

November 7, 2023

Mr. Kim Carstensen
Director General
Forest Stewardship Council
Adenauerallee 134, 53113 Bonn, Germany

Subject: Policy for Association complaint against Paper Excellence

Dear Mr. Kim Carstensen,

Please find below a Policy for Association complaint submission related to Paper Excellence's links with Asia Pulp & Paper and the Sinar Mas Group. We expect the FSC to accept this complaint and initiate an investigation based on it meeting the following requirements per section 2.12 of the FSC Policy for Association Complaint Procedure (FSC-PRO-01-009):

- 1) all required information in the complaint submission form is provided;
- 2) there is substantial information to warrant a full evaluation; and
- 3) the complaint falls within the scope of the FSC Policy for Association.

We note that this complaint addresses issues that pose significant risk to the FSC's reputation, and as such we make the following requests aligned with the FSC's aim to "address formal complaints of violations to the FSC Policy for Association in a timely, independent and effective manner" per FSC-PRO-01-009.

- We expect to receive a time-bound commitment from the FSC on conducting an investigation and making a decision based on that investigation.
- We expect the FSC to appoint an independent investigator specializing in financial issues to conduct an investigation of beneficial ownership.
- We expect the FSC to share the Terms of Reference for the expert conducting the investigation.
- We request that independent observers are included in the investigation.
- We request the FSC to fully explain its rationale for any decision.
- We retain the right to update this complaint with additional evidence if it comes to light before the FSC announces a decision.

Please confirm that you have received this complaint within ten working days per FSC Policy for Association complaint procedure (FSC-PRO-01-009).

Sincerely,

The image shows two handwritten signatures in black ink. The signature on the left is 'Shane Moffat' and the signature on the right is 'Timer M'.

Shane Moffat, Greenpeace Canada and Timer Manurung, Auriga Nusantara

Information about the organisations filing the complaint

Name of organisations: Greenpeace Canada and Auriga Nusantara

Contact persons: Shane Moffat (Greenpeace), Timer Manurung (Auriga)

Postal address: Greenpeace Canada
33 Cecil Street, Toronto, ON, M5T 1N1 Canada

Auriga Nusantara
Kel Sukadamai, Kec Tanah Sareal Kota Bogor, Jawa Barat 16168 Indonesia

Phone number: +1 8003207183 (Greenpeace)
+62 02122791357 (Auriga)

Fax number: +1 4165978422 (Greenpeace)

Email address: shane.moffatt@greenpeace.org, timer@auriga.or.id

Website: <https://www.greenpeace.org/canada/en/>, <https://auriga.or.id/>

FSC members: No

Date of submission: November 7, 2023

Signature of legal representative of the complainant: Shane Moffat and Timer Manurung



Information about the organisation against which the complaint is submitted

Name: Paper Excellence

Contact person: Graham Kissack, Vice President Environment, Health and Safety and
Corporate Communications

Postal address: 2nd Floor, 3600 Lysander Lane, Richmond, BC V7B 1C3 Canada

Phone number: +1 6042474400

Fax number: +1 6042470512

Email address: graham.kissack@paperexcellence.com

Website: <https://paperexcellence.com/>

Information to be submitted for a Policy for Association Complaint

Objective of the complaint

In accordance with the FSC's Policy for Association (PfA) related to "indirect involvement" (PfA version 2), this complaint seeks to extend the scope of Asia Pulp & Paper's disassociation to Paper Excellence and its affiliates based on new evidence in the public domain.

Specification of the issues and events that led to the complaint

Paper Excellence was reportedly established in 2006 and has its corporate headquarters in British Columbia, Canada.¹ Over the past 15 years, Paper Excellence has carried out an ambitious strategy of corporate acquisitions to emerge as one of the largest pulp and paper producers in North and South America.² In 2021, Paper Excellence acquired one of North America's largest pulp and paper producers, Domtar Corporation, for US\$3.0 billion³, and in 2023 it completed the acquisition of Resolute Forest Products, a major North American producer of pulp, paper, and lumber, for a reported US\$2.7 billion.⁴

As of October 2023, Paper Excellence owns 42 pulp, paper, and/or lumber mills with Forest Stewardship Council (FSC) certification (see Appendix A). Paper Excellence and its affiliates

¹ Paper Excellence. 2023. "A global producer." Company fact sheet. Accessed in September 2023. https://paperexcellence.com/wp-content/uploads/2023/05/PE_Group_Factsheet_WEB_23_05_09.pdf.

² Greenpeace et al. 2022. *Papering over corporate control: Paper Excellence's relationship with Asia Pulp & Paper and the Sinar Mas Group*. October 2022.

https://www.greenpeace.org/static/planet4-canada-stateless/2022/10/ddb2befa-report_papering_over_corporate_control.pdf.

³ Paper Excellence. 2021. "Paper Excellence welcomes Domtar into its group of companies." Company press release. November 31, 2022.

<https://paperexcellence.com/paper-excellence-welcomes-domtar-into-its-group-of-companies/>.

⁴ *Northern Ontario Business Review*. 2023. "Paper Excellence completes acquisition of Resolute Forest Products." March 1, 2023.

<https://www.northernontariobusiness.com/industry-news/forestry/paper-excellence-completes-acquisition-of-resolute-forest-products-6631067>.

manage 22 million hectares of forest, according to reporting in June 2023.⁵ Five forestry management units with a licensed area totaling 7.3 million hectares currently have certification from the FSC (see Appendix A).

Asia Pulp & Paper (APP), a company under common control with Paper Excellence,⁶ is currently proscribed from membership to the FSC because of “destructive forestry practices.”⁷ Since the 1990s, APP has been responsible for extensive deforestation in Indonesia⁸ and has been involved in a multitude of conflicts with rural and Indigenous communities living in and around its forestry concessions, according to numerous NGO and media reports.⁹ A 2010 report by Eyes

⁵ Baxter, Joan. 2023. “Natural Resources committee refuses to summon Paper Excellence’s Wijaya.”

Halifax Examiner, June 7, 2023.

<https://www.halifaxexaminer.ca/economy/natural-resources/forestry/natural-resources-refuses-to-summon-paper-excellences-wijaya/>.

⁶ Greenpeace et al. 2022. *Papering over corporate control: Paper Excellence’s relationship with Asia Pulp & Paper and the Sinar Mas Group*. October 2022.

https://www.greenpeace.org/static/planet4-canada-stateless/2022/10/ddb2b2bfa-report_papering_over_corporate_control.pdf.

⁷ Forest Stewardship Council. 2023. “Asia Pulp & Paper.” Current cases. Accessed in August 2023.

<https://connect.fsc.org/actions-and-outcomes/current-cases/asia-pulp-and-paper-app>.

⁸ Eyes on the Forest. 2022. “APP expands pulpwood plantation by clearing HCV areas in a UNESCO Biosphere Reserve, Sumatra.” August 8, 2022.

Greenpeace. 2020. “Greenpeace finds Asia Pulp and Paper guilty of peatland clearance and fuelling forest fires in Indonesia”. July 16, 2020.

<https://www.greenpeace.org/malaysia/press/3477/greenpeace-finds-asia-pulp-and-paper-guilty-of-peatland-clearance-and-fuelling-forest-fires-in-indonesia/>.

Greenpeace. 2018. “This company promised to stop deforestation. But we caught them out”. May 30, 2018.

<https://www.greenpeace.org/usa/this-company-promised-to-stop-deforestation-but-we-caught-them-out/>.

Eyes on the Forest. 2011. *The truth behind APP’s greenwash*. December 2011.

