



Mr. Lim Hariyanto Wijaya Sarwono
Ultimate beneficiary of the Harita Group

Mr. Lim Gunawan Hariyanto
CEO of the Harita Group and Executive Chairman and Chief Executive of Bumitama Agri Limited.

June 22, 2023

Rainforest Action Network Response to “BUMITAMA CLARIFIES ON PUBLICATION: KEEP FORESTS STANDING: HOW LOCAL COMMUNITY RESISTANCE IS SAVING THE LAST RAINFORESTS OF BORNEO”

Dear Mr. Lim Hariyanto Wijaya Sarwono and Mr. Lim Gunawan Hariyanto,

Firstly, we would like to clarify that our organization is Rainforest Action Network (RAN)—not Rainforest Alliance Network (RAN)—as referred to in Bumitama’s [response](#)ⁱ to our [report](#)ⁱⁱ documenting the Harita Group’s failure to respect the rights of the Long Isun community to give or withhold their Free, Prior and Informed Consent (FPIC) to development on their customary lands, in Mahakam Ulu, Indonesia.

In its response, Bumitama has falsely stated that RAN’s report ‘*refers to Bumitama as part of the timber operations of Harita Group.*’ This is not correct as our report refers to Bumitama Agri Limited and PT. Roda Mas Tbr Kalimantan (PT. RMTK) and PT. Kemakmuran Berkah Timber (KBT) being part of the same corporate group—the Harita Group—with the same ultimate beneficiaries Mr. Lim Hariyanto Wijaya Sarwono and Mr. Lim Gunawan Hariyanto.

Rainforest Action Network has undertaken an assessment of the group of companies in the Harita Group, using the recently published [methodology](#)ⁱⁱⁱ for implementing the Accountability Framework initiative (AFi) definition of corporate group. There is extensive proof of common ultimate beneficial ownership and evidence of common family control. A review of the corporate structures and governance of PT. KBT and PT. RMTK and Bumitama Agri demonstrate these are under common control of the Harita Group, per the AFi definition. These two Roda Mas companies and Bumitama Agri Limited are both part of the Harita Group, under the control of the Lim family, with Mr. Lim Hariyanto Wijaya Sarwono, and his wife and children, as its ultimate beneficiaries. There is substantive evidence to show that PT. KBT and PT. RMTK are ultimately held by Mr Lim Hariyanto Wijaya Sarwono and his family. As well as sharing ownership of companies across the timber and palm oil divisions, two brothers in the Lim Family—Lim Gunawan Hariyanto and Lim Gunardi Hariyanto—both hold positions on the board of companies in both Roda Mas and Bumitama. Lim Gunardi Hariyanto has over the years occupied key management positions in a number of Bumitama companies, which furthers evidence of shared management.

Bumitama’s decision to “*take the position that PT. Rodamas Tbr Kalimantan (RTK) and PT. Kemakmuran Berkah Timber (KBT) have taken appropriate steps in providing the local communities the right to give or withhold their consent during the various stages of their engagement and ultimately, upon their request, taken the contested Long Isun community lands out of its long-term work plans and discontinued any activities in these areas*” demonstrates a

failure in upholding its own 2015 Sustainability Policy, in which it states “*commitments to the processes of FPIC, that seek to ensure that indigenous peoples and local communities have a say in decisions that may affect their rights, lands and territories.*” This response also demonstrates a failure in its human rights due diligence systems and grievance mechanism.

Fulfillment of FPIC requires the permanent withdrawal of plans for development where FPIC is withheld by communities with customary rights. To date the Harita Group has only temporarily withdrawn their plans to log one of the concessions overlapping the Long Isun communities lands—PT. KBT after the agreement was reached between PT. KBT, Naha Aruq, and Long Isun in 2018. There appears to be future plans for PT. RMTK to exploit its concession which also overlaps Long Isun’s lands, as early as 2024. **Mr. Lim Hariyanto Wijaya Sarwono—the ultimate beneficiary of the group—and PT. Kemakmuran Berkah Timber (PT. KBT) and PT. Roda Mas Tbr Kalimantan (PT. RMTK) have not committed to permanently cancel proposed logging operations and excise the customary lands of the Long Isun community from their concessions.**

Bumitama states the Harita Group ‘*supports the Long Isun community in their ongoing process for recognition of their lands as customary forest.*’ Despite this claim, the Harita Group has not communicated a decision to permanently cancel proposed logging operations and excise the customary lands of the Long Isun community from their concessions to the Mahakam Ulu district government and the Long Isun community, through their chosen representatives and customary proceedings. Bumitama’s acceptance of the misleading claims made by Roda Mas is evidence of a violation of its ‘No Deforestation, No Peatland and No Exploitation’ (NDPE) policy that justifies suspension of its palm oil products. Such suspensions should remain in place until a public declaration is made by its controlling entity—the Harita Group—to permanently cancel proposed logging operations and excise the customary lands of the Long Isun community from their concessions.

Bumitama claims to ‘*subscribes to the HCS approach in forest identification assessments, as per our Sustainability Policy,*’ but its Sustainability Policy, lacks a statement that it will fully adhere to the High Carbon Stock Approach, including the HCSA social requirements^{iv}, across all operations of the corporate group, and requires all suppliers to do the same.

It is our hope that Bumitama Agri Limited and the Harita Group announce a decision to permanently cancel proposed logging operations and excise the customary lands of the Long Isun community from their concessions in Mahakam Ulu. We will publish all responses received from the Harita Group on our website.

Sincerely,



Ginger Cassady

Executive Director Rainforest Action Network

ⁱ <https://bumitama-agri.com/news-and-media/sustainability/bumitama-clarifies-on-the-ran-publication/>

ⁱⁱ <https://www.ran.org/publications/long-isun/>

ⁱⁱⁱ <https://www.greenpeace.org/static/planet4-international-stateless/2023/03/717b9dca-shining-light-on-the-shadows.pdf>

^{iv} <https://highcarbonstock.org/hcsa-social-requirements-documents/>