



HuMa



September 24, 2012

Linda Wijaya,
Asia Pulp and Paper
Jl. M.H. Thamarin 51
BII Plaza Tower II
Jakarta, 10350

Dear Ms. Wijaya,

We are writing to request more information concerning Asia Pulp and Paper's human rights audit being conducted by Mazars.

(<http://www.businesswire.com/news/home/20110913007613/en/CORRECTING-REPLACING-Asia-PulpPaper-Lead-Commits>)

Effective initiatives to resolve chronic land conflicts and human rights violations between pulp and paper operations and local communities in Indonesia are desperately needed and long overdue. Failure to remedy these situations has negative consequences both domestically, for those whose rights are violated and who lose access to their traditional lands, and internationally where such conflict damages Indonesia's reputation in global markets. At this stage it remains unclear if and how the APP human rights audit being undertaken will address these key issues or reflect APP's stated commitment to operate "in line with best practice requirements for Free, Prior and Informed Consent."

(<http://www.scribd.com/doc/93830176/APP-High-Conservation-Value-Forest-Statement>).

Auditing best practice entails embracing and demonstrating basic principles of public transparency, inclusiveness, comprehensiveness and accountability in both process and outcomes. It appears that the human rights audit that APP is undertaking is not yet meeting these basic principles. The human rights auditing standard that APP is using has not been released. Communities with outstanding human rights complaints linked to Asia Pulp and Paper and prominent civil society organizations monitoring these issues have not been consulted. The scope, process, methodology, timeline and outcomes of the audit remain unknown.

For APP's efforts to be fruitful and credible, we urge APP to ensure that the human rights audit conducted by its consultant Mazars, is transparent, inclusive, comprehensive and accountable. Consistent with this, we call on APP to address the following:

Transparency – Guiding documents, Mazars auditing standard and other human rights assessment tools being used to conduct the assessment of APP need to be made public, as well as a commitment to full rather than partial disclosure of the audit results, if stakeholders are expected to have confidence in the process and outcomes. As this has not yet happened, we would like to request that all relevant documentation of the full standards and methodologies being used by Mazars and APP in association with the human rights

audit be made available publicly. We would also like to request that APP publicly release the full final audit report and its findings.

Inclusiveness – Opportunities for full and meaningful stakeholder engagement are essential for understanding issues, building trust and laying the foundations for developing effective remedies to chronic human rights issues. In this regard we urge APP to ensure that the audit establish and communicate its procedures and partnerships for broad based, open, accessible and safe consultation procedures mediated by independent third parties.

Comprehensiveness – There are a host of human rights violations that grow out of the failure to respect and uphold the individual, collective and customary land rights of local communities and Indigenous peoples in Indonesia. Recognizing, respecting, securing and protecting these rights, including the right to free, prior and informed consent, is a high priority if the audit is to be credible and foster durable social outcomes in its implementation. In this regard, we seek clarification about the scope of the APP audit. Will it assess the human rights impacts of all of APP's Indonesian wood supply chain including from its own licenses and third party sources? Will the audit recognize and include assessments of the collective rights of peoples, their land and natural resource tenure rights and the many human rights linked to land including the minimum standards set out in the UN Declaration on the Rights of Indigenous Peoples? We request that APP advise whether it is prepared to engage and address land tenure rights issues including collective rights and violations thereof, and how it envisions this occurring. For example, will APP adopt Standard Operating Procedures (SOP) that prevent and resolve social conflict and uphold the right to Free, Prior and Informed Consent?

Accountability – Public accountability is crucial for building trust with rights holders, stakeholders and interested parties, and builds on and extends from a commitment to full transparency. Integral to accountability is independent verification and an effective independent dispute resolution mechanism. In this regard, we are seeking a commitment from APP that you will publicly release the final draft report of the Mazars audits prior to making any final reports or claims and give adequate time for seeking feedback from all stakeholders, and that you ensure that this feedback is taken into account and given due weight in the final audit report. In addition, we seek a commitment from APP that you will establish an independent dispute resolution mechanism and resolve and provide redress in response to social conflicts and human rights violations associated with APP's operations, in accordance with international best practice.

The pulp and paper sector in Indonesia faces many unique economic, social and environmental challenges. We realize that finding viable widely accepted solutions, while essential, will not always be easy. Our organizations are committed to supporting authentic and meaningful efforts to arrive at these solutions.

We look forward to your response.

Sincerely,

Ahmad Zazali
Executive Director
Scale Up

Andiko
Executive Director
Huma

Deddy Permana
Executive Director
WBH

Marcus Colchester
Executive Director
Forest People's Program

Rebecca Tarbotton
Executive Director
Rainforest Action Network

Rivani Noor
Executive Director
CAPP

cc:

Aida Greenbury
James Kallman
Marzuki Darusman
Philippe Castagnac
Robin Mailoa