<https://eyesontheforest.or.id/uploads/default/report/Eyes-on-the-Forest-Investigative-Report-The-truth-behind-APPs-greenwash.pdf>.

Eyes on the Forest. 2012. “Tropical rainforest clearcutting by PT Arara Abadi (Distrik Nilo), a subsidiary of Asia Pulp Paper (APP), in Tesso Nilo block, Sumatra.” February 2012.

<https://www.eyesontheforest.or.id/uploads/default/report/Eyes-on-the-Forest-Investigative-Report-PT-Arara-Abadi-APP-Nilo.pdf>.

Eyes on the Forest. 2012. “APP default on environmental covenant.” February 6, 2012.

https://www.eyesontheforest.or.id/uploads/default/report/Eyes-on-the-Forest-Investigative-Report-APP-default-on-environmental-covenant_report_.pdf.

Eyes on the Forest. 2012. “SMG/APP: The pulping continues.” July 26, 2012.

<https://www.eyesontheforest.or.id/uploads/default/report/Eyes-on-the-Forest-Investigative-Report-SMG-APP-The-Pulping-Continues.pdf>.

Eyes on the Forest. 2013. “SMG/APP deforestation and deadly human-tiger conflict.” January 2013.

<https://www.eyesontheforest.or.id/uploads/default/report/Eyes-on-the-Forest-Investigative-Report-SMG-APP-deforestation-and-deadly-human-tiger-conflict.pdf>.

⁹ Human Rights Watch. 2003. *Without Remedy*. January 6.

<https://www.hrw.org/report/2003/01/06/without-remedy/human-rights-abuse-and-indonesias-pulp-and-paper-industry>.

Environmental Paper Network et al. 2019. *Conflict Plantations*. October.

<https://environmentalpaper.org/wp-content/uploads/2020/03/APP-social-conflicts-mapping.pdf>

Jong, Hans Nicholas. 2021. “Calls for end to business with paper giant APP over Sumatra land disputes.” *Mongabay*. May 21.

<https://news.mongabay.com/2020/05/calls-for-end-to-business-with-paper-giant-app-over-sumatra-land-disputes/>.

on the Forest estimated that APP was responsible for deforestation of an area greater than two million hectares, including Sumatran tiger and orangutan habitat, in the provinces of Riau and Jambi, Indonesia between 1984 and 2010.¹⁰ Despite APP's 2013 Forest Conservation Policy, which included a commitment to "zero-deforestation" in the group's supply chain, deforestation has continued during the years since, albeit at lower rates.¹¹ A 2018 Greenpeace Indonesia study revealed that from 2013 to 2018, almost 8,000 hectares of forest and peatland were cleared in two concessions linked to APP and its parent entity, the Sinar Mas Group.¹² Greenpeace said in October 2023 that APP is "still linked to deforestation"¹³ while publishing a report that noted "Based on Nusantara Atlas analysis using University of Maryland forest loss data, between 2013 and 2022, there was a total of 74,873 hectares of deforestation in APP Sinarmas supplier concessions."¹⁴

In 2007 the FSC disassociated from APP in response to a Policy for Association complaint from environmental organizations, including Greenpeace International, over APP's role in industrial-scale deforestation.¹⁵ In December 2007 the FSC released a statement that said:

The Forest Stewardship Council dissociated from working with Indonesian based Asia Pulp and Paper (APP) in October 2007. The Forest Stewardship Council has a duty to protect the good will and integrity associated with its name and logo for consumers and for our trusted partners and members. The FSC Board of Directors decided that association with APP would threaten the good will and faith invested in the name Forest Stewardship Council and the years of support and participation by companies that are truly committed to the pursuit of responsible forest management globally.¹⁶

Arianti, Fitri. 2021. "Destroying Lives and Stealing Land." Rainforest Action Network. January 4.
<https://forestsandfinance.org/news/destroying-lives-and-stealing-land/>.

¹⁰ Eyes on the Forest. 2011. *The truth behind APP's greenwash*.

<https://eyesontheforest.or.id/uploads/default/report/Eyes-on-the-Forest-Investigative-Report-The-truth-behind-APPs-greenwash.pdf>.

¹¹ See for example Greenpeace. 2018. "This company promised to stop deforestation. But we caught them out". May 30, 2018.

<https://www.greenpeace.org/usa/this-company-promised-to-stop-deforestation-but-we-caught-them-out/>.

¹² Greenpeace. 2018. "This company promised to stop deforestation. But we caught them out". May 30, 2018.

<https://www.greenpeace.org/usa/this-company-promised-to-stop-deforestation-but-we-caught-them-out/>.

¹³ Greenpeace. 2023. "Asia Pulp and Paper Sinarmas slammed over broken no deforestation and peatland promises." Press release. October 25, 2023.

<https://www.greenpeace.org/southeastasia/press/62753/asia-pulp-and-paper-sinarmas-slammed-over-broken-no-deforestation-and-peatland-promises/>.

¹⁴ Greenpeace. 2023. *APP Sinarmas: Forest promises pulped*. October 25, 2023.

https://www.greenpeace.org/static/planet4-international-stateless/2023/10/5267ad2c-app-10-year-report_241023_rev.pdf.

¹⁵ Forest Stewardship Council. 2007. "Forest Stewardship Council dissociates with Asia Pulp and Paper." Press Release. Posted on WWF Japan's website.

https://www.wwf.or.jp/activities/upfiles/20080116opt_fsc.pdf.

¹⁶ Forest Stewardship Council. 2007. "Forest Stewardship Council dissociates with Asia Pulp and Paper." Press Release. Posted on WWF Japan's website.

https://www.wwf.or.jp/activities/upfiles/20080116opt_fsc.pdf.

The FSC initially stated that the scope of its decision would apply only to companies for which APP was the majority owner.¹⁷ In 2009, the FSC adopted Version 2 of its Policy for Association (PfA v2), which identifies the kinds of corporate relationships that define the scope of corporate responsibility for destructive forestry practices.¹⁸ Specifically, sister, parent, subsidiary, shareholder, and Board of Director relationships qualify as “indirect involvement” in destructive forestry practices per PfA v2.

The FSC stated in a media report in May 2023 that it undertook multiple evaluations of Paper Excellence’s connections with APP, most recently in 2021.¹⁹ The FSC assessments apparently did not find that Paper Excellence met the criteria for “indirect involvement”.²⁰

Since the most recent review of Paper Excellence by the FSC took place in 2021, an NGO report and multiple media investigations have been published containing substantial new information about the relationship between Paper Excellence and APP that previously was not in the public domain. Canada’s Minister of International Trade even referred to Paper Excellence as Sinar Mas in 2021,²¹ and in May 2023 the House of Commons Standing Committee on Natural Resources initiated an investigation into Paper Excellence’s connections to APP and Sinar Mas.²² Given these developments, it is imperative that FSC re-examine the relationship between Paper Excellence and APP to determine if Paper Excellence is eligible to retain membership in the FSC. The issue is even more urgent because Paper Excellence is currently represented on the FSC Canada Board of Directors via its Resolute Forest Products company.²³

¹⁷ Forest Stewardship Council. 2007. “Forest Stewardship Council dissociates with Asia Pulp and Paper.” Press Release. Posted on WWF Japan’s website.

https://www.wwf.or.jp/activities/upfiles/20080116opt_fsc.pdf.

¹⁸ Forest Stewardship Council. 2011. *FSC-POL-01-004 EN Policy for the Association of Organizations with FSC*. September 1, 2011.

<https://connect.fsc.org/document-center/documents/38f19fb6-1fa7-42c0-8eb7-8796802c15d7>.

