

TABLE 2: ADDITIONAL ALLEGATIONS OF LAND GRABBING

COMPANY	COMMODITY	SUMMARY OF RECENT PUBLIC ALLEGATIONS	LINKED TO WHICH BANK?
Bumitama Agri	Palm Oil	<p>In November 2013, Friends of the Earth and other NGOs published a report <i>Commodity Crimes</i>²⁴¹, outlining the activities of Bumitama Agri Ltd — one of the largest and fastest growing owners of palm oil plantations in Indonesia. This report alleges that Bumitama gained control over thousands of hectares of unpermitted plantation landbank, and that Bumitama’s investors, purchased shares in a 2012 IPO while being clearly informed via the company’s prospectus that it was operating without required licenses.²⁴²</p> <p>Bumitama has also been the subject of three complaints to the Roundtable on Sustainable Palm Oil²⁴³ in 2013 alone, regarding operations of its subsidiaries in Indonesia. The complaints variously allege clearing of High Conservation Value forests and which is the habitat of various endemic animals including orangutan, and violation of Indonesian laws regarding plantations in National Parks, coastal reserves and riparian land. The complaints are currently in various stages within the RSP0 complaints system, with the company engaging in all three complaints.</p>	CBA ²⁴⁴ , ANZ ²⁴⁵
Genting	Palm Oil	<p>Genting Plantations Berhad is one of the fastest-growing plantation companies listed on the Malaysian Stock Exchange.²⁴⁶ In 2013 two complaints were submitted to the Roundtable on Sustainable Palm Oil (RSP0) regarding Genting’s activities.²⁴⁷</p> <p>One complaint relates to a subsidiary of Genting, Tanjung Bahagia Sdn Bhd,²⁴⁸ and alleges multiple violations of the RSP0’s Principles and Criteria, including failing to address the community’s concerns on land acquisition, pollution, conservation, transparent communication and consultation and failing to have a dispute resolution mechanism. The other complaint²⁴⁹ is regarding Genting Plantations Berhad itself and alleges the company engaged in 22,000 hectares of new plantation expansion without appropriate notification and that Genting only plans to start implementing the RSP0 certification process for its plantations and mills 10 years after joining the RSP0. On 15 April 2014, the RSP0 Board of Governors took the unusual step of writing to Genting, suspending Genting’s membership of the RSP0.²⁵⁰</p>	Westpac ²⁵¹ , ANZ ²⁵²
Golden Agri-Resources	Palm Oil	<p>In January 2014 the Forest Peoples Programme and TUK Indonesia published a report reviewing the social impacts of Singapore-listed Golden-Agri Resources forest conservation policy in Indonesia.²⁵³ The report details how, as a result of a targeted campaign by Greenpeace, GAR adopted a Forest Conservation Policy which it is piloting in Indonesia. The report presents a startling review of what should be a good-news story. It states that the company “omitted land tenure studies or participatory mapping of customary lands. Communities were not free to choose their own representative institutions. Nugatory compensation was paid to community members while getting them to permanently surrender their lands, through an unclear process which gave them the false impression that they could get their lands back after 30 years. Not a single one of the hundreds of farmers who unwittingly sold their lands to [the company] has a copy of the contract.”²⁵⁴ The report goes on to state that, “Ever since 2007 when the concession was first announced, there have been protests and demonstrations against these perceived injustices and these have continued right up to 2013. The company has paid the police to disperse protesters.”²⁵⁵ The report does make acknowledgement of the company’s efforts to make commitments to stop clearing forests and resolve the land conflicts and other grievances while the report was being completed, despite the company being slow to take remedial action upon initial complaints by the authors in July 2013.</p>	CBA ²⁵⁶ , ANZ ²⁵⁷
HAGL Joint Stock Company	Rubber	<p>In May 2013, Global Witness released a report, <i>Rubber Barons: How Vietnamese companies and international financiers are driving a land grabbing crisis in Cambodia and Laos</i>.²⁵⁸ The report outlines how one of Vietnam’s largest Groups, Hoang Anh Gia Lai (HAGL) has leased 81,919 hectares of land for rubber plantation in Cambodia and Laos. Of this, 47,370 hectares are in Cambodia, which has a legal limit of only 10,000 hectares per company, Global Witness states that corporate secrecy has been a critical factor in HAGL apparently exceeding this legal limit.²⁵⁹ Consequences of land clearing on the concessions and beyond their boundaries have been disastrous for local community livelihoods and the environment. The report details that Indigenous ethnic minorities have disproportionately borne the brunt of these impacts, despite their rights to land and resources given special protection under international law. Of note for investors, the report outlines that HAGL publicly admitted that their operations in both Cambodia and Laos are not in line with the law.²⁶⁰</p> <p>In February 2014, households in the Ratanakiri province of Cambodia submitted a complaint to the International Finance Corporation’s Compliance Advisor Ombudsman²⁶¹ stating that they have suffered serious harm as a result of the activities of HAGL’s activities in Cambodia. The complaint is currently under consideration.</p>	CBA ²⁶²
