKTHA/PSL.1/12/2020
8	MHA Tondon	Enrekang	205	46	SK. 7756/MENLHK-PSKL/PKTHA/PSL.1/12/2020
	<b>Total (South Sulawesi)</b>		<b>4,637</b>	<b>4,646</b>	

No	Name of <i>Masyarakat Hukum Adat</i> / MHA	District	Designated Area (ha)	Number of Households	Ministerial Decree
	<b>B. Central Sulawesi</b>				
1	MHA Suku Wana Posangke	North Morowali	6,212	120	SK. 6743/MENLHK-PSKL/KUM.1/12/2016
2	MHA Kulawi	Sigi	756	92	SK. 1156/MENLHK-PSKL/PKTHA/PSL.0/3/2017
3	MHA To Lindu	Sigi	6,473	1,211	SK. 5677/MENLHK-PSKL/PKTHA/PSL.1/9/2021
4	MHA To Kulawi Moma in Ngata Toro	Sigi	1,747	673	SK. 5679/MENLHK-PSKL/PKTHA/PSL.1/9/2021
5	MHA To Kulawi Uma in Moa	Sigi	1,484	123	SK. 5678/MENLHK-PSKL/PKTHA/PSL.1/9/2021
	<b>Total (Central Sulawesi)</b>		<b>16,672</b>	<b>2,219</b>	
	<b>Total (Sulawesi)</b>		<b>21,309</b>	<b>6,865</b>	

### III. Progress in Indonesia's Domestic Policy on Agrarian Reform and *Masyarakat Hukum Adat* Customary Land

In order to accelerate the implementation of agrarian reform, resolve agrarian conflicts, and empower the economy of agrarian reform subjects, Presidential Regulation No. 62/2023 on the Acceleration of the Implementation of Agrarian Reform was enacted on 3 October 2023. Article 19 paragraph (1(c)) of the Presidential Regulation explicitly recognizes *Masyarakat Hukum Adat* as one of the subjects of the agrarian reform measures. Article 33 and Article 38 of the Regulation further mandate improvement in *Masyarakat Hukum Adat*'s customary land administration. For this purpose, the Ministry of Agrarian Affairs and Spatial Planning is tasked to measure, map out, register *ulayat* (customary) lands, and provide registry numbers for these lands. However, challenges remain due to the lack of comprehensive data on the existing subjects and objects of *ulayat* land.

In practice, three Ministries are currently involved in the process to identify and register *Masyarakat Hukum Adat*'s customary land, including the Ministry of Environment and Forestry for customary land in forest areas, the Ministry of Marine Affairs and Fisheries for customary land in coastal areas, and the Ministry of Agrarian Affairs and Spatial Planning for customary land in other areas.

From 2016 to 2023, the Ministry of Environment and Forestry verified and designated 224,195 hectares of customary forest areas across over 18 provinces, covering 76,079 *Masyarakat Hukum Adat* families.

Since 2016, the Ministry of Marine Affairs and Fisheries has facilitated the recognition and protection of 26 *Masyarakat Hukum Adat* communities in coastal areas. It has also supported the allocation of around 400,000 hectares of customary management areas in provincial coastal zoning plans across 5 provinces in Indonesia.

Since 2021, the Ministry of Agrarian Affairs and Spatial Planning has identified and built an inventory of *Masyarakat Hukum Adat*'s land; consisting of around 3.8 million hectares of

indicative *ulayat* land and 147,000 hectares of indicative communal land; covering 16 provinces in Indonesia.

The Ministry has also launched pilot projects in West Sumatra and Papua provinces to issue land management rights certificates for *Masyarakat Hukum Adat*'s customary land. The pilot project in West Sumatra issued land management rights certificates for 6 parcels of customary land, covering an area of 142.47 hectares. Meanwhile, the pilot project in Papua Province issued a land management rights certificate for the *Sawoi Hnya* community in Jayapura Regency for 3 plots of customary land, covering an area of 699.77 hectares. The land management rights certificate provides an administrative tool to ascertain clearer demarcation of customary land and prevent its utilization by other entities without the consent of *Masyarakat Hukum Adat*.

In addition, the Bill on *Masyarakat Hukum Adat* has been included in the 2024 National Legislation Program, as one of the 47 priority bills. Initially tabled at the House of Representatives in 2020, the Bill went through a series of discussions, including with civil society organizations advocating for *Masyarakat Hukum Adat*. The Bill is currently at the harmonisation stage, pending further deliberation by the House of Representatives to finalise. The July 2020 draft Bill reaffirms the recognition and protection of *Masyarakat Hukum Adat* rights, including regulating criminal sanctions for violations of *Masyarakat Hukum Adat*'s land rights and access to natural resources (Articles 53-54).

#### **IV. Progress in Indonesia's Domestic Policy on Business and Human Rights**

The Government has enacted Presidential Regulation No. 60/2023 on National Strategy on Business and Human Rights. It strengthens the regulatory and institutional frameworks to protect various human rights in business activities, ensure corporate responsibility in respecting human rights, and provide access to remedies. The National Strategy further specifies the "to-do list" that the Government aims to carry out until 2025, including capacity building measures, developing regulations, and strengthening remedy mechanisms. The Ministry of Law and Human Rights has also designated the implementation of the National Strategy as a priority in 2024, including through the drafting of implementing regulations.

The Government also continues to expand the implementation of PRISMA (*Aplikasi Penilaian Resiko Bisnis dan HAM*/Business and Human Rights Risk Assessment Application), a web-based application to help business enterprises identify and mitigate potential human rights impacts arising out of their business activities.<sup>1</sup> The application poses questions that business enterprises need to answer on 13 topics: company profile, potential human rights impact, internal human rights policy, complaint mechanism, supply chain, labour, working condition, trade union, discrimination, privacy, environment, land and *Masyarakat Hukum Adat*, as well as corporate social responsibility. Since its inception, trainings on the use of PRISMA have been conducted in 8 cities with 238 participants and 70 companies have utilized the application. In January 2023, Pertamina Group became the first company to receive the PRISMA Certificate after completing the application's self-assessment tool in 2020.

#### **V. Concluding Note**

We acknowledge that as a developing country, Indonesia has been encountering challenges in its post-colonial agrarian reform. However, the Government has made significant efforts in sorting out overlapping land claims and digitizing land registration. From 2019 to

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<sup>1</sup> Ministry of Law and Human Rights of the Republic of Indonesia, *Aplikasi PRISMA / PRISMA App* <https://prisma.kemenkumham.go.id/>.

2023, the Government had certified around 9.1 million acres of land. Considering that Indonesia is the largest archipelagic country in the world, with more than seventeen thousand islands and about two million square of land territory, we are committed to advancing the land reform to protect the rights of all Indonesian citizens, including our Masyarakat Hukum Adat communities.

To conclude, we reiterate the Government of Indonesia's commitment to constructively work together with all relevant stakeholders in the protection and promotion of human rights, to ensure that the benefit of development can reach and be mutually enjoyed by our people. We also appreciate your commitment to maintaining dialogue with the Government of Indonesia and we stand ready to continue constructive communication and collaboration.

**Supplementary Information of the Reply of the Government of Indonesia to the  
Joint Communication of the Special Procedures Mandate Holders  
Ref. AL IDN 4/2024 of 9 October 2024**

PT Astra Agro Lestari Tbk (AAL) is a national public company in Indonesia that has taken steps to uphold and comply with the prevailing laws and regulations in Indonesia and human rights values.

PT AAL has had a sustainable policy since 2015, with one of the main commitments being “Respecting Human Rights”. Our sustainability policy can be accessed via our website: <https://www.astra-agro.co.id/wp-content/uploads/2017/12/Sustainability-Policy-1.pdf>.

In implementing its human rights policy, PT AAL follows the principles outlined in the United Nations Guiding Principles for Business and Human Rights. PT AAL's Standard Operating Procedures (SOP) for respecting human rights has been reviewed by a third party, Conflict Resolution Unit (CRU-IBCSO), which confirmed that PT AAL effectively implements the principles of the UNGP. A summary of this review is attached (Appendix 1). Additionally, PT AAL has developed a company-wide overarching human rights strategy, detailed in Appendix 2).

PT AAL is a shareholder of PT Mamuang (PT MMG), PT Lestari Tani Teladan (PT LTT) and PT Agro Nusa Abadi (PT ANA) which manage oil palm plantation at the following locations :

PT MMG : in Pedongga Subdistrict, Pasangkayu Regency, West Sulawesi  
PT LTT : in Rio Pakava Subdistrict, Donggala Regency, Central Sulawesi  
PT ANA : in Petasia Timur Subdistrict, Morowali Utara Regency, Central Sulawesi

In response to all allegations of human rights violations submitted by Special Procedures Mandate Holders, as detailed in a 25-page letter, PT AAL has provided a comprehensive response and clarification on its website: <https://www.astra-agro.co.id/en/statements/>

Furthermore, PT AAL offers a grievance mechanism system that can be accessed through its website: <https://www.astra-agro.co.id/en/grievance-mechanism/>.

The detailed information from PT AAL below is provided to clarify the alleged human rights violations raised by the Special Procedures Mandate Holders.



**Alleged human rights violations and other information of concern to SPMH:**

- a. *AAL and its subsidiaries do not have right to cultivate (HGU) in Sulawesi and conduct their business activities without obtaining Free, Prior and Informed Consent (FPIC) from Indigenous Peoples, nor engage in good faith consultations with affected communities.***

**AAL's clarification :**

- The presence of PT ANA in the North Morowali Regency area began with an invitation from the Morowali Regency Government to invest. In early 2006, the Morowali Regency Government, led directly by the Acting Regent (Plt.), Drs. Datlin Tamalagi and his staff visited the head office of PT Astra Agro Lestari (AAL) in Jakarta in order to promote regional potential for plantation estate in the Petasia, Lembo, Mori Atas, Bahodopi and South Bungku sub-districts with a land area of around 100,000 hectares.
- PT AAL followed up by conducting a desk study and initial survey of land potential, with the assistance of consultant services CV Warekon, which has offices in Bandung City. The results of the study show that there is potential land for plantations in Morowali Regency of around 105,000 Ha. Based on these results, AAL established several companies in Sulawesi.
- Throughout its journey, the company has diligently secured all necessary permits in compliance with Indonesian laws and regulations. Of the three subsidiaries mentioned by NGOs, PT Agro Nusa Abadi has yet to obtain a Right to Cultivate (HGU) but has been actively in the process of acquiring it since the company's establishment. Detailed information on the process of obtaining of PT ANA's HGU can be found in the verification report by EcoNusantara on pages 59, 67-69 (English version) and pages 58, 67-69 (Indonesian version). This report is publicly accessible via the AAL website at: <https://www.astra-agro.co.id/wp-content/uploads/2023/11/2023-10-30-ENS-Final-Report-AAL-Cases-in-C-Sulawesi-ENG.pdf>. Summary of the report is attached in Appendix 3.
- Concerning FPIC, it is important to note that the term was introduced by the RSPO in the palm oil plantation industry, with official guidelines for its implementation published at the end of 2016. We can confirm that AAL's subsidiaries have engaged in activities akin to FPIC, starting with socialization efforts attended by village and regional government representatives as well as the community. This included discussions and compensation for plants growing on the land before commissioning plantation development operations, all in accordance with the regulations in place at that time. This process is detailed in the EcoNusantara verification report on page 70 (English version) / page 69 (Indonesian version).