¹⁹ The Globe and Mail reported on May 31, 2023, “Paper Excellence has FSC certification, and a spokesperson for the stewardship council said it had evaluated the ownership multiple times, most recently in 2021, and was satisfied it was sufficiently separate from APP.”

Griffiths, James. 2021. “Paper Excellence’s ties to controversial Indonesian forestry giant could hinder Canadian expansion.” *The Globe and Mail*. March 13, 2023.

<https://www.theglobeandmail.com/business/article-paper-excellence-seeks-to-create-a-huge-canadian-for-est-products/>.

²⁰ Forest Stewardship Council. 2022. “Asia Pulp & Paper.” Webpage, accessed on August 29, 2022.

<https://connect.fsc.org/actions-and-outcomes/current-cases/asia-pulp-and-paper-app>.

Note that the FSC website, as of August 2023, does not include a link to FSC’s original announcement in 2007 of disassociation from APP. WWF Japan’s website has posted a copy of it, available at https://www.wwf.or.jp/activities/upfiles/20080116opt_fsc.pdf.

²¹ House of Commons, Canada. 2021. “Evidence”. February 26, 2021. Standing Committee on Natural Resources, 43rd Parliament. Transcript accessed in September 2023.

<https://www.ourcommons.ca/DocumentViewer/en/43-2/RNNR/meeting-14/evidence>.

²² Medina, Brenda. 2023. “Government probe into Canadian forestry giant intensifies as company’s owner evades public scrutiny.” *International Consortium of Investigative Journalists*. June 5, 2023.

<https://www.icij.org/investigations/deforestation-inc/government-probe-into-canadian-forestry-giant-intensifies-as-companys-owner-evades-public-scrutiny/>.

²³ FSC Canada. 2023. “Governance.” Webpage. Accessed on October 3, 2023.

<https://ca.fsc.org/ca-en/governance>.

Below is a timeline of relevant events that led to the complaint:

- January 2007. The Meadow Lake Mechanical Pulp Mill in Saskatchewan, Canada, is purchased by a company “indirectly related to the Sinar Mas companies”, according to a press release issued by Sinar Mas at the time.²⁴
- October 2007. The FSC disassociates with APP over “destructive forestry practices”.²⁵
- November 6, 2007. The FSC certificate for Paper Excellence’s first mill acquisition in Canada, Meadow Lake Mechanical Pulp Mill, is issued.²⁶
- November 7, 2007. As a result of the disassociation with APP, FSC terminates the certificates for PT Pabrik Kertas Tjiwi Kimia Tbk., an APP paper company in Indonesia, and five APP China mills.²⁷
- July 2009. The FSC adopts ‘Part I’ of Policy for Association Version 2, which establishes the criteria for “indirect involvement” with an organization involved in unacceptable activities.²⁸
- March 31, 2010. A numbered corporation is incorporated in Canada (0877457 B.C. Ltd)²⁹, which changes its name to Paper Excellence Canada Holdings Corporation on April 10, 2010.³⁰
- October 2010. The Meadow Lake Mechanical Pulp Mill switches its letterhead from “A division of Sinarmas Group” to “Paper Excellence Group”.³¹

²⁴ Meadow Lake Mechanical Pulp Mill. 2008. Letter to environmental regulators in Saskatchewan. Obtained through Access to Information and Privacy request to the Government of Saskatchewan.

²⁵ Forest Stewardship Council. 2007. “Forest Stewardship Council dissociates with Asia Pulp and Paper.” Press Release. Posted on WWF Japan’s website.

https://www.wwf.or.jp/activities/upfiles/20080116opt_fsc.pdf.

²⁶ Forest Stewardship Council. 2023. *FSC Public Search - Certificate Database*. Accessed in September 2023. <https://connect.fsc.org/fsc-public-certificate-search>.

²⁷ The five Chinese mills are: Gold East (Jiangsu), Gold Huasheng, Ningbo Asia Pulp and Paper, Ningbo Zhonghua Paper, and Gold Hong Ye. See for detailed records: Forest Stewardship Council. 2023. *FSC Public Search - Certificate Database*. Accessed in September 2023.

<https://connect.fsc.org/fsc-public-certificate-search>.

²⁸ Forest Stewardship Council. 2011. *FSC-POL-01-004 EN Policy for the Association of Organizations with FSC*. September 1, 2011.

<https://connect.fsc.org/document-center/documents/38f19fb6-1fa7-42c0-8eb7-8796802c15d7>.

²⁹ Ministry of Finance, BC Registry Services. 2010. “Incorporation Application.” 0877457 B.C. Ltd. March 31, 2010. Accessed on September 2, 2022.

³⁰ Ministry of Finance, BC Registry Services. 2010. “Notice of alteration.” Paper Excellence Canada Holdings Corporation. April 10, 2010. Accessed on September 2, 2022.

³¹ Greenpeace et al. 2022. *Papering over corporate control: Paper Excellence’s relationship with Asia Pulp & Paper and the Sinar Mas Group*. October 2022.

https://www.greenpeace.org/static/planet4-canada-stateless/2022/10/ddb2befa-report_papering_over_corporate_control.pdf.

- April, May, July 2010. Paper Excellence acquires four more mills: two in Canada and two in France.³² All obtain certifications from the FSC.³³
- July 2010. Greenpeace International publishes *Pulping the Planet* showing “that APP continues to acquire and destroy rainforest and peatland to feed its two pulp mills in Sumatra.”³⁴
- October 2013. The FSC states, “During this period FSC will not pursue any extension of disassociation from other companies allegedly related to APP. This will remain the situation until the FSC Board reaches a conclusion on whether or not to consider re-association with APP, provisionally scheduled for the first half of 2014.”³⁵
- July 2018. The FSC states, “Any company in the APP Group directly or indirectly involved in the unacceptable activities as defined by the FSC Policy for Association is subject to the scope of disassociation and not permitted to use the FSC trademarks.”³⁶
- August 2018. The FSC suspends the roadmap process with APP following media and NGO investigations documenting Sinar Mas Group and APP’s use of an opaque corporate structure to disguise its connections to at least 25 wood supply companies that APP had declared were independently owned and operated.³⁷
- October 2019. Auriga Nusantara, an NGO based in Jakarta, Indonesia, sends a letter to the FSC’s Director General and Chair of the FSC International Board with evidence in the form of an audited Bond Prospectus showing that Paper Excellence’s reported

³² *MarketLine*. 2010. “Tembec sells Tembec Tarascon and Tembec Saint-Gaudens to Paper Excellence.” Financial Deals Tracker database, May 11, 2010.

Paper Excellence. 2010. “Paper Excellence acquires Mackenzie pulp mill.” Press release accessed on *Marketwire* (formerly Canadian Corporate Newswire), April 16, 2010.

Reuters. 2010. “Paper Excellence expands with Howe Sound Pulp and Paper purchase.” *The Vancouver Sun*, July 17, 2010.

³³ Forest Stewardship Council. 2023. *FSC Public Search - Certificate Database*. Accessed in September 2023. <https://connect.fsc.org/fsc-public-certificate-search>.

³⁴ Greenpeace. 2010. *How Sinar Mas is Pulping the Planet*.

<https://www.greenpeace.org/static/planet4-netherlands-stateless-release/2018/06/how-sinar-mas-is-pulpin-g-the-p.pdf>.

³⁵ Forest Stewardship Council. 2013. “Update #1 - Status Of Disassociation From APP 2013-10-29”. October 29, 2013. <https://connect.fsc.org/actions-and-outcomes/current-cases/asia-pulp-and-paper-app>.