Indofood Agri Resources	Palm Oil	<p>Indofood Agri Resources is a vertically integrated palm oil agribusiness company registered in Singapore. In February 2013, a complaint against PT Salim Ivomas Pratama Tbk (a subsidiary of Indofood Agri Resources Ltd) was submitted to the Roundtable on Sustainable Palm Oil (RSP0).²⁶³ The complaint alleged that clearing of High Conservation Value areas took place involving Orangutan habitats. The RSP0 website details that Indofood Agri met the complainants on 19 March 2013 and made certain commitments relating to halting land clearing and evaluation.²⁶⁴ However following a letter from the RSP0 on 14 May 2013, which made a preliminary finding that there was merit in the complaint,²⁶⁵ Indofood Agri sent an email to the RSP0 on 21 June 2013 stating that it did not have any interest in the subsidiary directly responsible for the complaint.²⁶⁶</p>	ANZ ²⁶⁷
Kuala Lumpur Kepong	Palm Oil	<p>Kuala Lumpur Kepong (KLK) is one of Malaysia’s largest multinational Palm Oil Producers. It has been the subject of allegations in PNG, Indonesia and Liberia, according to a report released by Rainforest Action Network in April 2014.²⁶⁸ The report details those allegations as being KLK’s involvement in violations of land rights of Indigenous peoples and rural communities, tropical deforestation and the use of child and forced labor.</p> <p>The specific PNG case study in that report was also the subject of a complaint to the Roundtable on Sustainable Palm Oil in April 2013.²⁶⁹ That complaint states that the acquisition of land in Collingwood Bay, PNG by KLK/it’s subsidiary was in breach of the national laws of Papua New Guinea “as the land in question has been alleged to be the property of the Collingwood Bay communities, who are claiming customary ownership of the said land”.²⁷⁰ Since the matter has also been referred to PNG’s courts, the RSP0 confirmed via letter on 24 March 2014 that as all activities on the concession in question had been halted pending the outcome of the court’s decision, it would also await the outcome of the court’s decision before making any determination.²⁷¹</p>	CBA ²⁷²

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Olam International	Palm Oil Coffee	Olam is a leading global player in the agricultural commodities industry, based in Singapore. In 2012, a Greenpeace report ²⁷³ undertook a case study of an Olam plantation in Gabon. The report states that in 2010 Olam was granted the right to develop nearly 88,000 hectares of land as part of a planned wider development that could eventually total 300,000 hectares of oil palm and rubber plantations. ²⁷⁴ The report acknowledges that the company has demonstrated its willingness to adhere to RSP0 New Planting Procedures, but cited studies to show there is still a threat the project could result in significant deforestation and provoke conflicts over land rights. ²⁷⁵	ANZ ²⁷⁶
Rimbunan Hijau group	Timber, Palm Oil	A 2012 Greenpeace report <i>Up for Grabs</i> states the Malaysian logging outfit Rimbunan Hijau (or RH) Group is one of the main beneficiaries of the Special Agricultural and Business Leases (SABLS) in PNG, with 11 SABLS covering 138,441 hectares. ²⁷⁷ The report details allegations that Rimbunan Hijau, through its subsidiaries, secured sublease arrangements for up to 90 years, including financial compensation in case of lease termination up to approximately USD\$5 billion; and without landowners being able to access independent legal advice. ²⁷⁸ The report goes on to state that Rimbunan Hijau financed and transported PNG police into one of their areas of operation, who engaged in a violent crackdown on local protesters. ²⁷⁹	ANZ ²⁸⁰ , CBA ²⁸¹