- It is important to understand that the process of obtaining a Rights to Cultivate (HGU) is lengthy due to the numerous requirements and documents that must be fulfilled, including community socialization. Before issuing recommendations for HGU, the Land Inspection Committee B (Committee B) conducts a thorough field review, involving all village and community members at the prospective HGU site. This ensures that landowner rights are resolved and HGU recommendations can only be issued when the land has a 'clean and clear' status. Detailed information on the HGU process can be found in the EcoNusantara verification report on page 61 (English version) / 60 (Indonesian version).
- Based on the above facts, it is incorrect to assert that AAL's business activities are conducted without FPIC.
- Furthermore, AAL has an FPIC Standard Operating Procedure (SOP) that applies to all its subsidiaries. AAL also has a Sustainability Policy and a Company-Wide Overarching Human Rights Strategy, both of which are fully aligned with the UN Guiding Principles on Business and Human Rights (UNGPs) for its operations. These policies encompass the upholding of human rights, including those of local communities.

**Alleged human rights violations and other information of concern to SPMH :**

***b. AAL engages in grabbing communities' land (land grabbing) without offering any compensation, or only providing partial compensation.***

**AAL's clarification:**

- AAL and its subsidiaries fully adhere to the Astra Group's human rights policy and are not involved in any form of land grabbing nor human rights violations. AAL's operations comply with all applicable legal procedures. The land acquisition process includes stages of socialization and compensation, involving community members and village officials. The compensation value is mutually agreed upon, and no compensation is provided without the consent of the recipient.
- Specifically for PT ANA, it has been reported that approximately 730 hectares of land remain uncompensated due to overlapping SKT ownership claims within the community. According to the EcoNusantara verification report, at least 28 groups and individuals claim ownership of the same parcel of land, as detailed on page 89 (English version) / page 90 (Indonesian version). To address this issue, the Morowali regional government has established land verification and validation teams since 2010 and 2016. This process should have been completed, and any parties who are dissatisfied or have objections are encouraged to pursue legal action.

**Alleged human rights violations and other information of concern to SPMH :**

***c. AAL's business activities have caused ecosystem damage, including due to massive drying of peatlands and increasing the number of fire hotspots on plantation land.***

**AAL's clarification:**

This statement is baseless. AAL carries out its subsidiary operations by complying with all applicable laws and regulations including environmental management.

AAL has a Sustainability Policy that includes zero deforestation, no burning during land clearing, and peat conservation. AAL is working hard to maintain its commitment to its Sustainability Policy by developing a 3-year Action Plan (2018-2020) followed by a 5-year Action Plan (2021 – 2025).

In managing its peatlands, AAL implements Sustainable Peat Management in accordance with the regulations on peatland management and restoration issued by the Government of Indonesia. AAL is committed to not establishing plantations on peatlands with more than 65% organic matter. Additionally, no new development will take place on any peatland, irrespective of its depth.

Water management for oil palm cultivation on peatlands is carried out with careful consideration of several factors: water management design (including topography, drainage channels, and hydrotopography), water structures, and the monitoring of water surface height. Both manual and automatic water level monitoring equipment have been installed at compliance monitoring points designated by the Ministry of Environment and Forestry within the company's areas. AAL periodically reports the results of water management monitoring to the Ministry of Environment and Forestry.

In the context of peat conservation, AAL collaborates with the Peatland Restoration Agency (BRG) to implement the Peat Care Village program. This initiative aims to enhance peat management in target villages surrounding the company's operational areas, thereby improving the peat ecosystem within the landscape of the company's concession. The program includes activities such as the Peat Farmer Field School and Peat Management Education for Teachers in Priority Villages. Furthermore, AAL actively supports research to develop a comprehensive and sustainable peat management model. These research activities involve collaboration with several experts from academia and various institutions, including the Ministry of Agriculture, the Center for Agricultural Land Resources (BBSDLP), the Center for Agroclimate and Hydrology Research and Development (Balitklimat), the Soil Research Center (Balittanah), the Center for Agricultural Technology Assessment (BPTP), the Center for Swamp Land Agriculture Research (Balitra), Bogor Agricultural University (IPB), Stiper Agricultural Institute (INSTIPER), Gadjah Mada University (UGM), and other universities.

In its efforts to prevent deforestation, AAL is firmly committed to a zero-fire policy, which prohibits the use of fire in all land management and replanting activities. This policy effectively mitigates any potential fire risks across the Astra Agro Lestari concession. AAL's fire prevention system is aligned with the relevant laws and regulations (Regulation of the Minister of Agriculture/Permentan No. 5 of 2018) which includes four (4) main principles: i)

compliance with standard operating procedures, ii) standard fire extinguishing facilities, iii) water supply system, and iv) community and local government involvement.

To further strengthen its fire prevention efforts, AAL has formed an emergency response organization (TKTD) in each plantation. These organizations are tasked with implementing forest and land fire prevention and mitigation programs directly in the field. Additionally, AAL collaborates with local communities by establishing Community Cares for Fire (MPA) groups. Currently, there are 121 MPAs, with 25 of these MPAs having achieved self-sufficiency.

With the implementation of a sustainable peatland management system and an effective fire prevention and mitigation system, there have been very few fire hotspots on AAL subsidiary plantations with peat over the past nine years. Below is the historical data on fire hotspots in AAL subsidiaries with peat.

PT*	Tahun								
	2016	2017	2018	2019	2020	2021	2022	2023	2024
KTS	0	0	0	0	0	0	0	0	0
PLB	0	0	0	0	0	0	0	0	0
KTU	0	0	0	0	0	0	0	0	0
SLS 1	0	0	0	0	0	0	0	0	0
SAL 1	0	0	0	0	0	0	0	1	0
PDL	1	1	1	0	0	0	0	0	1
SAM	1	1	0	1	1	1	0	0	0
TBM	1	0	0	0	0	0	0	0	0
LTT	0	0	0	0	0	0	0	0	0
LTW	0	0	0	0	0	0	0	0	0
MMG	0	0	0	0	0	0	0	0	0
PSKY	0	0	0	0	0	0	0	0	0
SRL 1	0	0	0	0	0	0	0	0	0
ANA	0	0	0	0	0	0	0	0	0
SJA 2	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>1</b>

\*Company Concession with peat

The fire incident was less than 2 ha in size and was successfully extinguished in less than 1 hour. The fire source was from outside of the concession. This data can be checked through Global Forest Watch satellite monitoring.

Based on the data above, the statement that peat was drained and the number of hotspots in the Plantation increased is not true. In 2019 when massive land and forest fires occurred in Indonesia, there was only 1 hotspot in the AAL subsidiary concession.

**Alleged human rights violations and other information of concern to SPMH :**

***d. Intimidation, harassment, repression, violence, and criminalization of Indigenous Peoples, community members, and human rights defenders.***

**AAL's clarification:**

AAL takes all allegations seriously and will work towards mutually agreeable solutions. We have no tolerance for any violation of land or human rights and will work to assure stakeholders of our compliance with company policies. We work hard to operate our business sustainably and with respect to the communities where we operate.

AAL has a Sustainability Policy and a Company-Wide Overarching Human Rights Strategy that is fully aligned with the UN Guiding Principles on Business and Human Rights (UNGPs) for all AAL and its subsidiaries' operations. These policies encompass the upholding of human rights, including those of local communities.

To ensure that the public can convey their grievances freely and without fear of threat or intimidation, AAL provides a channel for conveying grievances openly through the Grievance Mechanism and privately through the Whistleblowing Mechanism. These channels can be accessed by anyone. The information on how to access is available on our website, which can be accessed via below links :

<https://www.astra-agro.co.id/en/grivance-mechanism/>

<https://www.astra-agro.co.id/wp-content/uploads/2024/03/Eng-PROSEDUR-PENANGANAN-PENGADUAN-1.pdf>

<https://www.astra-agro.co.id/en/sustainability/recognize-the-right-of-all-workers/>

Specifically, for how to access the whistleblowing channel, we install a poster in the public area at the head office and site office, loading ramp at the mill area, and the company information/announcement board.

For operation sites, where internet access or written communication may be limited, grievances/complaints can be conveyed directly to a superior (Foreman, plantation Assistant, CSR Assistant, Community Development Officer, or Administrator), who will then escalate the issue to the Grievance Management Team.

All reporters/grievance raisers are protected from security threats and retaliation. For those using the whistleblowing channel, the reporter's identity will be kept confidential.

Every report or grievance received is handled professionally according to SOP and reported periodically to relevant stakeholders.

**Alleged human rights violations and other information of concern to SPMH :**

***e. Restrictions on access to agricultural land and destruction of crops and agricultural equipment as a form of intimidation or reprisals for protesting oil palm company activities.***

**AAL's clarification :**

We can assure that AAL and its subsidiaries have never been involved in any form of intimidation against the community or in destroying crops and agricultural equipment belonging to the community.

All cases raised by FoE/Walhi have been adjudicated in court and found to be purely criminal cases under Indonesian law. Third-party verification reports by ENS confirm that there is no evidence of criminalization or intimidation by the company.

**Alleged human rights violations and other information of concern to SPMH :**

***f. Poor enforcement of laws, ambiguous and inequitable plasma plantation land agreements, and minimal recognition of land ownership by Indigenous Peoples and farmer communities.***

**AAL's clarification :**

We reiterate that AAL and its subsidiaries in carrying out their operations uphold human rights including the rights of local communities.

All operations at AAL are carried out in accordance with company procedures and policies that are in line with applicable laws and regulations in Indonesia.

In relation to partnership cooperation in the form of plasma, each cooperation agreement is first discussed with the plasma owner through a cooperative forum, ensuring that no decisions are made unilaterally. The partnership agreements are recognized by authorized government officials and are signed before a notary. Beyond the partnership agreements, AAL fosters various other forms of partnerships aimed at enhancing the prosperity of plasma farmers. These include the procurement of fertilizers, herbicides, oil palm seedlings, heavy equipment, transport units (trucks), private vehicle units, and micro-financing. This collaborative approach allows farmers to access their needs directly from primary suppliers, thereby reducing costs associated with intermediaries.

Concerning land ownership, the company allows individuals with valid ownership certificates to file a claim. These claims are processed according to government-established procedures, which include inspections by the Land Team formed by the Regent, with involvement from the National Land Agency. If the claim is substantiated with valid supporting documentation, the company will negotiate with the landowner regarding whether the land will be transferred/compensated or if the owner wishes to manage it independently. All decisions are reached through deliberation.

In addition to the aforementioned points, we wish to inform that throughout the last 20 months, since we appointed Econusantara to carry out an in-depth and arm's length assessment of the grievances raised in Friends of the Earth (FoE) US's 2022 report, we have

consistently been clear to FoE and Walhi that our door is open to engagement. We have done this in responsive email exchanges with Friends of Earth, through telephone dialogue between the two of them and [REDACTED] at Robertsbridge, and in public posts on our website. Stakeholders have also made the point to them. **It should be noted that FoE or WALHI never provide details of which communities they represent, so consultation with communities is only carried out through FoE or WALHI.**

ENS has attempted to engage with Walhi several times starting from the kick off meeting for verification on May 25, 2023, which was refused by Walhi at the last minute despite the schedule and venue determined by Walhi. On June 23, 2023, ENS again offered a meeting with Walhi in the field considering that at that time the team from Walhi National, Walhi Central Sulawesi and community representatives were in Pasangkayu. But no response. On 13 October 2023, ENS officially extended the invitation to both WALHI and FoE US to attend a consultation session on 18 October 2023 to discuss the verification report and any feedback both organizations may have on it. However, neither WALHI nor FoE US responded to the invitation in electronic letter or phone call, nor did they mention the need for rescheduling. In early July 2024, ENS sought a meeting with WALHI, facilitated by the Director of TuK Indonesia. Initially, Walhi agreed to the meeting scheduled for July 14, 2024. However, on July 12, 2024, at 11:12 PM, Walhi canceled the meeting agenda once again.

