

ING Groep N : Liberian, Dutch and Indonesian NGOs Report ING Bank Over Oil Palm Investment

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The nongovernmental organization, Sustainable Development Institute (SDI), and Dutch and Indonesian campaign groups Milieudefensie (Friends of the Earth) Netherlands and WALHI, have lodged a compliant with the Organization for Economic Cooperation and Development (OECD) against the Dutch banking giant ING Group.

"This complaint seeks to ensure that oil palm companies operate within the confines of the Liberian laws and international standards on human rights and the environment," said James Otto, SDI's lead campaigner over the complaint. "We hope this will lead to a rethought within financial institutions such as ING to be rigid on human and environmental standards and stop supporting companies that are booked for the abuse of the rights of powerless communities."

In the complaint to the Netherlands office of OECD in July last year, SDI and the two foreign NGOs alleged that they had informed the bank of human rights violations committed by oil palm companies in Liberia and Indonesia its subsidiaries Noble Group Ltd, Bollore Group/Socfin Group S.A. and Wilmar





"I live to the high degree of toreseeability of the harmful impacts caused by its clients and the failure of

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"The repeated loans by ING totaled a substantial amount, and given the general nature of corporate loans, it is likely that at least a portion of the proceeds would go to the activities that were known to be causing adverse impact."

ING finances the Singaporean agribusiness Wilmar that in turn finances the Maryland Oil Palm Plantation (MOPP). As of 2018 Wilmar became a sole owner of Nauvu Joint Venture Company, which in 2017 owned 27 percent of the shares in SIFCA that controls MOPP. Communities that are directly impacted by the MOPP, experience wage violations, non-hiring of local staff and unsafe or discriminatory working conditions, said Danielle van Oijen, a lead campaigner with Milieudefensie, in a WhatsApp message from Amsterdam.

ING also offers 19 investment funds with shares in Golden Agri Resources, which is the leading investor in Golden Veroleum Liberia. GVL was slammed for human rights violations and forest degradation last year by the Roundtable on Sustainable Palm Oil (RSPO), the global watchdog for the oil palm sector.

The complaint alleges that ING violated a number of OECD guidelines directly and indirectly, including not carrying out due diligence to mitigate adverse impacts as well as contributing to those negative impacts.

ING denied those allegations. "ING is of the opinion it did perform a proper due diligence and did us its leverage where needed and possible. ING has therefore complied with the OECD guidelines and not contributed to any harm," it said in response to the complaint.

The National Contact Point (NCP), the Dutch branch of the OECD, said in its initial assessment of the matter that the complaint merited further consideration, and that it would mediate between the NGOs and the bank. "The objective is to bring parties to agreement on possible improvements of ING's due diligence policies and practices regarding oil palm," it said, adding all parties had agreed on a dialogue.

However, if NCP upholds the allegations, ING risks consequences. The bank could be excluded from the trade missions, subsidies and government support abroad.

Van Oijen reveled in the possibility of the NCP holding ING accountable. "It will set a precedent for other banks on how to comply with the OECD guidelines, and increases the chances that communities get redress," she said.

Otto said the complaint another reminder for the government of Liberia to hold oil palm companies accountable for breaching the country's laws. He said, "Our government must take very seriously these







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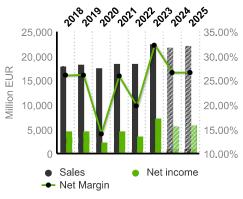
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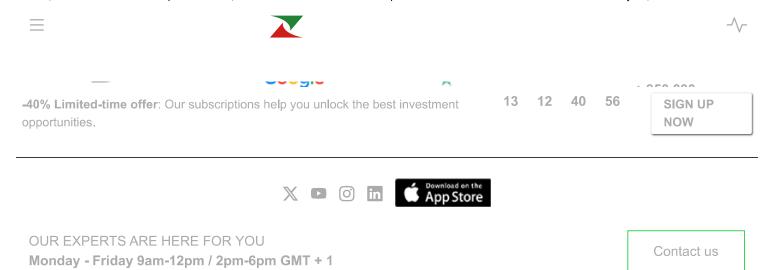
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