Samling Group of Companies	Timber	In 2010 a Council on Ethics Report recommended the exclusion of Samling Global Limited (the then parent company of the Samling Group of Companies) from the investment universe of the Norwegian Government Pension Fund Global. ²⁸² The Council's report outlined that Samling is a Malaysian logging conglomerate with logging concessions, plantations and freehold land in Malaysia, Guyana, New Zealand and China. The Council carried out its own investigations of the company's forestry activities in Sarawak, Malaysia and Guyana, as a result of there being "little information available on how Samling Global runs its operations". ²⁸³ According to the Council's report in all of the six concession areas that they examined, Samling repeatedly breached licence requirements and regulations, with very serious transgressions, including logging outside the concession area or in a protected area. The report further states that "Other violations which, seen in isolation, may appear less serious are aggravated because they seem to be a systematic part of the company's logging operations. Moreover, the Council attaches importance to the fact that the Malaysian Auditor-General has documented illegal logging in another two of Samling Global's concessions and that Samling Global's subsidiary Barama has been fined several times for irregularities related to logging operations in Guyana." ²⁸⁴ The report concluded using the strong language that "the Council finds reason to believe that there is an unacceptable risk that the company's illegal and destructive forestry operations will continue in the future." ²⁸⁵	ANZ ²⁸⁶
Sime Darby	Palm Oil	In 2012, a report produced by Colombia University's Center for International Conflict Resolution ²⁸⁷ covered a 63-year agreement between Sime Darby, a Malaysian-based palm oil multinational, and the Liberian government, to develop 220,000 hectares of Liberian land for palm oil. The report alleges that this land was taken without Free Prior and Informed Consent (FPIC) from communities in Grape Cape Mount County who had been cultivating the land for generations. Affected community members reported heightened food scarcity resulting from the clear-cutting of forests that were traditionally used for agriculture and small-waterway fishing. ²⁸⁸ The report also included consideration of three other foreign investment projects in Liberia, and found that that while lack of consultation on all the investment projects had resulted in "high tension" among communities, the Sime Darby project was "by far the most controversial." ²⁸⁹	ANZ ²⁹⁰ , Westpac ²⁹¹
Ta Ann Holdings	Timber	In 2012 a Council on Ethics Report recommended the exclusion of Ta Ann Berhad Holdings from the investment universe of the Norwegian Government Pension Fund Global. ²⁹² The Pension Fund owned almost USD\$3.15 million in Ta Ann, but nevertheless acted on the Council's recommendation in 2013 and divested from and excluded Ta Ann Holdings from its investment universe. ²⁹³ The Council's report outlined that Ta Ann is a Malaysian conglomerate involved in the logging and conversion of tropical forest into oil palm and timber plantations. The report went on to detail that one third of its licence areas overlap with 100,000 hectares of tropical rainforest in Sundaland Biodiversity Hotspot — one of the most biodiverse regions on earth. ²⁹⁴ In the Council's view, there was no doubt that the destruction of more than 100,000 hectares of tropical rainforest in one of the world's most biodiverse regions would have serious, irreversible consequences for biodiversity and the ecosystem services delivered by the forest. ²⁹⁵ The Council also outlined that Ta Ann's re-entry logging licences did not have Environmental Impact Assessments (EIAs), whereas these requirements have existed in Sarawak law since 2005. ²⁹⁶ The Council noted claims by the Penan people that Ta Ann, in some of its licence areas, is operating in territories belonging to this Indigenous group without having obtained their informed consent, but did not consider this issue, limiting its scope to only environmental damage.	ANZ ²⁹⁷
Triputra Agro Persada	Palm Oil	In November 2013, the Environmental Investigation Agency released a report entitled <i>Banking on Extinction</i> , ²⁹⁸ which reviewed palm oil company Triputra Agro Persada's operations in Indonesia. The report outlined that the company, despite being an RSP0 member, had failed to comply with RSP0 mandatory new plantation notifications provisions since 2010, during which time its planted landbank had swelled from 82,000 hectares to in excess of 134,000ha. ²⁹⁹ The report goes on to cover that the Triputra had secured a USD\$470 million loan in 2013, more than half of which would be used to finance a massive programme of land expansion. ³⁰⁰ In September 2013, EIA investigators visited one of the concessions that would be targeted by this expansion program, and found that "... until 2012, the concession was covered in closed-canopy forests holding rare species of flora and fauna including ulin, or ironwood, and gibbons. Over the past year, Triputra has begun clearing the forest." ³⁰¹	ANZ ³⁰²