Based on these facts on how we have tried to engage with them, our view now is that we have repeatedly tried to do the proper thing, and meet round a table to work on resolutions that meet with everyone's agreements. This is how these things are usually dealt with. We offered third party mediation, we offered unfettered access to our data held in our offices, and we offered the presence of a mutually agreed expert in Indonesian law.

We have now reached the point where we do not see the point in releasing point-by-point rebuttal and commentary, and we would like to focus on what we have been – and continue to be – working on: resolving all the grievances evidenced in ENS's initial report. We are currently focusing on implementing the action plan as follow up on the independent verification report recommendations.

Concerning the land acquisition process by AAL in Sulawesi, as described in the first point, AAL's presence in Sulawesi resulted from an invitation by the local government to invest. This invitation was followed by a feasibility survey. Following the positive results of the feasibility assessment in the specified area, AAL established several companies to handle the legal administration as business entities. The company was then granted a location permit, which was subsequently processed until obtaining HGU in accordance with the prevailing laws and regulations in Indonesia. A detailed description of the land acquisition and licensing process can be found in Appendix 4 of this letter.

In addition to responding to the local government's invitation to invest, AAL and its subsidiaries play a significant role in the Sulawesi region, particularly in rural areas. The company contributes through various means, including tax payments, fresh fruit bunch

transactions worth billions of rupiah per month that drive the local economy, and substantial contributions to welfare improvement through Corporate Social Responsibility (CSR) programs. These CSR programs encompass healthcare and education services, community economic improvement programs, and environmental programs. The following are routinely implemented programs within the three AAL subsidiaries:

Subsidiaries	Program of Corporate Social Responsibility (CSR) in 2024				
	Education (routine)	Healthcare (routine)	Economic (routine)	Environmental (based on needs)	Infrastruktur (based on needs)
PT Mamuang	<ul style="list-style-type: none"> <li>Managing and fostering 1 elementary school and 1 kindergarten with a total of 90 students.</li> <li>Mentoring of 10 external schools for teacher and school committee training.</li> <li>Infrastructure assistance for 8 schools.</li> <li>Provision of scholarships to 60 children from underprivileged families.</li> <li>Provision of incentive assistance for 27 honorary teachers</li> <li>Training and capacity building for 25 teachers.</li> </ul>	<ul style="list-style-type: none"> <li>Provision of healthcare services through 14 Posyandu in the form of supplementary feeding accessed by 77 pregnant women and 572 toddlers.</li> <li>Provision of incentive assistance and training to 70 Posyandu cadres.</li> <li>Provision of family planning services for 20 acceptors.</li> </ul>	<ul style="list-style-type: none"> <li>Training and capacity building for farmers on good agricultural practices for 199 smallholders.</li> <li>Staple food assistance for 135 families in the Kaili Tado community, Kabuyu Hamlet, Sipatuo and Wauamboya, Mertasari Village</li> <li>Assistance and coaching for freshwater fish farming for 9 groups in 2 villages with 53 families.</li> <li>Assistance and coaching for catfish farming for 1 Karang Taruna with 15 members.</li> <li>Assistance and capacity building for PKK mothers to grow horticulture for 10 families.</li> </ul>	<ul style="list-style-type: none"> <li>Clean water assistance for the Kabuyu Tua Hamlet community benefiting 160 families.</li> <li>Plant seed assistance for the Greening Program benefiting 4 villages and ± 1900 families.</li> </ul>	<ul style="list-style-type: none"> <li>Road repair in 3 villages along 11 km.</li> <li>River normalization assistance along 3 km.</li> </ul>
PT Lestari Tani Teladan	<ul style="list-style-type: none"> <li>Managing and fostering 1 internal elementary school and 1 kindergarten with a total of 289 students</li> <li>Mentoring of 10 external schools for teacher training and school committees serving 1544 students</li> <li>Provision of scholarships to 29 children from underprivileged families.</li> <li>Provision of outstanding scholarships to 63 students in external schools.</li> </ul>	<ul style="list-style-type: none"> <li>Provision of Health services through 15 Posyandu in the form of supplementary feeding accessed by 195 pregnant women and 923 toddlers.</li> <li>Provision of incentive assistance and training to 75 Posyandu cadres.</li> <li>Provision of family planning services for 20 acceptors.</li> <li>Provision of mass circumcision program for 26 children.</li> </ul>	<ul style="list-style-type: none"> <li>Training and capacity building for farmers on good agricultural practices for 155 smallholders.</li> <li>Provision of goat seedlings, along with guidance and training for a group of 30 farming families.</li> <li>Mentoring 4 MSMEs in 2 villages with 35 families.</li> </ul>	<ul style="list-style-type: none"> <li>Assistance for clean water wells + 6 water tanks and 5 public toilets for hamlets in Towiora village which are benefiting 100 families.</li> <li>Assistance for plant seeds for the Greening Program for 3 villages.</li> <li>Assistance for demonstration plots/use of home yards for 20 families</li> </ul>	<ul style="list-style-type: none"> <li>Road repair in 4 villages along 10 km</li> <li>Materials assistance for the construction of a mosque in Towiora village</li> <li>Assistance in repairing bridge.</li> <li>Provision of 1.2 ha of public burial land for Towiora village.</li> </ul>



	<ul style="list-style-type: none"> <li>• Provision of incentive assistance for honorary teachers for 16 teachers.</li> <li>• Training and capacity building for 25 teachers.</li> </ul>				
PT Agro Nusa Abadi	<ul style="list-style-type: none"> <li>• Managing and fostering 1 internal kindergarten with a total of 89 students</li> <li>• Fostering 15 external schools</li> <li>• Provision of achievement scholarships and scholarships to children from underprivileged families totaling 151 students.</li> <li>• Provision of incentive assistance for honorary teachers for 21 teachers in 13 schools.</li> <li>• Training and capacity building for 25 teachers.</li> <li>• Assistance for Student and Teacher Tables and Chairs Infrastructure to 1 School (SDN 2 Bunta); Assistance for heavy equipment for maintenance of public facilities to 3 Schools (SDN Towara, SMP and SMA Alkhaeraat Bungintimbe).</li> </ul>	<ul style="list-style-type: none"> <li>• Provision of healthcare services through 12 Posyandu and provision of supplementary feeding accessed by 211 pregnant women, 1,058 toddlers and 82 elderly.</li> <li>• Provision of incentive assistance to 60 Posyandu cadres in 7 villages.</li> <li>• Provision of family planning services for 44 acceptors.</li> <li>• Provision of free medical treatment in 3 Zone 1 Villages, namely Towara Village, Molino Village and Towara Pantai Village which was accessed by 100 families.</li> <li>• Provision of mass circumcision program in Towara Village for 26 children.</li> </ul>	<ul style="list-style-type: none"> <li>• Assistance in providing freshwater fish farms for 2 Karang Taruna with 21 members in Molino and Towara Villages.</li> <li>• Assistance in providing hydroponic vegetables for 1 Karang Taruna with 18 members in Bungintimbe Village</li> <li>• Assistance in providing freshwater fish farms for 1 group of fishermen with 18 members in Tompira Village.</li> <li>• Assistance in providing seaweed cultivation for 1 group of fishermen with 14 members in Towara Pantai Village.</li> <li>• Assistance in starting a business and providing catering for 1 group with 13 housewives in Molino Village.</li> <li>• Assistance in providing laying hen farms for 1 group of farmers with 10 members in Peboa Village.</li> </ul>	<ul style="list-style-type: none"> <li>• Clean water assistance in Towara Village, in the form of clean water supply using water tanks for 150 families at Towara village.</li> </ul>	

Documentation of CSR activities by the three AAL subsidiaries in Sulawesi, as reported by the mass media, can be accessed at the following link:

#### Education programs :

- <https://trans89.com/2024/05/31/pt-lestari-tani-teladan-dukung-majelis-taklim-dan-berikan-bantuan-biaya-pendidikan-anak-kurang-mampu>
- <https://www.metrosulteng.com/sosial-budaya/51912699092/korban-banjir-desa-towiora-riopakava-terima-bantuan-semabako-dari-pt-ltt?page=2>
- <https://www.astra-agro.co.id/2024/06/01/pt-mamuang-berkomitmen-sejahteraan-guru-honorer-dan-kader-posyandu/>

- <https://trans89.com/2024/02/04/astra-cerdas-pt-lestari-tani-teladan-berikan-beasiswa-bagi-berprestasi-di-desa-towiora>
- <https://www.beritasatu.com/network/beritabersatu/112507/lewat-program-csr-pt-mamuang-beri-bantuan-beasiswa-dan-insentif-bagi-guru-honorar>
- <https://www.astra-agro.co.id/2023/03/05/agro-nusa-abadi-berkomitmen-untuk-membantu-pendidikan-warga-sekitar/>
- <https://www.inilah.com/perusahaan-perkebunan-realisasikan-komitmen-bantu-pendidikan-warga>

### **Healthcare programs :**

- <https://www.metrosulteng.com/sosial-budaya/51912698956/pelayanan-kb-serentak-di-pt-ltt-berlangsung-meriah-sukseskan-hkn-ke-31-dan-hari-buruh-internasional>
- <https://www.astra-agro.co.id/2024/05/19/tekan-stunting-pt-mamuang-kolaborasi-bkkbn-sulbar-dan-dp2kb-pasangkayu-berikan-pelayanan-kb-gratis/>
- <https://trans89.com/2024/06/29/pt-mamuang-peringati-hari-donor-darah-sedunia-bekerjasama-pmi-pasangkayu>
- <https://palu.tribunnews.com/2024/07/04/dukung-peningkatan-kesehatan-pt-ana-gelar-sunatan-massal-di-desa-towara-morowali-utara>
- <https://trans89.com/2024/02/21/csr-astra-sehat-komitmen-pt-mamuang-tingkatkan-kualitas-kesehatan-dan-kesejahteraan-masyarakat-desa-martasari>
- <https://sawitindonesia.com/anak-usaha-astra-agro-menjadi-pionir-program-kb-perusahaan-pertama-di-sulteng/>
- <https://www.astra-agro.co.id/2023/11/05/pt-ana-komitmen-tekan-kasus-stunting-di-morut/>
- <https://manakarrapos.com/berita-sulawesi/sulawesi-tengah/pt-lestari-tani-teladan-bantu-khitan-massal-26-anak-di-tawiora/>