³⁶ Forest Stewardship Council. 2018. “Update #6 - Status Of Disassociation From APP 2018-07-06.” July 6, 2018. <https://connect.fsc.org/actions-and-outcomes/current-cases/asia-pulp-and-paper-app>.

The statement by the FSC also notes, “This is an update to a previous statement about the roadmap to end disassociation with Asia Pulp and Paper Group (APP) dated 29 October 2013 and published on the Dispute Resolution webpage. In that previous statement, FSC explained that it would not pursue any extension of disassociation from other companies allegedly related to APP until the Board has taken a decision on ending disassociation in the first half of 2014. As this timeline has expired and a decision to end disassociation has not been taken by the Board, the disassociation from APP is still in effect.”

³⁷ Wright, Stephen. 2018. “Forests group halts plan to endorse Indonesian paper giant.” *The Associated Press*. August 16, 2018. <https://apnews.com/b7ae092927f543b2ab0740d4d08cdcd7>.

owner, Jackson Wijaya, is a Director and Assistant President of a holding company for all of APP China's mills.³⁸

- July 2020. The FSC Director General Kim Carstensen responds to the October 2019 letter from Auriga Nusantara by indicating that the evidence shared “would qualify Paper Excellence as being indirectly involved with an indirectly involved organization. With this, we have found Jackson Widjaya [sic] positioned one degree removed from the disassociated group.”³⁹ (See Appendix B for the full letter.)
- April 2021. Canadian Minister of International Trade and Economic Development Mary Ng refers to Paper Excellence as “Sinar Mas from Indonesia” in the House of Commons.⁴⁰
- December 2021. Paper Excellence purchases Domtar, a U.S. and Canada-based integrated wood products company⁴¹ that has 11 pulp and/or paper mills and 8 converting facilities with FSC certification (see Appendix A).⁴² A representative of Domtar was an FSC Canada Board Member during 2020-2021.⁴³
- October 2022. A coalition of NGOs – Greenpeace Canada, Rainforest Action Network, Environmental Paper Network, and Woods & Wayside International – publishes a detailed investigative report on the links between Paper Excellence and APP.⁴⁴
- December 2022. The FSC adopts version 3 of its Policy for Association (PfA v3) that applies the definition of corporate group from the Accountability Framework Initiative (AFI), which explicitly recognizes forms of control beyond legal ownership. The new policy applies to practices deemed to be in violation of FSC standards that have occurred after January 1, 2023.⁴⁵

³⁸ Manurung, Timer. 2019. Letter to Forest Stewardship Council Director General and Chair of Board of Directors. October 24, 2019.

³⁹ Carstensen, Kim. 2020. Letter to Auriga Nusantara Chairman Timer Manurung. July 15, 2020. (See Appendix B).

⁴⁰ House of Commons, Canada. 2021. “Evidence”. February 26, 2021. Standing Committee on Natural Resources, 43rd Parliament. Transcript accessed in September 2023.

<https://www.ourcommons.ca/DocumentViewer/en/43-2/RNNR/meeting-14/evidence>.

⁴¹ Domtar Corporation. 2021. “Definitive Proxy Statement (Schedule 14-A).” Securities and Exchange Commission filing, July 12, 2021.

<https://www.sec.gov/Archives/edgar/data/1381531/000119312521203298/d314599ddefm14a.htm>.

⁴² Forest Stewardship Council. 2023. *FSC Public Search - Certificate Database*. Accessed in September 2023. <https://connect.fsc.org/fsc-public-certificate-search>. (See Appendix A.)

⁴³ Greenpeace Canada communications with FSC Canada, August 17, 2023.

⁴⁴ Greenpeace et al. 2022. *Papering over corporate control: Paper Excellence's relationship with Asia Pulp & Paper and the Sinar Mas Group*. October 2022.

https://www.greenpeace.org/static/planet4-canada-stateless/2022/10/ddb2befa-report_papering_over_corporate_control.pdf.

⁴⁵ “Depending on when the unacceptable activity occurs/occurred, FSC will determine which policy version is used as the point of reference. If the unacceptable activity occurred prior to 2023, version 2-0 of the policy will be applied, whereas if the unacceptable activity occurs in 2023 or beyond, version 3-0 of the Policy for Association will be applied.”

- March 2023: Paper Excellence finalizes a deal to purchase Resolute Forest Products⁴⁶, an FSC Canada board member⁴⁷, which has 24 pulp, paper, and/or lumber mills and 7.1 million ha of forest with FSC certification (see Appendix A).
- March 2023. A collaborative media investigation led by the International Consortium of Investigative Journalists (ICIJ) called *Deforestation Inc.* publishes a series of articles about Paper Excellence and its connections to APP and Sinar Mas.⁴⁸
- May-June 2023. The Canadian Parliament's Standing Committee on Natural Resources holds three hearings on Paper Excellence's ownership structure and business practices.⁴⁹ Paper Excellence's reported owner Jackson Wijaya is requested to testify, but does not appear before the Parliament went into Summer recess.⁵⁰
- October 2023. Paper Excellence declines the invitation from the Canadian House of Commons Standing Committee on Natural Resources for Paper Excellence's reported owner Jackson Wijaya to testify.⁵¹

Forest Stewardship Council. 2023. *FSC-POL-01-004 Policy for Association V(3-0)*. Accessed in September 2023. <https://connect.fsc.org/document-centre/documents/resource/368>.

⁴⁶ Paper Excellence. 2023. "Paper Excellence welcomes Resolute into its family of companies." Company press release. March 1, 2023.

<https://paperexcellence.com/paper-excellence-welcomes-resolute-into-its-family-of-companies/>.

⁴⁷ Greenpeace Canada communications with FSC Canada, August 17, 2023.

⁴⁸ See for example: Senecat, Adrien and Hugo Ruher. 2023. "How two intertwined companies dominate the paper market." *Le Monde*. March 1, 2023.

https://www.lemonde.fr/en/les-decodeurs/article/2023/03/01/how-two-intertwined-companies-dominate-the-paper-market_6017837_8.html#.

Dubinsky, Zach and Elizabeth Thompson. 2023. "Who's behind Canada's new pulp-and-paper powerhouse, and where's the money coming from?" *CBC News*. March 9, 2023.

<https://www.cbc.ca/news/business/paper-excellence-pulp-china-1.6772654>.

Labbe, Stefan. 2023. "Deforestation Inc.: Investigation unravels B.C. forestry links to China." *Coast Reporter*. Glacier Media. March 12, 2023.

<https://www.coastreporter.net/highlights/deforestation-inc-investigation-unravels-bc-forestry-links-to-china-6640124>.

Baxter, Joan. 2023. "Deforestation Inc: Are Paper Excellence and Asia Pulp & Paper linked companies? They say they aren't. Here's what we've learned." *Halifax Examiner*. March 9, 2023.

<https://www.halifaxexaminer.ca/investigation/deforestation-inc-are-paper-excellence-and-asia-pulp-paper-linked-companies-they-say-they-arent-heres-what-weve-learned/>.

⁴⁹ Medina, Brenda. 2023. "Government probe into Canadian forestry giant intensifies as company's owner evades public scrutiny." *International Consortium of Investigative Journalists*. June 5, 2023.

<https://www.icij.org/investigations/deforestation-inc/government-probe-into-canadian-forestry-giant-intensifies-as-companys-owner-evades-public-scrutiny/>.

⁵⁰ Medina, Brenda. 2023. "Government probe into Canadian forestry giant intensifies as company's owner evades public scrutiny." *International Consortium of Investigative Journalists*. June 5, 2023.

