

Surat Bersama / *Joint Letter*

Perusahaan Perkebunan Kelapa Sawit Indonesia / *Indonesian Palm Oil Plantation Companies*

Jakarta, 9 Maret 2021

Kepada:

Kiki Taufik

Kepala Kampanye Global Hutan Indonesia
Greenpeace Asia Tenggara - Indonesia
Mega Plaza Building 5th Floor
Jl. HR Rasuna Said Kav. C3
Jakarta 12920

Perihal: Tanggapan terhadap surat Greenpeace Memperhatikan surat saudara berkenaan dengan adanya indikasi perusahaan perkebunan kelapa sawit dalam kawasan hutan, kami sampaikan sebagai berikut. 1. Perusahaan yang telah menerima surat saudara dan menandatangani surat ini (“Perusahaan”) telah mematuhi hukum dan peraturan Indonesia yang berlaku dalam pemenuhan perijinan lahan perkebunan kelapa sawit. Perusahaan telah memproses perijinan lahan perkebunan kelapa sawit sesuai dengan Hukum dan Peraturan Indonesia yang berlaku dengan mendapatkan Izin Lokasi, Izin Usaha Perkebunan (IUP), dan Hak Guna Usaha (HGU) sesuai dengan Rencana Tata Ruang Wilayah (RTRW) yang berlaku saat izin diterbitkan oleh Pemerintah Republik Indonesia. 2. Pemerintah Republik Indonesia telah menerbitkan peraturan untuk menangani permasalahan lahan perkebunan kelapa sawit dalam kawasan hutan. Indikasi permasalahan lahan perkebunan kelapa sawit dalam kawasan hutan bukan hal yang secara sengaja dilakukan oleh	Subject: Response to Greenpeace Enquiry We refer to your recent letter that indicated some oil palm plantations are located within the forest zone. We would like to convey our respond as follows: 1. We - the Companies that received your letter and have collectively signed this letter - have complied with the prevailing Indonesian laws and regulations on land permit usage for oil palm plantations. We have gone through the land legalization process based on the Indonesian laws and regulations. We have obtained the various levels of land licenses i.e. ‘Izin Lokasi’ (the initial location permit phase), ‘IUP’ (the permit to establish plantations), and ‘HGU’ (the final land use title), all of which are consistent with the prevailing Territorial Spatial Plan (RTRW) when those licenses were granted by the Government of the Republic of Indonesia. 2. The Government of the Republic of Indonesia has issued regulations to address the issue of oil palm plantations located within the forest zone.
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Perusahaan mengingat bahwa proses perijinan yang dimaksud pada butir 1 (satu) telah kami penuhi. Oleh sebab itu, Perusahaan mengikuti arahan Pemerintah Republik Indonesia dalam penyelesaian permasalahan ini sejak tahun 2012 hingga saat ini. Saat ini, Perusahaan mengacu kepada Undang-undang (UU) No. 41/1999 diselesaikan dengan mekanisme permohonan perubahan fungsi dan peruntukan kawasan hutan sesuai dengan Peraturan Pemerintah (PP) No. 60/2012 dan PP No. 104/2015. Lebih lanjut telah ditetapkan dalam UU No. 11/2020 dan PP turunannya seperti PP No. 23/2021, PP No. 24/2021 dan PP No. 43/2021 telah diatur tentang penyelesaian permasalahan lahan perkebunan sawit dalam kawasan hutan. Perusahaan telah memahami dan mematuhi semua peraturan terkait tersebut, dan sesuai pedoman dan prosedur Pemerintah Republik Indonesia dalam menyelesaikan permasalahan ini dengan sebaik-baiknya. 3. Perusahaan tidak dapat mengkonfirmasi data luasan yang telah disampaikan oleh Greenpeace. Merujuk surat Menteri Agraria dan Tata Ruang (ATR)/Kepala Badan Pertanahan Nasional (BPN) No. HT.01/1379/IX/2020 tanggal 4 September 2020 mengenai Publikasi Informasi dan Peta Hak Guna Usaha, Perusahaan dilarang untuk mempublikasikan dan berbagi peta HGU dalam format <i>shapefiles</i>.	