### **Economic programs :**

- <https://www.astra-agro.co.id/2024/05/14/pt-mamuang-berikan-bantuan-semako-masyarakat-adat-suku-kaili-tado/>
- <https://trans89.com/2024/05/14/pt-mamuang-tetap-komitmen-berikan-bantuan-semako-kepada-masyarakat-adat-suku-kaili-tado>
- [https://www.metrosulteng.com/kesehatan/51913053655/dukung-peningkatan-kesehatan-pt-ana-gelar-sunatan-massal-gratis#google\\_vignette](https://www.metrosulteng.com/kesehatan/51913053655/dukung-peningkatan-kesehatan-pt-ana-gelar-sunatan-massal-gratis#google_vignette)
- [https://trans89.com/2024/03/24/pt-lestari-tani-teladan-beri-penyuluhan-beternak-kambing-bagi-warga-suku-kaili-tado#google\\_vignette](https://trans89.com/2024/03/24/pt-lestari-tani-teladan-beri-penyuluhan-beternak-kambing-bagi-warga-suku-kaili-tado#google_vignette)
- <https://www.kabarinspirasi.com/sulteng/18912318714/dukung-kemandirian-peternak-ayam-petelur-pt-ana-salurkan-bantuan-pakan-ternak>
- <https://ctzen.id/detail/berkontribusi-dan-berperan-memajukan-ekonomi-masyarakat-pt-ltt-terima-penghargaan/>
- <https://www.astra-agro.co.id/2022/12/01/peduli-perempuan-pt-ana-jalankan-program-pemberdayaan-perempuan-di-sektor-umkm/>
- <https://sulteng.antaranews.com/berita/256633/bupati-morut-apresiasi-perkebunan-sawit-agro-nusa-abadi>

### **Environmental Programs :**

- <https://trans89.com/2024/06/11/astra-agro-lestari-group-berpartisipasi-peringati-hari-lingkungan-hidup-tingkat-kabupaten-pasangkayu>

- <https://www.radarsulteng.net/ekonomi/25/10/2024/warga-towiora-bersyukur-perusahaan-sawit-pt-ltt-bangunkan-fasilitas-air-bersih-dan-mck/>
- <https://trans89.com/2022/08/20/manfaatkan-pekarangan-rumah-warga-melalui-program-csr-lingkungan-pt-lestari-tani-teladan>
- <https://solusinews.id/pelantikan-pemuda-sadar-wisata-desa-batu-oge-dirangkai-kerja-bakti-di-pantai/>
- <https://berantastipikor.co.id/krisis-air-bersihpt-ana-bantu-suplai-air-bersihke-desa-towaraguna-membantu-masyarakat-lingkar-sawit/>

**General CSR on infrastructure improvement :**

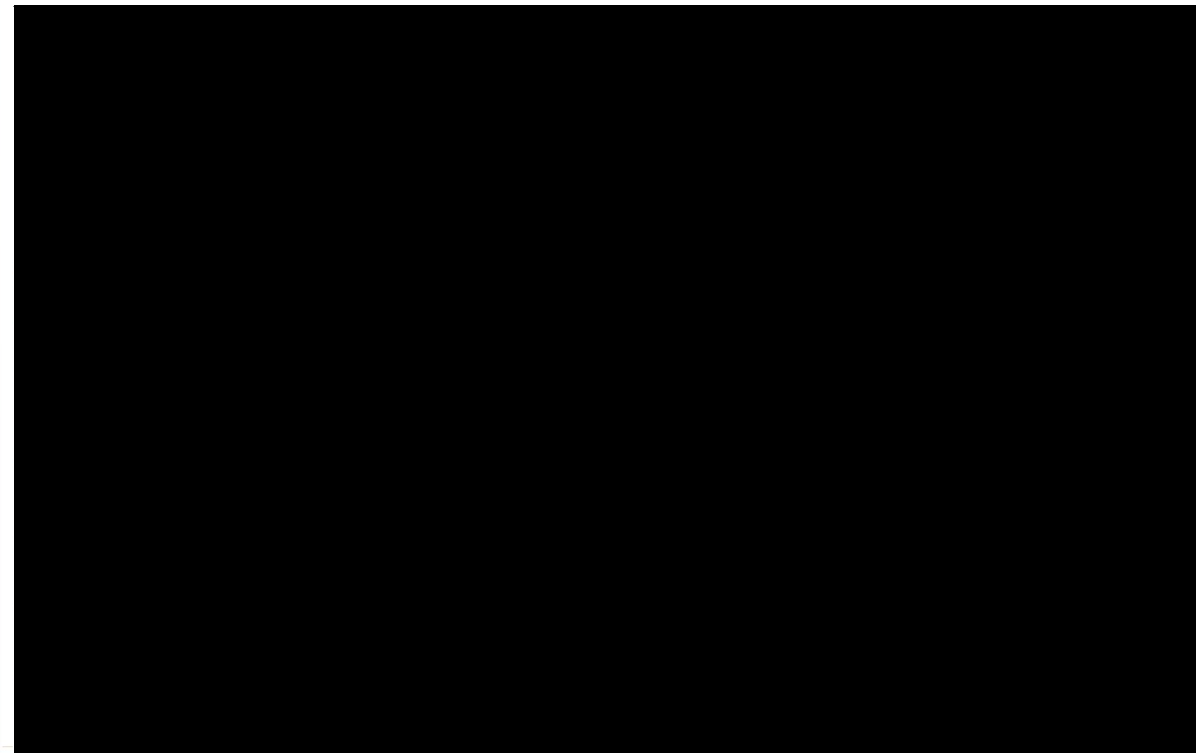
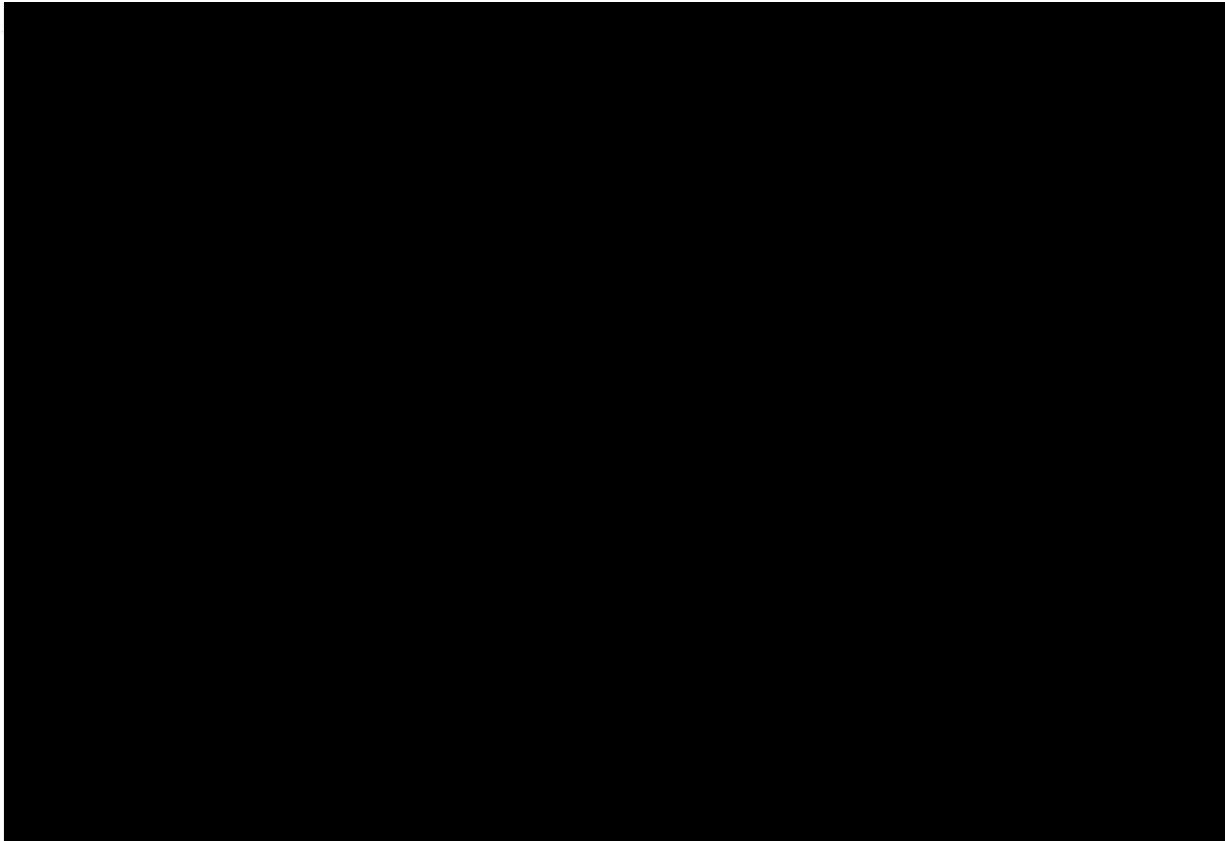
- <https://banniq.id/melalui-csr-pt-ltt-perbaiki-jalan-desa-di-towiora-rio-pakava/>
- <https://trans89.com/2023/02/15/csr-infrastruktur-pt-lestari-tani-teladan-bantu-perbaiki-jembatan>
- <https://rotari.id/pt-ltt-perbaiki-jalan-desa-minti-makmur-kades-akses-pengangkutan-tbs-dan-aktivitas-ekonomi-warga-semakin-lancar/>
- <https://trans89.com/2024/03/21/dalam-rangka-hari-raya-nyepi-pemerintah-desa-martasari-kerjasama-pt-mamuang-gelar-lomba-memancing>
- <https://www.sulbarkini.com/bantu-masyarakat-kaili-tado-pt-mamuang-kembali-salurkan-paket-sembako/>
- <https://www.astra-agro.co.id/2023/04/13/pt-mamuang-kembali-kerahkan-alat-berat-bantu-ratakan-timbunan-di-halaman-kantor-desa-martasari/>

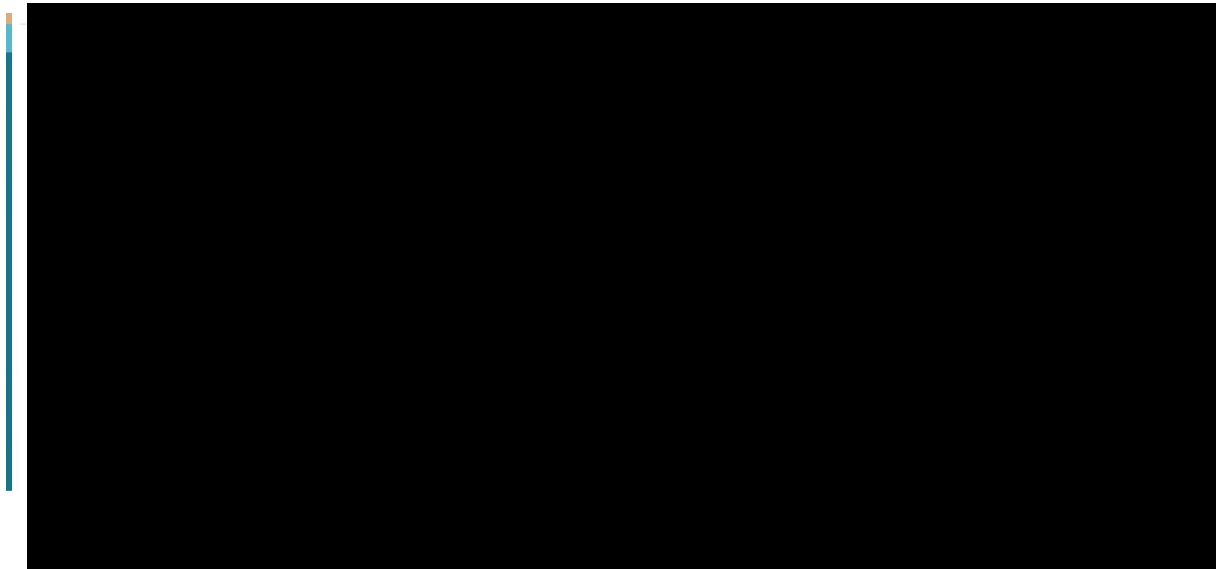
Thus, we provide this clarification. Thank you.