<https://www.icij.org/investigations/deforestation-inc/government-probe-into-canadian-forestry-giant-intensifies-as-companys-owner-evades-public-scrutiny/>.

⁵¹ Baxter, Joan. 2023. "'Absolute disrespect' and 'a slap in the face': Paper Excellence owner refuses to speak with Parliamentary committee." *The Halifax Examiner*. October 10, 2023.

<https://www.halifaxexaminer.ca/economy/business-and-development/absolute-disrespect-and-a-slap-in-the-face-paper-excellence-owner-refuses-to-speak-with-parliamentary-committee/>.

Please indicate which activities unacceptable under the PfA are the subject of this complaint

- Destruction of high conservation values in forestry operations
- Significant conversion of forests to plantations or non-forest use

Evidence to support each aspect of the complaint

The following information pertains to Paper Excellence’s relationship with Sinar Mas and APP. It is divided into the following sections:

- Ownership and family ties
- Overlapping key management personnel
- APP staff involvement in Paper Excellence
- Self-representation about the relationship
- Financial details
- Official government documents and proceedings
- Scope of “indirect involvement” (PfA v2) and “corporate group” (PfA v3)

Ownership and family ties

Jackson Wijaya is Paper Excellence’s reported owner, and he is the son of APP’s Chairman and shareholder Teguh Ganda Widjaja. International Financial Reporting Standards (IFRS) and other accounting standards recognize close family relationships such as parent/child and siblings in the guidance for determining “related parties”.⁵² Jackson Wijaya is the brother of Linda Wijaya Limantara, a former managing director of APP.⁵³ Linda Wijaya Limantara was, until October 2022, also a shareholder in PT Purinusa Ekapersada⁵⁴, which holds controlling interests in APP’s major pulp and paper mills in Indonesia.⁵⁵ Three of Jackson Wijaya’s uncles – Indra Widjaja, Franky Widjaja, and Muktar Widjaja – until recently held similar interests in PT

⁵² International Financial Reporting Standards (IFRS). 2023. *IAS 24 Related party disclosures*. <https://www.ifrs.org/issued-standards/list-of-standards/ias-24-related-party-disclosures/>.

⁵³ Suzuki, Jun. 2016. “Linda Wijaya pursues growth and conservation.” *Nikkei Asia*. October 13. <https://asia.nikkei.com/Business/Linda-Wijaya-pursues-growth-and-conservation>.

⁵⁴ Ministry of Law and Human Rights, Government of Indonesia. 2021. “PT Purinusa Ekapersada”. Corporate profile, accessed on October 6, 2021.

⁵⁵ Ministry of Law and Human Rights, Government of Indonesia, Corporate Profiles for PT Indah Kiat Pulp & Paper Tbk, PT Lontar Papyrus Pulp & Paper, PT Tjiwi Kimia, PT Pindo Deli, and PT OKI Pulp & Paper Mills, accessed on October 6, 2021.

Purinusa Ekapersada.⁵⁶ Jackson's grandfather, Eka Tjipta Widjaja, who died in 2019, was the founder of the Sinar Mas Group.

According to Linda Wijaya Limantara quoted in a 2019 article published in *The Nikkei*, a financial newspaper, Sinar Mas operates "like a family council" even as only one family member is appointed to manage each company.⁵⁷ In response to this finding of extensive family connections between Sinar Mas and Paper Excellence, Graham Kissack of Paper Excellence stated, "Of course, it is well known that Jackson Wijaya, the ultimate owner of PE [Paper Excellence], is the son of the current leader of APP/SMG. But Jackson continues to operate PE completely independently."⁵⁸

Until at least 2017, Jackson Wijaya held key management positions in APP China for more than a decade while his father Teguh Ganda Widjaja was the top executive. Jackson Wijaya started working at APP China at the age of 22 in 2002 "to set up the business enhancement team which implements managerial reforms in major production plants of the Group in the PRC [People's Republic of China]", according to an APP China prospectus for a debt issuance in Hong Kong.⁵⁹ Three years later, in 2005, Jackson Wijaya reportedly became director for APP China "where he assisted the Chairman [Jackson's father Teguh Ganda Widjaja, Chairman of APP] with the management of the Group's [Ever Dragon Investments, APP China's holding company] PRC [China] business,"⁶⁰. (See Appendix C for description of the positions that Jackson Wijaya has held at APP China, as summarized in a 2017 Ever Dragon Investments prospectus for a bond issuance in Hong Kong.)

Based on Jackson's reported history with APP China, Jackson Wijaya was director of APP China when Paper Excellence acquired its first mill in 2007. He served as a Director for APP China for over a decade⁶¹ as Paper Excellence continued to acquire mills in Canada and France. In September 2017, at which time Paper Excellence owned seven mills in Canada and two mills in France, Jackson Wijaya was Assistant President of APP China, second in company

⁵⁶ Ministry of Law and Human Rights, Government of Indonesia. 2021. "PT Purinusa Ekapersada". Corporate profile, accessed on October 6, 2021.

⁵⁷ Maulia, Erwida. 2019. "The Chinese-Indonesian dynasty reshaping a \$30bn empire by WhatsApp." *Nikkei Asia*. December 27, 2019.

<https://asia.nikkei.com/Spotlight/Asian-Family-Conglomerates/The-Chinese-Indonesian-dynasty-reshaping-a-30bn-empire-via-WhatsApp>.

⁵⁸ Greenpeace et al. 2022. *Papering over corporate control: Paper Excellence's relationship with Asia Pulp & Paper and the Sinar Mas Group*. October 2022.

https://www.greenpeace.org/static/planet4-canada-stateless/2022/10/ddb2befa-report_papering_over_corporate_control.pdf.

⁵⁹ Green Fortune Capital Limited. 2017. "Bond offering prospectus for Green Fortune Capital Limited and guaranteed by Ever Dragon Investments Group Limited", Hong Kong Stock Exchange, September 18, 2017.

⁶⁰ Green Fortune Capital Limited. 2017. "Bond offering prospectus for Green Fortune Capital Limited and guaranteed by Ever Dragon Investments Group Limited", Hong Kong Stock Exchange, September 18, 2017.

⁶¹ Green Fortune Capital Limited. 2017. "Bond offering prospectus for Green Fortune Capital Limited and guaranteed by Ever Dragon Investments Group Limited", Hong Kong Stock Exchange, September 18, 2017.

rank only to his father, Teguh Ganda Widjaja, Chairman of APP.⁶² In his official management capacity, Jackson Wijaya had a fiduciary duty to APP China and was a subordinate to his father, the Chairman of APP, at the same time as he was reportedly Paper Excellence's sole owner, operating Paper Excellence, according to the company, "completely independently".⁶³

Teguh Ganda Widjaja, Jackson Wijaya's father and APP's Chairman, served as director of Paper Excellence's ultimate parent company in 2009. As of December 31, 2009, Paper Excellence's ultimate parent company was Marque Technologies Limited, incorporated in the British Virgin Islands.⁶⁴ Marque Technologies Limited was established in 1996, and for several years before Paper Excellence was founded, its directors included APP's Chairman, Teguh Ganda Widjaja, and APP's Chief Financial Officer, Hendrik Tee.⁶⁵

According to the Offshore Leaks published by the International Center for Investigative Journalism, the only director of Marque Technologies as of 2010⁶⁶ was the Chairman of APP, Teguh Ganda Widjaja (the other directors stopped serving in 1998 and 2002).⁶⁷ The shareholder of Marque Technologies as of 2010, according to Offshore Leaks, was one bearer share.⁶⁸ A bearer share is owned by whomever physically possesses the shares certificate, as opposed to registered or named shares.⁶⁹ Marque Technologies Limited was at that time in 2009 (and remains as of August 2022) a minority shareholder of PT Purinusa Ekapersada, through which it owns shares of all APP mills in Indonesia.⁷⁰

Multiple accounts by former APP staff indicate that Teguh Ganda Widjaja was involved in key decision-making for Paper Excellence. *Radio France* reported in March 2023 that a former

⁶² Green Fortune Capital Limited. 2017. "Bond offering prospectus for Green Fortune Capital Limited and guaranteed by Ever Dragon Investments Group Limited", Hong Kong Stock Exchange, September 18, 2017.

