

## Joint Statement

I present this statement on behalf of the international, national and local NGOs Forest Peoples Programme, Sawit Watch, SETARA Jambi, CAPP and Perkumpulan Hijau, who were informally invited to the meeting here today and who are signatories to the complaint submitted to the IFC CAO in November 2011 in relation to the case of PT Asiatic Persada.

Given that the purpose and agenda of this meeting was not disclosed to us by the CAO in Indonesia until requested and therefore reactively provided, given that no formal invitations were sent until requested and therefore reactively provided, given that Meg Taylor has informed us in her recent letter that a round of closing meetings was to take place this month, we have thus come here under the assumption that this meeting is tantamount to closure of the IFC CAO's involvement in the PT AP case. Information as to the purpose of the meeting was only shared with three organisations yesterday, and we thank Scott Adams for taking the time to share this information with us, albeit much later than we had hoped, and we question why the CAO in Indonesia did not respond to our appeals. We also note that we were not formally informed of the venue or time of the meeting.

Given Meg's letter, we understand this meeting as a closing meeting and thus question why all parties are not present here today: this includes all affected communities, all signatories and naturally PT Asiatic Persada, PT Anugrah Mandiri Semestra and Wilmar. Given that this meeting is not representative of all these actors, we assume that its proceedings and outcomes will likewise not be representative of the stakeholders who should be here today, and therefore conclude that such proceedings and outcomes will at best be informal and unilateral. Therefore, we have no choice at this stage but to limit our contributions to this statement.

We wish to clarify to Scott Adams our insistence on seeking formal invitations to this meeting, given the numerous precedents set by the CAO in Indonesia since the passing of Pak Gamal. An example of this is the meeting held at the Office of the Governor of Jambi in May 2013, where several recommendations for follow-up action were made. The CAO in Indonesia then denied the validity and need for acting upon these recommendations in a Skype call with the IFC CAO in Washington, stating that the meeting was informal and as such its outcomes were also negligible. We were not informed that this was an informal meeting, but had assumed it to be formal, given that the government was present and the meeting was held in the Governor's office. Caution on our part has therefore been an inevitable consequence of such precedents.

As we gather here today, our thoughts go to Pak Gamal, under whose initiative and resourcefulness IFC CAO mediation in PT AP was making tangible progress, and whom the communities hold dear in their heart for his commitment, good will, effectiveness and impartiality, and his genuine concern and active approach towards justice and remedy in the difficult case that PT AP presents. With Pak Gamal's death, the IFC CAO mediation process here in Jambi has also slowly perished at the hands of two individuals whose incapacities, inconsistencies and inability to communicate adequately, now unfortunately reflect upon the entirety of the IFC CAO as a body, and lead us and others to seriously question how information is being conveyed by these two individuals to their seniors in Washington DC in terms of the validity, objectivity and comprehensiveness of such information. We deplore that a hugely important institution such as the IFC CAO, whose functions and mandate we sincerely value, should be undermined by lack of capacity of the staff in whom the CAO places such substantial responsibility.

We note that when Gina Barbieri, Julia Gallu and Susana Rodriguez came from Washington, the mediation process was described by both the communities and the observer NGOs as structured, well-communicated in advance to all parties, and clear in terms of next steps and outcomes. We note that the example of how this meeting has been organised, if such a term can be used, is but one of countless precedents set by the CAO in Indonesia where they have failed to communicate with complaint signatories in a timely manner, if at all, on the agenda, purpose, location, venue and timing of meetings, and displayed remarkably consistent passivity in their engagement.

We wish to reassure you that we have not come here with the intent to implore further action and involvement by the IFC CAO in the PT AP case, as Meg's letter has made it clear to us that this is no further hope in this regard. Should the two individuals who have been put in charge of mediation in PT AP continue this role, then there is even less hope for improvement and change. If they have been consistent in one thing, it is in their reluctance to accept or strive towards either. Their performance does shame to the memory of Pak Gamal, whom the communities still refer to frequently as a glimmer of hope for them throughout this process. Given the performance of the CAO in Indonesia on the PT AP case, we question the factors and reasons why the IFC CAO chose to replace Pak Gamal with these two individuals in taking on the crucial role of mediating the long-standing conflict between the SAD communities and PT AP, a decision was taken by the CAO without prior consultation with the affected communities and complaint signatories.

But we will also not forget this precedent set by IFC CAO's selected mediators in the PT AP case, nor will we leave any other actors seeking to activate the IFC CAO in Indonesia oblivious to this precedent, such that other communities negatively affected by IFC-funded companies in Indonesia and elsewhere do not suffer a similar experience as those in PT AP at the hands of incompetent individuals. We will not let down the communities that the CAO in Indonesia, have let down, and will continue to focus our energies on continuing to seek remedy for them outside the mechanism of the CAO.

We thank Scott Adams for making the long and tiring journey from Washington DC to Jambi and apologise for being obliged to limit our participation to this joint statement. But we hope that our statement will begin to shed light for those of you based in the IFC CAO office in Washington DC, who are far from the field, who are far from the communities, that you are also far from the reality, and that those to blame are precisely those who should have been engaging in a sustained, multi-stakeholder, transparent and timely manner with all parties in order to address the tragedy of this reality.

We wish to conclude by noting that the performance of the IFC CAO's selected mediators in the PT AP case puts us, as organisations seeking to support local communities and indigenous peoples in defending and protecting their rights, in a most difficult position. Whereas we all know that wrongs have been committed by Wilmar and by PT AP, that the RSPO has not been able to address these wrongs adequately, and that the IFC continues to fund Wilmar despite systemic human rights abuses in its operations, we also now are driven to conclude that negligence on the part of the mediators selected by the IFC CAO have played an undeniable role in contributing to the failure of resolving conflicts in PT AP. That the IFC CAO's own reputation will now suffer from this is regrettable. That the communities' pleas for continued CAO mediation have been fruitless is deplorable. But that the individuals responsible for mediating conflict have failed utterly in showing any signs of even considering improving their performance in terms of both process and content despite countless calls for constructive change, that, is unforgivable.