## Appendix 1

## SUMMARY OF COMPLIANCE OF PT. AAL TO THE UN GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS

[illegible]





## Appendix 2



**PT Astra Agro Lestari Tbk**

### **The Company Wide Overarching Human Rights Strategy**

In running its business, AAL upholds human rights in its operations and supply chain. In respecting human rights, AAL is guided by the United Nations Guiding Principles on Business and Human Rights, UNDRIP, ILO, and relevant national laws and regulations and its Sustainability Policy.

#### **We are committed to:**

- Respect and uphold human rights in accordance with national and internationally recognised human rights principles.
- Good governance of human rights in our operations and our supply chain.
- Minimizing the potential for labour and human rights issues in our supply chains and operations
- Respecting the human rights of employees and workers throughout our supply chain.
- Strengthening our grievance mechanisms to ensure they are accessible, equitable, transparent, and a source of continuous improvement for employees and communities while ensuring the safety and freedom from all repercussions.
- We encourage dialogue in grievance resolution.

#### **Our key Human Rights Focus Areas :**

1. Workers' Rights:
  - a) Freedom of association
  - b) Freedom from discrimination and harassment
  - c) No forced labour
  - d) No child labour
  - e) Decent work conditions
  - f) Uphold and promote gender equity and the inclusion of vulnerable groups.
2. Indigenous and Local Community Rights:
  - a) Respect land tenure rights and local culture and customary wisdoms
  - b) Obtain Free, Prior and Informed Consent from local communities before commencing any new operations
  - c) Commit to Fair and Equitable Conflict Resolution.

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**PT Astra Agro Lestari Tbk**

**Journey to achieve the commitment :**

**1. Work Culture**

Protecting workers from harm and harassment by :

- Development of collaborative initiatives with workers' unions and informal associations/Paguyuban)
- Organize trainings, guidance and monitoring for our team members and suppliers
- Allocation of resources to build supplier awareness and capability on workers' rights, human rights and decent work conditions.

**2. Governance**

- Regular review of salient human rights risks, strategy and commitment
- Enhanced monitoring
- Cross functional Workplace Environmental, Safety and Health committee.
- Accountable and transparent reporting.

**3. Social / Community Engagement**

- Paying attention to the Stakeholders' aspirations, interests and concerns in CSR program planning, implementation and monitoring
- CSR Program & Policy Optimization
- CSR System Development integrated with company operation
- Strengthening Management CSR Forum for villages
- Participatory & multi-stakeholder approach.

**4. Grievance Mechanisms and Remediation**

- Regular monitoring and review of grievance mechanism
- Engage and consult with all affected and potentially impacted stakeholders
- Capacity building for the team to strengthen the ability to identify, anticipate and address potentially adverse human rights impacts.

**5. Stakeholder Engagement**

- Engage relevant stakeholders in grievance resolution
- Promote deliberation and participatory dialogue in resolving grievances
- Active stakeholder participation on human rights initiatives.

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### Appendix 3

#### Summary of Verification of Complaints Against PT Mamuang, PT Lestari Tani Teladan and PT Agro Nusa Abadi, Raised by Friends of the Earth-US (FoE-US) and Walhi

This verification was prompted with complaints from FoE-US and Walhi regarding three subsidiaries of Astra Agro Lestari (AAL), namely PT Mamuang, PT Lestari Tani Teladan (LTT) and PT Agro Nusa Abadi (ANA). The issues raised by FoE-US and Walhi, especially related to land confiscation and criminalization of farmers, are the issues of greatest concern to stakeholders. The two NGOs detailed these and other allegations in publicly available reports. In brief, the verification focused on the following issues.

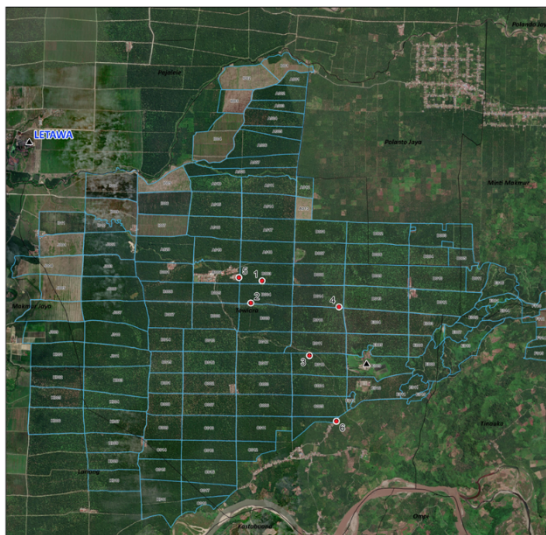

#### PT Lestari Tani Teladan (LTT)

- 1) PT LTT seizes 100 ha of Farmers' Land in Rio Mukti Village and Towiora Village;
- 2) PT LTT illegally claimed 1,505 hectares of community land and operated outside the 321-hectare HGU permit;
- 3) Community demands for plasma plantations of 20% of the HGU area;
- 4) Environmental pollution (Environmental Service's laboratory test results No. FPP/7.8.2 dated November 20, 2020);
- 5) The price of Fresh Fruit Bunches (FFB) produced by farmers is determined unilaterally by the company to the detriment of farmers.

#### Findings and Verification Results :

No	Issues	Findings and Verification Results
1	<p>PT LTT seizes 100 ha of Farmers' Land in Rio Mukti Village and Towiora Village</p> <p><b>Conclusion :</b> Allegation not supported by findings. Documented attempt to resolve disputes via consensus building on 19 Feb 2002. PT LTT fulfilled 7 community requests from 2002-2005. The head of Bugis tribe claimed the community requested 60 ha of land. Investigation revealed the community only requested 4 ha for public cemetery (TPU) and 10 ha for residential reserve areas.</p>	<p>Origin of Issue: Land dispute complaint from Towiora villagers to DPRD Central Sulawesi in 2001, stating that PT Letawa (AAL subsidiary) failed to socialize its 1995 location development permit (disputed area now under PT LTT).</p> <p>Mediation and Agreement: In 2002, Donggala Regency Government facilitated mediation, yielding an agreement: PT LTT to fulfill 7 community requests in exchange for community acceptance of its HGU (land use rights). Key witnesses confirmed all 7 requests were completed from 2002-2005.</p> <p>Land Request by Community: [REDACTED] (head of Bugis tribe) claimed the community requested 60 ha of land release. <b>ENS confirmed village government only requested 4 ha for Public Cemetery Ground (TPU) and 10 ha for residential areas due to space limitations.</b></p> <p>PT LTT and AAL confirmed intention to facilitate TPU request, but the residential area requests not possible as only the Regional government has the authority to release land from HGU, which the community then acknowledged.</p>
2	<p>PT LTT illegally claimed 1,505 hectares of land belonging to the community and</p>	<p>Walhi and FoE's claim based on HGU information published in the "No Consent" report was verified against the HGU permits obtained by ENS directly from the company, which found discrepancies in permit</p>



No	Issues	Findings and Verification Results																																																								
	to facilitate the development of plasma plantations for the community around the HGU was in place. Therefore, the company is not obligated to establish plasma to the community. In place of that, the company is required to carry out productive business activities for the community on a mutually-agreeable basis, which have been described in the report.	<p>involving village official and community reps. discussions gained the community's understanding.</p> <p>In lieu of plasma requirement, specific obligations still apply to PT LTT, as clarified in the Ministry of Agriculture's Circular from July 2023. Accordingly, the company has undertaken: Partnerships with over 1,000 farmers and 61 partners for purchasing fresh fruit bunches (FFB), and providing facilities like FFB management, coaching, financing, and rewards.</p> <p>Broader collaborations in transportation services, plant care, and construction work related to palm oil production. These have contributed to job creation and stimulated traditional markets.l.</p>																																																								
4	<p>Environmental pollution (refers to the results of laboratory tests conducted by the Environmental Service No. FPP/7.8.2 dated November 20, 2020).</p> <p><b>Conclusion :</b></p> <p>The allegation from Walhi/FoE cannot be corroborated with the findings of additional, more comprehensive laboratory tests, which found that the levels of nitrites and coliform in the water sources near the company are within acceptable limits. The waste management practices of PT LTT have been approved by the DLH. Though unpleasant odor can be detected in several waste management facilities, more objective and scientific tests need to be carried out before a conclusion can be made.</p>	<p>Walhi and FoE cited a DLH Donggala lab test (Nov 2020) showing high coliform and nitrite levels in a well at Towiora Village. Sampling was carried out using water samples from only 1 (one) well, and there was no more detailed explanation regarding the source of the pollution.</p> <p>ENS reviewed additional 2020 tests by Makasar BBIHP Testing Laboratory; results from six monitoring wells around PT LTT showed their levels within acceptable limits.</p> <table border="1"><thead><tr><th>Monitoring of</th><th>Code</th><th>Location</th><th>Condition</th></tr></thead><tbody><tr><td>Monitoring well 1</td><td>019.025.7</td><td>Afdeling Bravo Blok 3; S 02° 21' 21.7" E 119° 28' 06.6"</td><td>Good</td></tr><tr><td>Monitoring well 2</td><td>019.025.1</td><td>Afdeling Bravo Blok 4; S 01° 21' 35.1" E 119° 27' 59.7"</td><td>Semester I 2020 - Good</td></tr><tr><td>Monitoring well 3</td><td>019.025.3</td><td>Afdeling Bravo Blok 18; S 02° 22' 07.1" E 119° 28' 36.4"</td><td>Good</td></tr><tr><td>Monitoring well 4</td><td>019.025.6</td><td>Afdeling Bravo Blok 14; S 02° 21' 37.9" E 119° 28' 54.4"</td><td>Good</td></tr><tr><td>Water well</td><td>019.025.8</td><td>Community's well: O8 02; S 02° 21' 19.9" E 119° 27' 54.2"</td><td>Good</td></tr><tr><td>Water well</td><td>019.025.4</td><td>Community's well: S 01° 22' 07.5" E 119° 28' 36.1"</td><td>Semester II 2020 - Good</td></tr></tbody></table>  <div data-bbox="1180 1295 1391 1827"><p><b>PETA LOKASI SUMUR PANTAU PT LESTARI TANI TELADAN KABUPATEN DONGGALA PROVINSI SULAWESI TENGAH</b></p><p>Skala 1 : 25.000</p><p><b>Legenda</b></p><ul style="list-style-type: none"><li>▲ Pabrik Kelapa Sawit</li><li>● Lokasi Sumur Pantau LTT</li><li>□ Batas Desa</li><li>□ Blok HGU PT LTT</li></ul><table border="1"><caption>Lokasi Sumur Pantau</caption><thead><tr><th>No</th><th>Lokasi</th><th>Latitude</th><th>Longitude</th></tr></thead><tbody><tr><td>1</td><td>020003</td><td>-0.3500326</td><td>119.4800020</td></tr><tr><td>2</td><td>020004</td><td>-0.3500040</td><td>119.4800000</td></tr><tr><td>3</td><td>020018</td><td>-0.3500044</td><td>119.4799984</td></tr><tr><td>4</td><td>020014</td><td>-0.3500026</td><td>119.4800076</td></tr><tr><td>5</td><td>020002</td><td>-0.3500072</td><td>119.4800000</td></tr><tr><td>6</td><td>Integrasi ke LTT</td><td>-0.3500070</td><td>119.4800000</td></tr></tbody></table><p><b>Lokasi yang Dipantau</b></p><p>Proyeksi : UTM Grid System : Geographic Datum : WGS 1984</p><p>Sumber 1. Badan Administrasi Desa (BIS, 2020) 2. Data Topografi (www.bakosurtanal.go.id)</p></div>	Monitoring of	Code	Location	Condition	Monitoring well 1	019.025.7	Afdeling Bravo Blok 3; S 02° 21' 21.7" E 119° 28' 06.6"	Good	Monitoring well 2	019.025.1	Afdeling Bravo Blok 4; S 01° 21' 35.1" E 119° 27' 59.7"	Semester I 2020 - Good	Monitoring well 3	019.025.3	Afdeling Bravo Blok 18; S 02° 22' 07.1" E 119° 28' 36.4"	Good	Monitoring well 4	019.025.6	Afdeling Bravo Blok 14; S 02° 21' 37.9" E 119° 28' 54.4"	Good	Water well	019.025.8	Community's well: O8 02; S 02° 21' 19.9" E 119° 27' 54.2"	Good	Water well	019.025.4	Community's well: S 01° 22' 07.5" E 119° 28' 36.1"	Semester II 2020 - Good	No	Lokasi	Latitude	Longitude	1	020003	-0.3500326	119.4800020	2	020004	-0.3500040	119.4800000	3	020018	-0.3500044	119.4799984	4	020014	-0.3500026	119.4800076	5	020002	-0.3500072	119.4800000	6	Integrasi ke LTT	-0.3500070	119.4800000
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No	Issues	Findings and Verification Results
		Regarding complaints about the smell of palm oil processing waste, ENS inspected PT LTT's waste processing facility with a local resident who witnessed DLH's 2019 sampling. The team also reviewed the POME processing facility, where waste is converted into fertilizer for land use, a practice approved by DLH Central Sulawesi. A characteristic waste odor was noted at the site; however, this perception is subjective and varies based on proximity, air currents, and weather factors.
5	<p>The price of Fresh Fruit Bunches (FFB) produced by farmers is determined unilaterally by the company to the detriment of farmers.</p> <p><b>Conclusion :</b> This allegation cannot be proven due to the nature of FFB transactions in Central Sulawesi. PT LTT follows the market price in the purchase of FFBs and do not deal with farmers directly. In any case, they are free to sell their FFBs to any mills at their own discretion.</p>	<p>FFB Price Setting in Central Sulawesi was set every second week of each month by 3 government agencies, 10 mills, Apkasindo, and Apkasindo Perjuangan and applies only to community plantations with partnerships in the region. The FFB prices of PT LTT's mill currently refer to market rates set by PT AAL's Head Office. Note: PT LTT, as with most mills, does not buy FFBs directly from farmers but via dealers, cooperatives, or middlemen.</p> <p>PT LTT is not obligated to follow plasma FFB price regulations as it has no plasma partnership with local communities (see Issue 03). More importantly, farmers are basically free to send/sell FFBs to any mills at their own discretion.</p>