⁶³ It appears the first public mention of Jackson Wijaya as the sole owner of Paper Excellence is in Bennett, Nelson. 2015. "Chetwynd mill restart caps company buying spree." *Business in Vancouver*, May 12. <https://biv.com/article/2015/05/chetwynd-mill-restart-caps-company-buying-spreed>.

Subsequently, Paper Excellence's representatives, including Jackson Wijaya have indicated that Jackson Wijaya is the founder and sole owner of Paper Excellence, as in: Paper Excellence. 2023. "Jackson Wijaya's and Paper Excellence's commitment to Canadian communities." Press release, March 10, 2023. <https://paperexcellence.com/jackson-wijaya-committed-to-canadian-communities/>.

⁶⁴ Paper Excellence B.V. 2012. "Paper Excellence B.V. Annual Report 2009." Kamer van Koophandel (KvK), October 31, 2012.

⁶⁵ International Consortium of Investigative Journalists (ICIJ). 2022. "Marque Technologies Limited." Offshore Leaks database, accessed on August 20, 2022. <https://offshoreleaks.icij.org/nodes/124669>.

⁶⁶ "The Offshore Leaks data is current through 2010," according to the International Consortium of Investigative Journalists (ICIJ). 2022. "Frequently asked questions." Offshore Leaks Database. Website. Accessed on July 19, 2022. <https://offshoreleaks.icij.org/pages/faq>.

⁶⁷ International Consortium of Investigative Journalists (ICIJ). 2022. "Marque Technologies Limited." Offshore Leaks database, accessed on August 20, 2022. <https://offshoreleaks.icij.org/nodes/124669>.

⁶⁸ International Consortium of Investigative Journalists (ICIJ). 2022. "Marque Technologies Limited." Offshore Leaks database, accessed on August 20, 2022. <https://offshoreleaks.icij.org/nodes/124669>.

⁶⁹ Definition of "bearer share" from Cambridge Dictionary. <https://dictionary.cambridge.org/us/dictionary/english/bearer-share>.

⁷⁰ Ministry of Law and Human Rights, Government of Indonesia, Corporate Profiles for PT Purinusa Ekapersada, PT Indah Kiat Pulp & Paper Tbk, PT Lontar Papyrus Pulp & Paper, PT Tjiwi Kimia, PT Pindo Deli, PT OKI Pulp & Paper Mills, accessed on October 6, 2021.

senior executive of Fibre Excellence, Paper Excellence's subsidiary in France, saw Teguh Widjaja several times in Vancouver and Shanghai and describes him as being directly involved in the decisions taken by the group.⁷¹ *Le Monde* reported a comment from apparently the same former executive of Fibre Excellence: "I was directly connected with the owners of APP. My boss at the time was based in China and monthly video conference meetings were held with Teguh Widjaja."⁷²

The *Canadian Broadcast Corporation (CBC)* reported in May 2023, "After CBC and its partners published their initial investigations into Paper Excellence in March, someone who worked at APP in the mid-2010s reached out to speak about his experiences at the company. He told CBC he observed that strategic decisions on things like Paper Excellence's next acquisitions came from Teguh Wijaya, Jackson's father."⁷³

In statements to the media, Paper Excellence has claimed Jackson Wijaya is its sole owner.⁷⁴ But in disclosures in filings to the U.S. Securities and Exchange Commission (SEC), for which it can be held legally accountable, Paper Excellence has stated that Jackson Wijaya's ownership should be understood to potentially include other family members. In Domtar Corporation's 2022 filings to the SEC following its acquisition by Paper Excellence, Exhibits 4.1, 4.2, and 4.3 to the original 10-K submission document Domtar's financing arrangements. All three exhibits state in their respective sections on "definitions" that:

Jackson Wijaya means (a) Jackson Wijaya, (b) family members of Jackson Wijaya, (c) trusts, partnerships or limited liability companies for the benefit of any of the individuals identified in the foregoing clause (a) or (b), and (d) heirs, executors, estates, successors and legal representatives of the individuals identified in the foregoing clause (a) or (b).⁷⁵

⁷¹ "J'ai vu plusieurs fois Teguh Widjaja (le père du patron de l'usine de Tarascon) à Vancouver et à Shanghai", explique un ancien haut cadre de Fibre Excellence. Selon lui, "il était directement impliqué dans les décisions prises par le groupe."

Barral, Anne-Laure. 2023. "Deforestation Inc : derrière deux usines françaises de pâte à papier, un groupe asiatique très décrié." *Radio France*. March 1, 2023. <https://www.radiofrance.fr/franceinter/deforestation-inc-derriere-deux-usines-francaises-de-pate-a-papier-un-groupe-asiatique-tres-decrie-7954693>.

⁷² Senecat, Adrien and Hugo Ruher. 2023. "How two intertwined companies dominate the paper market." *Le Monde*. March 1, 2023. https://www.lemonde.fr/en/les-decodeurs/article/2023/03/01/how-two-intertwined-companies-dominate-the-paper-market_6017837_8.html#.

⁷³ Dubinsky, Zach and Elizabeth Thompson. 2023. "Five questions swirling around forestry giant Paper Excellence ahead of grilling from MPs." *CBC News*. May 2, 2023. <https://www.cbc.ca/news/politics/paper-excellence-house-commons-committee-hearing-1.6829076>.

⁷⁴ Paper Excellence. 2023. "Jackson Wijaya's and Paper Excellence's commitment to Canadian communities." Press release, March 10, 2023. <https://paperexcellence.com/jackson-wijaya-committed-to-canadian-communities/>.

⁷⁵ Domtar Corporation. 2022. *Exhibit 4.1 of Form 10-K*. Annual Report for the fiscal year ended December 31, 2021. United States Securities and Exchange Commission. https://www.sec.gov/Archives/edgar/data/1381531/000156459022009469/ufs-ex41_61.htm.

Domtar Corporation. 2022. *Exhibit 4.2 of Form 10-K*. Annual Report for the fiscal year ended December 31, 2021. United States Securities and Exchange Commission. https://www.sec.gov/Archives/edgar/data/1381531/000156459022009469/ufs-ex42_60.htm

According to this statement, other members of the Widjaja family may benefit from and/or control Paper Excellence with or without the involvement of Jackson Wijaya, the natural person.

Overlapping key management personnel

Several of APP's senior executives held positions as top company officials in Paper Excellence companies while at the same time employed as executives for APP.⁷⁶ These include Suresh Kilam⁷⁷, Tei Ah Lek⁷⁸, Hardi Wardhana⁷⁹, and Danilo Benvenuti⁸⁰, as documented in the October 2022 NGO report.⁸¹

Suresh Kilam

Suresh Kilam was director of APP's Indonesia mills, and he concurrently served as director of a Paper Excellence holding company for eleven years between 2007 and 2018. Until March 2018, Suresh Kilam was director of Fortune Everrich Sdn. Bhd.⁸², the Malaysian parent company of

Domtar Corporation. 2022. *Exhibit 4.3 of Form 10-K*. Annual Report for the fiscal year ended December 31, 2021. United States Securities and Exchange Commission.

https://www.sec.gov/Archives/edgar/data/1381531/000156459022009469/ufs-ex43_65.htm.