The issue associated with oil palm plantations located within the forest zones as indicated in your letter is not something that the Companies do deliberately. As pointed out in point 1 above, we have fully complied with the process required to obtain the licenses. Since 2012, the Companies have consistently followed direction set forth by the Government of the Republic of Indonesia in resolving this issue. Currently, the Companies refer to Law (UU) No. 41/1999 in resolving the issue whereby companies should submit a proposal for changes in the function and designation of forest zones in accordance with the Government Regulations (PP) No. 60/2012 and (PP) No. 104/2015. Law No. 11/2020 and its implementing regulations, such as PP No. 23/2021, PP No. 24/2021 and PP No. 43/2021 provide a clear indication to resolve the issue of oil palm plantations located within forest zone. The Companies understood and complied with all relevant regulations mentioned above, and follow the guidelines and procedures set forth by the Government of the Republic of Indonesia in resolving this issue in the best possible way. 3. The Companies are unable to confirm the data resulting from Greenpeace's analysis which are presented in your letter. With reference to the letter from the Ministry of Agrarian Affairs and Spatial Planning (ATR)/National Land Agency (BPN) No. HT.01/1379/IX/2020, dated 4 September 2020, with regards to the publication of information and HGU (land
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Data luasan perkebunan kelapa sawit sedang dalam proses verifikasi oleh Pemerintah Republik Indonesia dalam rangka penanganan permasalahan tumpang tindih lahan perkebunan kelapa sawit dengan kawasan hutan. Perusahaan tidak dapat memberikan konfirmasi atas data luasan tersebut karena proses validasi dilakukan bersama Pemerintah dan termasuk diantaranya adanya keterkaitan dengan kegiatan masyarakat atau <i>smallholders</i>. 4. Perusahaan taat pada aturan Pemerintah Republik Indonesia termasuk dalam upaya penyelesaian permasalahan lahan perkebunan kelapa sawit dalam kawasan hutan. Seperti dipahami bersama pada butir 2 (dua) bahwa tentang upaya penyelesaian permasalahan lahan perkebunan kelapa sawit dalam kawasan hutan telah diatur dalam UU No. 11/2020, Perusahaan akan menaati pedoman dan prosedur berdasarkan UU tersebut. Kami mengharapkan kiranya Greenpeace Indonesia dapat memahami dan memberikan dukungan penyelesaian permasalahan yang sangat kompleks ini yang telah terus diupayakan sudah cukup lama (lebih kurang 8-12 tahun) demi mewujudkan kepastian hukum, keadilan sosial, dan untuk tata kelola sumber daya hutan yang <i>sustainable</i> sesuai peraturan perundang-undangan Republik Indonesia yang berlaku. Demikian kami sampaikan, dan terima kasih atas perhatian dan kerjasama yang baik. Hormat kami, Daftar Perusahaan terlampir.	use title) maps, the Companies are not permitted to publish and share HGU maps in shapefile format. The Government of Indonesia is still in the process of verifying the area of oil palm plantations located within the forest zone. Hence, the Companies are not able to confirm the data that you presented in your letter. As we understand, the validation process carried out by the Government also takes into account the linkage and activities of the smallholders. 4. The Companies adhere to the regulations of the Government of the Republic of Indonesia, including the issue of oil palm plantations located within forest zone. As stated in point 2 (two) above, that the effort to resolve the issue of oil palm plantations located within forest zone has been regulated in Law No. 11/2020. The Companies will adhere to the guidelines and procedures under the Law. We hope that Greenpeace Indonesia understands and supports for the resolution of this very complex issue, which has extended for quite some time now (approximately 8-12 years), in order to reach legal certainty, social justice, and a sustainable forest resource management, in accordance with the prevailing laws and regulations of the Republic of Indonesia. Thank you for your understanding. Yours Sincerely, List of the Companies is attached.
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Tembusan kepada:

1. Menteri Koordinator Bidang Perekonomian
2. Menteri Koordinator Bidang Maritim dan Investasi
3. Menteri Lingkungan Hidup dan Kehutanan
4. Menteri Pertanian
5. Menteri Agraria dan Tata Ruang/Kepala Badan Pertanahan Nasional

Kami yang menandatangani surat ini;

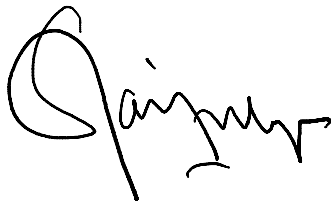
1. PT. Api Metra Palma (Medco Agro)
2. PT. Austindo Nusantara Jaya Tbk
3. PT. Bumitama Gunajaya Agro (Bumitama Agri Ltd.)
4. PT. Dharma Satya Nusantara Tbk.
5. PT. Eagle High Plantations Tbk.
6. PT. Mulia Sawit Agro Lestari
7. PT. Musim Mas
8. PT. Pasifik Agro Sentosa
9. PT. Sampoerna Agro Tbk
10. PT Tolan Tiga Indonesia (SIPEF)
11. PT. Triputra Agro Persada
12. Genting Plantations Bhd.
13. Golden Agri Resources Ltd.
14. Kuala Lumpur Kepong Bhd.
15. Minamas Plantation (Sime Darby Plantation Bhd.)
16. Wilmar International Limited

Didukung oleh:

1. Gabungan Pengusaha Kelapa Sawit Indonesia (GAPKI)
2. Indonesian Grower Caucus (IGC)

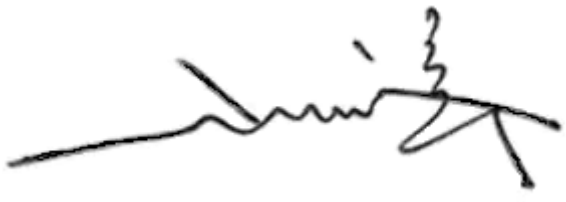
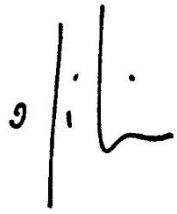
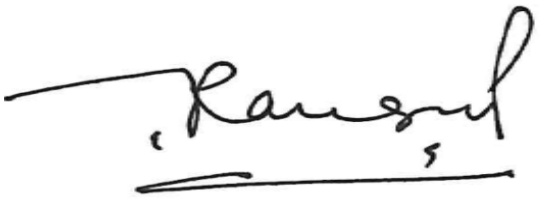
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Perusahaan Perkebunan Kelapa Sawit Indonesia

Syaiful Panigoro Head of Corporate Affair PT. Api Metra Palma (Medco Agro)	
Geetha Govindan Direktur PT. Austindo Nusantara Jaya Tbk	
Martin Mach Sustainability Specialist PT. Bumitama Gunajaya Agro (Bumitama Agri Ltd.)	
A. Triwibowo Compliance & Management System PT. Dharma Satya Nusantara Tbk	
Bobby D.A. Jorris Head of Human Capital and Corporate Services PT. Eagle High Plantations Tbk	
Koh Chung Shen Head Sustainability Department Genting Plantations Bhd.	
Agus Purnomo MD Sustainability and Strategic Stakeholder Engagemet Golden Agri Resources Ltd.	

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Perusahaan Perkebunan Kelapa Sawit Indonesia

Sin Chuan Eng Head of Sustainability (Plantations) Kuala Lumpur Kepong Bhd	
Lisnawati Ibrahim Corporate Secretary PT Minamas Gemilang (Sime Darby Plantation Bhd.)	
Dwi Dharmawan Direktur PT. Mulia Sawit Agro Lestari	
Olivier Tichit Director of Sustainable Supply Chain PT Musim Mas	
Alfat Agus Salim Head of Sustainability PT. Pasifik Agro Sentosa	
Bona Ranto Pasaribu Head of Sustainability PT Sampoerna Agro Tbk	
Sander van den Ende Director of Sustainability PT Tolan Tiga Indonesia	
Rudy Prasetya Head of Sustainability PT. Triputra Agro Persada	

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Pujuh Kurniawan Indonesia Sustainability Lead Wilmar International Ltd.	
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Perusahaan Perkebunan Kelapa Sawit Indonesia

Didukung oleh:

Supported by:

Gabungan Pengusaha Kelapa Sawit Indonesia (GAPKI)

Joko Supriyono Ketua Umum	
Agam Faturrochman Plt. Sekretariat Jenderal	

Indonesian Grower Caucus (IGC)

Agus Purnomo Ketua	
Fadhil Hasan Wakil Ketua	