## PT Mamuang

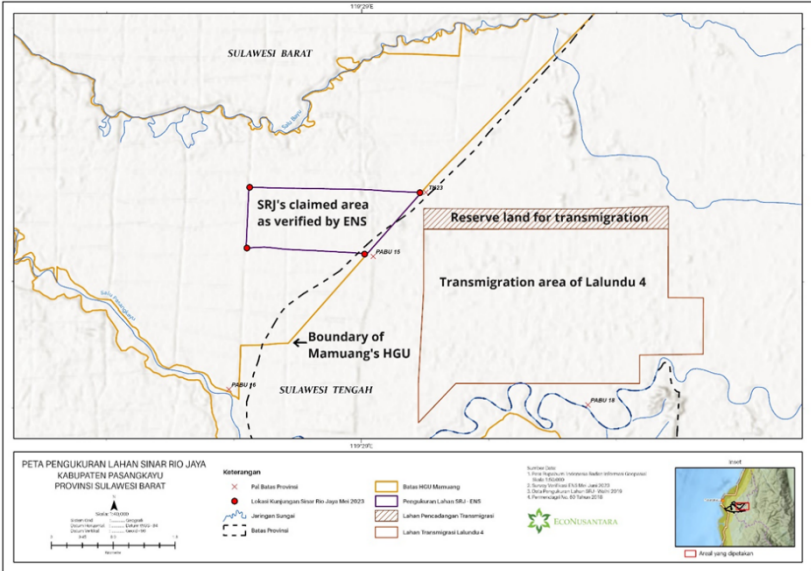
- 1) PT Mamuang has seized 50 hectares of land belonging to farmers in Panca Mukti Village in Rio Pakava, Central Sulawesi;
- 2) PT Mamuang has repeatedly criminalized farmers in Panca Mukti Village.

## Findings and Verification Results

No	Issues	Findings and Verification Results
1	<p>Land claim in Block C26 in PT MMG by [REDACTED]</p> <p>Kesimpulan :</p> <ul style="list-style-type: none"> <li>• The issue first arose due to the issuance of SPORADIK by the then-village head due to his ignorance of PT MMG's HGU boundary.</li> <li>• [REDACTED] and others refused a compensation offer and subsequently PT MMG has left the area under their control within</li> </ul>	<p>Verification on Block C26 found that the object of dispute (45.13 ha) and is in PT MMG's HGU boundary. Block C26 has been fully controlled by [REDACTED] and his relatives/associates since 2019.</p> <p>The basis of [REDACTED] land claim are 22 land transfer letters (SPPT) issued by the sub-district head of Rio Pakava, Donggala Regency and 9 certificates of ownership rights (SHM) covering an area of 15.56 hectares located in Bonemerawa Village, Rio Pakava Sub-district, Donggala Regency.</p>

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	<p>C26. PT Mamuang erected a barrier in that area, separating it from the rest of C26 but this was then breached by [REDACTED] who assumed control over the entire Block.</p> <ul style="list-style-type: none"><li>The basis of [REDACTED] claims are 22 documents of Land Transfer Letter and 9 SHMs obtained in 2017-2019, which after being analyzed turned out to be located outside of C26.</li></ul>	<p>Table 3.1 Recapitulation of Certificate of Ownership in the Name of [REDACTED]</p> <table><tr><th rowspan="2">No.</th><th rowspan="2">Number of Freehold Title</th><th rowspan="2">NIB</th><th colspan="4">Locations</th><th rowspan="2">Areas (meter square)</th><th rowspan="2">Areas (hectare)</th></tr><tr><th>Villages</th><th>Districts</th><th>Regencies</th><th>Provinces</th></tr><tr><td>1</td><td>AAM097624</td><td>1901010202040</td><td>Bonemarawa</td><td>Rio Pakava</td><td>Donggala</td><td>Sulawesi Tengah</td><td>41.850</td><td>4,19</td></tr><tr><td>2</td><td>AAM097638</td><td>1901010202029</td><td>Bonemarawa</td><td>Rio Pakava</td><td>Donggala</td><td>Sulawesi Tengah</td><td>22.270</td><td>2,23</td></tr><tr><td>3</td><td>AAM097621</td><td>1901010202011</td><td>Bonemarawa</td><td>Rio Pakava</td><td>Donggala</td><td>Sulawesi Tengah</td><td>16.520</td><td>1,65</td></tr><tr><td>4</td><td>AAM097639</td><td>1901010202043</td><td>Bonemarawa</td><td>Rio Pakava</td><td>Donggala</td><td>Sulawesi Tengah</td><td>20.710</td><td>2,07</td></tr><tr><td>5</td><td>AAM097625</td><td>1901010202110</td><td>Bonemarawa</td><td>Rio Pakava</td><td>Donggala</td><td>Sulawesi Tengah</td><td>12.580</td><td>1,26</td></tr><tr><td>6</td><td>AAM097623</td><td>1901010202032</td><td>Bonemarawa</td><td>Rio Pakava</td><td>Donggala</td><td>Sulawesi Tengah</td><td>38.790</td><td>3,88</td></tr><tr><td>7</td><td>AAM097618</td><td>1901010201549</td><td>Bonemarawa</td><td>Rio Pakava</td><td>Donggala</td><td>Sulawesi Tengah</td><td>609</td><td>0,06</td></tr><tr><td>8</td><td>AAM097619</td><td>1901010201363</td><td>Bonemarawa</td><td>Rio Pakava</td><td>Donggala</td><td>Sulawesi Tengah</td><td>1.303</td><td>0,13</td></tr><tr><td>9</td><td>AAM097620</td><td>1901010201383</td><td>Bonemarawa</td><td>Rio Pakava</td><td>Donggala</td><td>Sulawesi Tengah</td><td>980</td><td>0,10</td></tr><tr><td colspan="7">Total</td><td>155.612</td><td>15,56</td></tr></table> <p>Source: [REDACTED] 2022.</p> <p>ENS' georeferencing analysis indicated that the areas delineated by SHMs are located outside PT Mamuang's HGU. This was further supported by BPN Donggala which confirmed that an overlay analysis did not find any certificates issued by the Land Office of Donggala Regency in the disputed location (C26 within PT Mamuang's HGU).</p> <p>[REDACTED]</p> <p>Since 2003, [REDACTED] and a few others have controlled 14 ha of land within C26 with SPORADIK as the basis of their land rights. The then-village head of Martasari confirmed that he signed the SPORADIK at that time and was not aware that the delineated area fell within PT MMG's HGU due to unavailability of the boundary sign between the concession and the Martasari Village area. It was not until 2006 did he become aware of it after being approached by PT MMG and asked to facilitate the land dispute.</p> <p>Subsequently, [REDACTED] and the others rejected a compensation offer from the company and in June 2006, made a written statement expressing their willingness to settle the issue in the court and accept any resulting decisions on the status of the 14-ha patch of land, To this day, there was no legal challenge by [REDACTED] and the others against PT MMG regarding the issue.</p>	No.	Number of Freehold Title	NIB	Locations				Areas (meter square)	Areas (hectare)	Villages	Districts	Regencies	Provinces	1	AAM097624	1901010202040	Bonemarawa	Rio Pakava	Donggala	Sulawesi Tengah	41.850	4,19	2	AAM097638	1901010202029	Bonemarawa	Rio Pakava	Donggala	Sulawesi Tengah	22.270	2,23	3	AAM097621	1901010202011	Bonemarawa	Rio Pakava	Donggala	Sulawesi Tengah	16.520	1,65	4	AAM097639	1901010202043	Bonemarawa	Rio Pakava	Donggala	Sulawesi Tengah	20.710	2,07	5	AAM097625	1901010202110	Bonemarawa	Rio Pakava	Donggala	Sulawesi Tengah	12.580	1,26	6	AAM097623	1901010202032	Bonemarawa	Rio Pakava	Donggala	Sulawesi Tengah	38.790	3,88	7	AAM097618	1901010201549	Bonemarawa	Rio Pakava	Donggala	Sulawesi Tengah	609	0,06	8	AAM097619	1901010201363	Bonemarawa	Rio Pakava	Donggala	Sulawesi Tengah	1.303	0,13	9	AAM097620	1901010201383	Bonemarawa	Rio Pakava	Donggala	Sulawesi Tengah	980	0,10	Total							155.612	15,56
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No	Issues	Findings and Verification Results
		<p>In 2014, PT MMG erected a boundary divide to prevent ██████ claim from expanding beyond the 14-ha patch of land, but this was damaged by ██████ in 2017, who then assumed control over the entire Block C26, covering an area of 45.13 ha.</p>
2	<p>Land claim in Block C22 by the Sinar Rio Jaya Farmers Group (KT-SRJ).</p> <p><b>Conclusion :</b></p> <p>The basis of the land claim cannot be proven. The transmigration reserved area is located outside of the company's HGU, whereas the SKT is rife with procedural inconsistencies, namely: (1) the SKT is registered elsewhere (not in the HGU location in Pasangkayu Regency, West Sulawesi); (2) The two people that signed the SKT were not authorized to do so at that time; (3) the SKT is not in compliance with the guidelines established by the Central Sulawesi Governor in 1993.</p>	<p>KT-SRJ was established in 2017 with Walhi's support to advocate for local land rights. Led by ██████ and ██████, the group claims 172 hectares of land (Blocks C14–C17, C22) within PT MMG's HGU as transmigration reserve land.</p> <div data-bbox="621 554 1427 1121"></div> <p><i>Location of transmigration reserved area Lalundu 4 and location of KT-SRJ's claimed area</i></p> <p>The statement letter between KT-SRJ and the company describes the resolution of the dispute. Comparison of both copies of the letter:</p> <ul style="list-style-type: none"><li>• The location of the former PT LTT cleared land covers 72 hectares vs 172 hectares from KT-SRJ's copy.</li></ul>