⁷⁶ Greenpeace et al. 2022. *Papering over corporate control: Paper Excellence's relationship with Asia Pulp & Paper and the Sinar Mas Group*. October 2022.

https://www.greenpeace.org/static/planet4-canada-stateless/2022/10/ddb2befa-report_papering_over_corporate_control.pdf.

⁷⁷ Malaysia Companies Registry, Particulars of Officers/Directors for Fortune Everrich Sdn Bhd. May 19, 2022.

Ministry of Law and Human Rights, Government of Indonesia, Corporate Profiles for PT Indah Kiat Pulp & Paper Tbk, PT Lontar Papyrus Pulp & Paper, PT Tjiwi Kimia, and PT Pindo Deli, accessed on October 6, 2021.

⁷⁸ Companies Commission of Malaysia, Particulars of Officers/Directors for Fortune Everrich Sdn Bhd. May 19, 2022.

Bond offering prospectus for Green Fortune Capital Limited and guaranteed by Ever Dragon Investments Group Limited, September 18, 2017.

⁷⁹ For documentation that Hardi Wardhana, aka Peter Wardhana, is a long-time and current director of Paper Excellence companies (both mills and holding companies) see: Paper Excellence B.V. Annual Report 2020, or incorporation documents for Crofton Pulp & Paper Mill, Howe Sound, Meadow Lake Mechanical Pulp Mill, and Paper Excellence Canada Holdings Corp.

⁸⁰ Greenpeace et al. 2022. *Papering over corporate control: Paper Excellence's relationship with Asia Pulp & Paper and the Sinar Mas Group*. October 2022.

https://www.greenpeace.org/static/planet4-canada-stateless/2022/10/ddb2befa-report_papering_over_corporate_control.pdf.

⁸¹ Greenpeace et al. 2022. *Papering over corporate control: Paper Excellence's relationship with Asia Pulp & Paper and the Sinar Mas Group*. October 2022.

https://www.greenpeace.org/static/planet4-canada-stateless/2022/10/ddb2befa-report_papering_over_corporate_control.pdf.

⁸² Malaysia Companies Registry, Particulars of Officers/Directors for Fortune Everrich Sdn Bhd. May 19, 2022.

Paper Excellence B.V.⁸³ While he was director of Fortune Everrich Sdn. Bhd., Suresh Kilam was also director of major APP pulp and paper mills in Indonesia: PT Indah Kiat Pulp & Paper, PT Lontar Papyrus Pulp & Paper, PT Tjiwi Kima, and PT Pindo Deli.⁸⁴ He has held key management positions in the holding companies for APP mills and other companies as director of PT Purinusa Ekapersada⁸⁵ and Asia Pulp & Paper Co, another holding company for APP mills in Indonesia that is incorporated in Singapore.⁸⁶

Tei Ah Lek

Tei Ah Lek was director of APP China companies while concurrently serving as director of Fortune Everrich, the parent company of Paper Excellence B.V. Tei Ah Lek was Fortune Everrich's director between 2004 and 2018.⁸⁷ During some of the time he was director of Fortune Everrich, Tei Ah Lek was also the Chief Financial Officer and general manager of investments for Sinar Mas Paper (China) Investment Corporation, which wholly owns all seven of APP's mills in China.⁸⁸ His direct superior at Sinar Mas Paper (China) is the longtime Chairman of APP, Teguh Ganda Widjaja.⁸⁹

Hardi Wardhana

⁸³ Paper Excellence B.V. 2012. "Paper Excellence B.V. Annual Report 2009." Kamer van Koophandel (KvK), October 31, 2012.

Paper Excellence B.V. 2012. "Paper Excellence B.V. Annual Report 2010." Kamer van Koophandel (KvK), January 31, 2012.

Paper Excellence B.V. 2013. "Paper Excellence B.V. Annual Report 2011." Kamer van Koophandel (KvK), January 31, 2013.

Paper Excellence B.V. 2014. "Paper Excellence B.V. Annual Report 2012." Kamer van Koophandel (KvK), January 30, 2014.

Paper Excellence B.V. 2015. "Paper Excellence B.V. Annual Report 2013." Kamer van Koophandel (KvK), February 2, 2015.

Paper Excellence B.V. 2016. "Paper Excellence B.V. Annual Report 2014." Kamer van Koophandel (KvK), January 29, 2016.

Statistics Canada. 2022. "Paper Excellence Canada Holdings Corporation." Inter-corporate ownership 2021. Database, accessed on September 6, 2022.

<https://www150.statcan.gc.ca/n1/en/catalogue/61-517-X>.

⁸⁴ Ministry of Law and Human Rights, Government of Indonesia, Corporate Profiles for PT Indah Kiat Pulp & Paper Tbk, PT Lontar Papyrus Pulp & Paper, PT Tjiwi Kimia, and PT Pindo Deli, accessed on October 6, 2021.

⁸⁵ Ministry of Law and Human Rights, Government of Indonesia, Corporate Profile for PT Purinusa Ekapersada, accessed on October 6, 2021.

⁸⁶ Accounting and Corporate Regulatory Authority, Government of Singapore. 2017. "Asia Pulp & Paper Company Ltd." Business profile, accessed June 2017.

⁸⁷ Companies Commission of Malaysia, Particulars of Officers/Directors for Fortune Everrich Sdn Bhd. May 19, 2022.

⁸⁸ Bond offering prospectus for Green Fortune Capital Limited and guaranteed by Ever Dragon Investments Group Limited, September 18, 2017.

⁸⁹ Bond offering prospectus for Green Fortune Capital Limited and guaranteed by Ever Dragon Investments Group Limited, September 18, 2017.

Note: Teguh Ganda Widjaja's Chinese name, Oei Tjie Goan, is used in the bond offering prospectus.

Hardi Wardhana, aka Peter Wardhana, is a long-time director of Paper Excellence companies⁹⁰. According to a March 2023 filing to the SEC, Hardi Wardhana is one of three directors of the Paper Excellence Group and is “Global Head of M&A” [mergers and acquisitions].⁹¹ His address on official corporate registry documents⁹² submitted to the Government of Canada as early as November 2010⁹³ and as late as October 2018⁹⁴ matches the official address at Sinar Mas headquarters in Jakarta used by PT Indah Kiat Pulp & Paper, one of APP’s flagship pulp and paper companies in Indonesia, and other APP businesses during that same time period: Plaza BII, Tower II, 7th Floor, Jl Thamrin No. 51 Jakarta Pusat 10350 Indonesia.⁹⁵ Plaza BII, now called Sinar Mas Land Plaza, is the headquarters of Sinar Mas and APP in Indonesia.

Danilo Benvenuti

Danilo Benvenuti served as director between 2010 and April 26, 2018 for Fibre Excellence SAS, the company that owns two pulp mills that Paper Excellence acquired in France in 2010.⁹⁶ Danilo Benvenuti has also served for over two decades as an APP executive in Europe and, at least since 2014, as APP’s regional director of sales for Europe.⁹⁷ During the same period that he was director of Fibre Excellence SAS, Danilo Benvenuti was director of Asia Pulp & Paper

⁹⁰ For example, see Paper Excellence B.V. Annual Report 2020, or incorporation documents for Crofton Pulp & Paper Mill, Howe Sound, Meadow Lake Mechanical Pulp Mill, and Paper Excellence Canada Holdings Corp.