No	Issues	
		<div data-bbox="618 191 1008 226" style="background-color: black; height: 17px; width: 240px;"></div> <div data-bbox="755 256 1250 842" style="background-color: black; height: 279px; width: 305px;"></div> <div data-bbox="760 842 1284 1071" style="background-color: white; height: 109px; width: 323px;"></div> <div data-bbox="680 1110 1005 1138" style="background-color: black; height: 13px; width: 200px;"></div>

No	Issues	Findings and Verification Results
		<div data-bbox="669 279 1339 1155"></div> <p data-bbox="680 1165 972 1192"><i>Source: documents of PT Mamuang</i></p> <ul data-bbox="634 1224 1435 1444" style="list-style-type: none"><li data-bbox="634 1224 1435 1329">• The investment costs incurred by the company for the construction of the block will not be a problem as long as the surrounding community did not dispute PT LTT's land in the other blocks.</li><li data-bbox="634 1339 1435 1444">• This statement letter was made to the village chief of Lalundu and confirmed that all parties have agreed upon PT LTT's plantation boundary with Lalundu Village area.</li></ul> <p data-bbox="618 1503 1435 1633">The community in Lalundu Village has been compensated by the company in 2006. An individual who served as a village official at that time confirmed that all villagers who had conflicts at that time had received the compensation, including [REDACTED] (figure below).</p>



No	Issues	Findings and Verification Results
		<div data-bbox="618 226 1427 795"><p>The map displays the PT Mamuang area, divided into blocks C002 through C016. A legend indicates that green-shaded blocks (C002-C010) are 'Block area that have been compensated'. A purple-hatched area is labeled 'Area being claimed by SRJ'. A red-hatched area is labeled 'Area of ex. PT LTT that have been returned to PT Mamuang'. A dashed line marks 'Mamuang's HGU border'. The map also shows the 'SULAWESI BARAT' and 'SULAWESI TENGAH' regions. A scale bar and north arrow are present. The map is titled 'PETA GANTI RUGI AFDELING CHARLIE PT MAMUANG KABUPATEN PASANGKAYU PROVINSI SULAWESI BARAT'. A legend box contains symbols for 'Jaringan Sungai', 'Batas Persebaran', 'Batas HGU Mamuang', 'Areal Lahan Khas SRJ', 'Ex. PT LTT yang dikembalikan ke PT Mamuang', and 'Blok Ganti Rugi'. A small inset map shows the location of PT Mamuang in Sulawesi. The map is dated 19/08/2011 and includes a scale bar from 0 to 10 km.</p></div> <p><i>Location of disputed lands, with an area of 72 ha, that have been compensated.</i></p> <p>The basis of rights used by KT-SRJ is the Land Statement Letter (SKT) issued by the head of Panca Mukti Village in 2004 for land located in Panca Mukti Village, Rio Pakava Subdistric (Figure 3.6), vs PT Mamuang's HGU in Mertasari Village, Pedongga Subdistrict.</p> <div data-bbox="631 989 1208 1839"></div>

No	Issues	Findings and Verification Results
		<p>The current head of Panca Mukti village have listed two irregularities in KT-SRJ's claim.</p> <ol style="list-style-type: none"> <li>1. The SKT issued in 2004 by [REDACTED], but he only became the village head in 2005.</li> <li>2. [REDACTED], who also signed the SKT document as a ketua adat, actually lived elsewhere (not in Panca Mukti Village) and hence had no right to give land.</li> </ol> <p>[REDACTED]</p>
3	<p>Land claim by Parties on behalf of the Tado Kabuyu Customary Law Community.</p> <p><b>Conclusion :</b></p> <p>There remain several hundred people in Kabuyu hamlet who have been practicing their local customs and subsist on farming for a long time. Walhi's claim that PT Mamuang has seized an area of 2,302 ha belonging Tado customary law community could not be verified by the ENS Team, because Walhi did not provide more details. ENS confirmed that the 250 ha area owned by the Tado Kabuyu people has never been included in PT MMG's HGU. Currently, most of the original Tado Kabuyu community no longer own land because it has been sold to immigrants.</p>	<p>Walhi claims Tado Kabuyu Customary Law Community holds 2,302 ha within PT Mamuang's HGU, though documentation is lacking. PT Mamuang acknowledges the community, excluding 250 ha for Kabuyu hamlet from HGU.</p> <p>The Tado Kabuyu practice traditional customs but intermingling with Bugis, Mandar, and migrants complicates their traditional classification. A previous attempt by Central Sulawesi Traditional Area Registration Agency (BRWA) to assist the community in seeking official recognition of their customary land failed.</p> <p>There are claims to shifting cultivation areas of the Tado people within several locations in PT Mamuang's HGU. 113 Tado Kabuyu families (300 people) rely on farming, though much of their Kabuyu hamlet land has been sold to migrants.</p> <p>PT MMG has implemented several initiatives to empower the community in terms of education, health and economic development.</p>
5	<p>Alleged criminalization of the community members by the police and company.</p> <p><b>Conclusion :</b></p> <p>With limited data and capacity, ENS could not find any facts supporting the allegation that there has been systematic acts carried</p>	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>

No	Issues	Findings and Verification Results
	out by PT Mamuang without any legal, justified, or reasonable basis.	

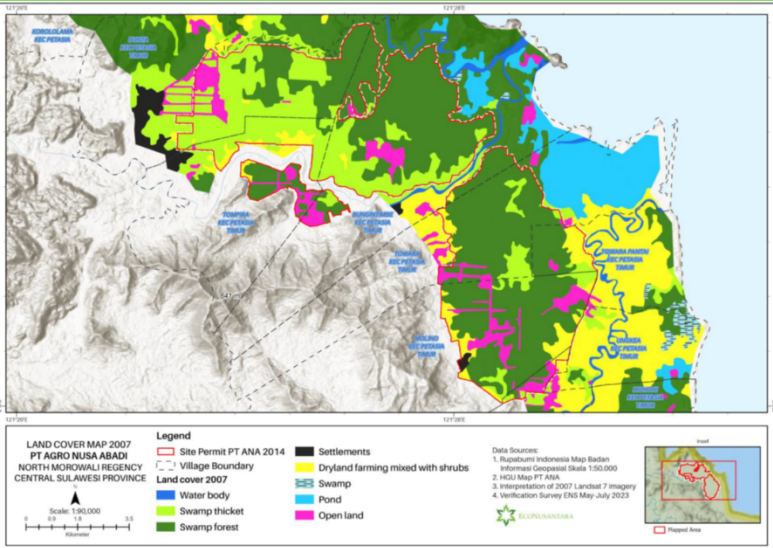
### PT Agro Nusa Abadi (ANA)

- 1) Findings and Verification Results;
- 2) PT ANA has seized farmers' land in Molino, Bungintimbe, Tompira and Bunta villages covering an area of approximately 5,000 hectares.

### Findings and Verification Results :

No	Issues	Findings and Verification Results
1	Findings and Verification Results <b>Kesimpulan :</b>	<p><b>Five aspects of PT ANA's legality:</b></p> <p><b>Investment Invitation:</b> Initiated by North Morowali government in 2006.</p> <p><b>Licensing:</b> PT ANA established, following regulatory processes.</p> <p><b>Rights to Cultivate (HGU):</b> Requires three permit types, namely land-related, environmental &amp; business permits</p> <p><b>Community Socialization:</b> Engagement with local communities.</p> <p><b>Management:</b> Land clearing and planting oversight.</p> <p><i>Chronology of PT ANA's presence and licensing process (Source: ENS Team analysis results, 2023)</i></p> <p>2006: North Morowali government invited AAL to develop an oil palm plantation, leading to the establishment of PT ANA. A Location Permit for 20,000 ha was granted, with 19,675 ha approved in Petasia sub-district.</p> <p>2007: PT ANA obtained the Plantation Business License (IUP) from the Regent of Morowali and applied for a one-year extension of the Location Permit, which was approved.</p>

No	Issues	Findings and Verification Results
		<p>2008: The Governor of Central Sulawesi approved the Environmental Impact Assessment (EIA/AMDAL). 2011: PT ANA received approval to build and operate a palm oil mill and obtained the necessary IUP for the mill.</p> <p>2014: Following the division of Morowali Regency, PT ANA renewed its Location Permit for 7,244.33 ha in North Morowali, aligning it with the updated IUP, reducing the plantation area from 19,675 ha to 7,244.33 ha.</p> <p>2021: PT ANA submitted a Location Permit application for a new oil palm plantation in the village administrative area, covering the same amount of area as the IUP (7,244.33 ha).</p> <p>HGU Process: PT ANA began the HGU registration process in 2007, applying for a cadastral measurement for 11,000 ha. In 2011, it applied for HGU for 3,771.81 ha in Bunta, Tompira, and Bungintimbe villages.</p> <p>2022: PT ANA's HGU application was suspended due to unresolved land disputes.</p> <p>To resolve land issues, the Governor of Central Sulawesi recommended coordination with the 2016 Land Verification and Validation (Verval) Team from North Morowali Regency to complete land arrangements for PT ANA's location permit area.</p> <p>The inspection of Towara Pantai by Committee B was completed, and the Approval of Suitability of Spatial Utilization Activities (PKKPR) was issued in September 2023. PT ANA is now awaiting the Minutes and Recommendations from the BPN Regional Office of Central Sulawesi to issue the HGU Decree.</p> <p>Socialization Process: After obtaining its IUP and Location Permit in 2007, PT ANA conducted socialization with residents from 7 villages (Bunta, Tompira, Bungintimbe, Molino, Towara, Towara Pantai, Pebooa), explaining the villagers' civil rights and its plan to allocate 20% of the estate as plasma. Village chiefs and BPD were involved in validating land ownership certificates from the community.</p> <p>Land Use Before 2007: Geospatial analysis by ENS shows that prior to PT ANA's establishment, the area included diverse land uses such as vegetation, swamps, agricultural land, and open spaces, suggesting prior community land development.</p>

No	Issues	Findings and Verification Results								
		<div></div> <p>Land cover condition of PT ANA location permit before management activities (Source: Landsat Image Analysis 7 of 2007)</p>								
2	<p>PT ANA Seized Farmers' Land in Molino, Bungintimbe, Tompira and Bunta Villages Covering An Area of Approximately 5,000 hectares.</p> <p><b>Conclusion :</b></p> <ul style="list-style-type: none"><li>In 2014, PT ANA received a renewal of its location permit for a 7,244.33-hectare oil palm plantation in Petasia Timur District, North Morowali Regency, encompassing several villages. However, community land claims on the already permitted land necessitated land verification and validation. In 2016, this process verified 6,306.50 hectares, with most of it compensated.</li><li>In 2021, PT ANA again received a renewal of its location permit covering an area of 7,035.97</li></ul>	<p><b>Land Claims:</b> In 2022, 1,140 ha of land was claimed by the community across 5 villages. A more thorough verification in 2023 found that the claim extended to 1,695.27 ha.</p> <p>The major root causes of land disputes are opposition to the plasma partnership, perceived inadequacy of the company's compensation offer, failure to recognize community land ownership rights (SKT/SKPT) by the Verval team.</p> <p>Community Groups in the region comprise (i) independent migrants, mostly from South Sulawesi and settled near Bungetimbe Village in 1998, with land allocations under SKT/SKPT. They faced difficulties with swampy land and later moved back to South Sulawesi. No evidence was found of PT ANA encroaching on the abandoned land and (ii) transmigrant communities relocated to Bunta Village under a government program and received 515 ha, with 264 ha certified under SHM. By the time of verification, 70 new families had obtained land with SKT/SKPT.</p> <p>Previous Land Validation: Village officials and BPD conducted land inventory and validation in 2007, after which complaints about PT ANA's Location Permit, particularly from Bungetime villagers, began.</p> <p>The variety in the basis of land rights owned by the villagers complicated the validation process. This prompted the involvement of the Morowali government, who established the Verval task force beginning in 2010 to resolve the issue. However, initial attempts failed to secure the buy-in of the Bungetimbe villagers in 2010 and 2011 and this was further complicated by the establishment of the new North Morowali Regency.</p> <div><table><tr><th>TIM VERVAL KAB. MOROWALI TAHUN 2010</th><th>TIM VERVAL KAB. MOROWALI TAHUN 2011</th><th>TIM VERVAL KAB. MOROWALI UTARA TAHUN 2014</th><th>TIM VERVAL KAB. MOROWALI UTARA TAHUN 2016</th></tr><tr><td>Desember 2010 16.064 Ha</td><td>Desember 2011 10.259 Ha</td><td>Agustus 2014 17.964 Ha Oktober 2014 11.668 Ha</td><td>Desember 2016 6.306,5 Ha</td></tr></table></div>	TIM VERVAL KAB. MOROWALI TAHUN 2010	TIM VERVAL KAB. MOROWALI TAHUN 2011	TIM VERVAL KAB. MOROWALI UTARA TAHUN 2014	TIM VERVAL KAB. MOROWALI UTARA TAHUN 2016	Desember 2010 16.064 Ha	Desember 2011 10.259 Ha	Agustus 2014 17.964 Ha Oktober 2014 11.668 Ha	Desember 2016 6.306,5 Ha
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No	Issues	Findings and Verification Results																		
	<p>hectares. To process the Right to Cultivate (HGU), PT ANA submitted an application based on the clean and clear village area and is currently awaiting the issuance of the HGU Decree.</p> <ul style="list-style-type: none"> <li>• The HGU processing by PT ANA has been ongoing since 2007, but the HGU has yet to be issued.</li> <li>• Additionally, there are 28 community groups and individuals claiming ownership of 1,695.27 hectares within the PT ANA plantation area, with some land still experiencing overlapping claims among communities.</li> </ul>	<p>The 2016 Verval work then became the basis of PT ANA's compensation plan, as per the direction of the Regent of North Morowali. The results of this verification also show that there remain disputes among the land claimants over the same pieces of land (728 and 126.36 ha, as depicted in the below Table).</p> <table border="1"> <thead> <tr> <th>No</th><th>Verified evidence</th><th>Area (Ha)</th></tr> </thead> <tbody> <tr> <td>1</td><td>Verified SKT/SKPT</td><td>4,411.01</td></tr> <tr> <td>2</td><td>SHM</td><td>1,041.13</td></tr> <tr> <td>3</td><td>Object of dispute between [REDACTED]</td><td>728.00</td></tr> <tr> <td>4</td><td>Overlapping land</td><td>126.36</td></tr> <tr> <td></td><td>Total</td><td>6,306.50</td></tr> </tbody> </table> <p>Based on then 2016 validation results, the SKT/SKPT land were deemed by the North Morowali regency gov invalid due to non-compliance with legal standards and thus compensation was limited to land document processing costs. 730.80 ha remains uncompensated due to objections from villagers in Bunta, Tompira, Bungintimbe, and Molino. Compensation for SHM Land Claims (1,041.13 ha) was to be done via plasma partnerships, with around 984 ha already completed.</p> <p>Escalation of the land disputes post-2016: A notable claimant, [REDACTED], won favorable rulings at all court levels for a claim on a 20-ha patch of land. The execution of the land decision was in progress at the time of verification.</p> <p>Another claimant, a farmer association known as SPPT, underwent mediation under facilitation of the Central Sulawesi gov in 2022. One noteworthy recommendation by the Governor was the release of 1,000 ha of disputed land after additional verification and support from local and provincial authorities. This led to an increased land claimant activity and tensions between different claimant groups.</p> <p>At least 28 individual and group claimants involved in 4 villages (Bungetimbe, Bunta, Tompira and Towara). Below figure shows the overlapping/mutual claims between different communities. In one instance, a stretch of land claimed by the community is in more than one village administrative area because it is in the village boundary area.</p>	No	Verified evidence	Area (Ha)	1	Verified SKT/SKPT	4,411.01	2	SHM	1,041.13	3	Object of dispute between [REDACTED]	728.00	4	Overlapping land	126.36		Total	6,306.50
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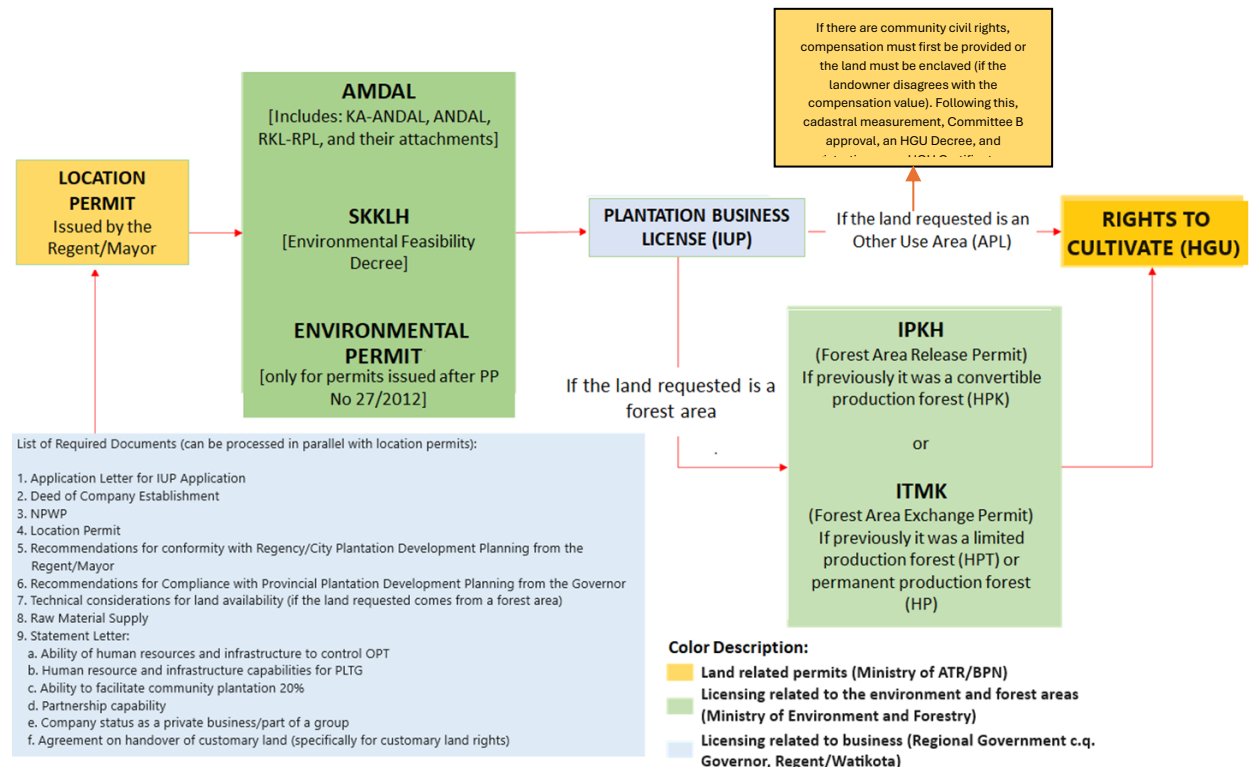


No	Issues	Findings and Verification Results
		<div data-bbox="615 228 1427 848" data-label="Image"></div> <p data-bbox="615 884 1435 1140">The Central Sulawesi Government continued mediating land disputes involving PT ANA's plantation in Bungintimbe and Bunta Villages. This follows a 2022 recommendation by the Governor aimed at resolving land tenure disputes. After submission of findings by village verval teams &gt; an agreement was made to release 941.74 ha of land from PT ANA:659 ha in Bungintimbe Village &amp; 282.74 ha in Bunta Village. Also focus on areas deemed "clear and clean" with the support of the regional government to expedite the HGU processing.</p> <p data-bbox="615 1209 1435 1398">A new verval team was also established, comprising provincial, regency and village officials, ATR/BPN (Land Affairs Ministry) and law enforcement agencies, to review community land tenure claims for clarity's sake. However, the mediation has been criticized by Walhi for allegedly fostering social envy amongst village communities and favoring the company over the claimants.</p>



## Appendix 4

- a. Overview of the land acquisition process and the plantation business licensing scheme refers to Minister of Agriculture Regulation No. 98 of 2013 along with its amendment regulations, and previous regulations regarding plantation business licensing (Source: ENS Team Analysis, 2023)



- b. The plantation business licensing scheme as referred to in the Minister of Agriculture Regulation no. 45 of 2019 concerning electronically integrated business licensing services in the agricultural sector using the Online Single Submission System (OSS) as a form of automation of the business licensing application process (Source: ENS Team Analysis, 2023)