⁹¹ Domtar Corporation. 2023. *Form 10-K (Annual Financial Report)*. Filed to the U.S. Securities and Exchange Commission on March 3, 2023. <https://www.sec.gov/Archives/edgar/data/1381531/000095017023005891/ck0001381531-20221231.htm>.

⁹² For example, see Ministry of Finance, BC Registry Services. 2012. “Notice of change of Directors.” Howe Sound Pulp & Paper Corporation. May 31, 2012. Accessed on September 2, 2022.

Ministry of Finance, BC Registry Services. 2010. “Notice of change of Directors.” Paper Excellence Canada Holdings Corporation. November 22, 2010. Accessed on September 2, 2022.

Innovation, Science, and Economic Development Canada. 2018. “Changes regarding Directors.” 11028405 Canada Ltd. October 22, 2018. Accessed on September 2, 2022.

⁹³ Ministry of Finance, BC Registry Services. 2010. “Notice of change of Directors.” Paper Excellence Canada Holdings Corporation. November 22, 2010. Accessed on September 2, 2022.

⁹⁴ Innovation, Science, and Economic Development Canada. 2018. “Changes regarding Directors.” 11028405 Canada Ltd. October 22, 2018. Accessed on September 2, 2022.

⁹⁵ Ministry of Law and Human Rights, Government of Indonesia 2018. “PT Indah Kiat Pulp & Paper”. Corporate profile, accessed in January 2018.

⁹⁶ France corporate registry filing on August 17, 2010 for Fibre Excellence SAS.

Also see: France corporate registry filing for Fibre Excellence SAS. 2018. “Decisions adopted by shareholder on 9th April 2018.” See p. 6: “The sole shareholder accepts the resignation of the President of the Company, Mr. Danilo Benvenuti, effective 26 April 2018.”

⁹⁷ APP employment history from “Partners” webpage description for Danilo Benvenuti on website for Forest for Future, <https://www.forestforfuture.org/en/partners/>, accessed on May 20, 2022.

Asia Pulp & Paper. “Asia Pulp & Paper invests in European distribution hub.” News release. Accessed on May 26, 2022. <https://asiapulppaper.com/-/asia-pulp-paper-invests-in-european-distribution-hub>.

(Germany) BmbH,⁹⁸ Asia Pulp & Paper Italia SRL⁹⁹, and Asia Pulp & Paper France EURL (see Figure 20).¹⁰⁰

APP staff involvement in Paper Excellence

The family and management ties between Paper Excellence and APP described above were reportedly reflected at the operational level as well. According to leaked email communications between APP and Paper Excellence staff members, APP staff were involved with Paper Excellence's operations and decision making. Multiple former employees corroborated APP's involvement with Paper Excellence's business activities, according to investigative reports by Canadian and French media.

The *Canadian Broadcasting Corporation* (CBC) published an investigation in March 2023, alongside investigative reports by other media outlets. The investigation "found leaked records and insider accounts that show that Paper Excellence, at least until a few years ago, appears to have been closely – and secretly – coordinating business and strategy decisions with Asia Pulp & Paper, one of the world's biggest pulp-and-paper players, which has a track record of environmental destruction."¹⁰¹

Glacier Media, which publishes a number of regional newspapers in British Columbia reported:

According to former employees [of Paper Excellence] and leaked communications, the Canadian offices have at times seemed to function as little more than a shell for work handled overseas by Asia Pulp and Paper (APP), the forestry arm of the Sinar Mas Group [...]

Leaked emails show APP employees helped guide Paper Excellence's application to Chinese regulators in 2017 and 2018, during its initial planned takeover of the Eldorado mill in Brazil.

One former middle manager at APP said Paper Excellence executives would regularly go back and forth between Canada and APP's Shanghai offices.

"They would come to China and we would discuss strategy with them," said the former employee, who spoke to Glacier Media on condition of anonymity. "It was all part of the game. We were all incestuous over there."

⁹⁸ Bundesanzeiger. 2017. "Asia Pulp & Paper (Germany) BmbH, Jahresabschluss zum Geschäftsjahr vom 01.01.2016 bis zum 31.12.2016." Accessed on September 3, 2022. <https://www.bundesanzeiger.de/pub/en/start?4>.

⁹⁹ Camera de Commercio Industria. 2022. "Asia Pulp & Paper Italia S.R.L." Registro Imprese, accessed on September 2, 2022.

¹⁰⁰ Greffe du tribunal de commerce de Paris. 2015. "Statuts, Asia Pulp & Paper France." March 12, 2015, accessed via Infogreffe.

¹⁰¹ Dubinsky, Zach and Elizabeth Thompson. 2023. "Who's behind Canada's new pulp-and-paper powerhouse, and where's the money coming from?" *CBC News*. March 9, 2023. <https://www.cbc.ca/news/business/paper-excellence-pulp-china-1.6772654>.

Emails show senior staff from APP and Paper Excellence worked together to build market forecasts, prepare answers for China's anti-trust regulator and arrange Canadian pulp shipments directly to supply APP mills.

In one September 2017 exchange, Paper Excellence's vice-president of pulp sales Edwin Widjaja provides APP deputy general manager Richard Pho with a five-year pulp price forecast. In another, Pho tells his Paper Excellence counterpart to stockpile warehouses with FSC-certified North American pulp for their Indonesian "sister mills."

Pho writes "...don't sell anything yet."

"I am holding all offers now," responds Widjaja.¹⁰²

The French newspaper *Le Monde*, also in the media collaboration, reported that its investigation "documented the cases of 13 individuals who served in both groups simultaneously." The *Le Monde* report quoted the whistleblower, who reportedly worked at APP as a chief analyst in the 2010s and left the company in 2018:

'We were basically strategically looking after the interests of both companies, Asia Pulp & Paper and Paper Excellence,' he told *Le Monde*, speaking on condition of anonymity. The APP building in Shanghai where he was working at the time, was also home to the 'real brains' of Paper Excellence. 'I would attend the same meetings (...) We would share emails together. I would go to Vancouver [where Paper Excellence is headquartered],' he said, adding Paper Excellence staff asked him for help on pricing issues.¹⁰³

The *CBC*, who interviewed the same whistleblower, reported:

The source said that, in fact, Paper Excellence's entire back office at the time — the teams handling legal, accounting, finance and market analysis — was run by APP and there were no boundaries between staff working for one or the other company.

"APP staff is PE staff. There is no difference there," the source said.¹⁰⁴

In its analysis of the leaked emails between APP and Paper Excellence employees, the *CBC* reported, "APP's outside lawyers and in-house legal department stickhandled submissions to Chinese antitrust authorities when Paper Excellence wanted to buy the Eldorado pulp mill in

¹⁰² Labbe, Stefan. 2023. "Deforestation Inc.: Investigation unravels B.C. forestry links to China." *Coast Reporter*. Glacier Media. March 12, 2023. <https://www.coastreporter.net/highlights/deforestation-inc-investigation-unravels-bc-forestry-links-to-china-6640124>.

¹⁰³ Senecat, Adrien and Hugo Ruher. 2023. "How two intertwined companies dominate the paper market." *Le Monde*. March 1, 2023. https://www.lemonde.fr/en/les-decodeurs/article/2023/03/01/how-two-intertwined-companies-dominate-the-paper-market_6017837_8.html#:~:text=InvestigationThe%20Canadian%20company%20Paper,Le%20Monde'%20is%20a%20partner.

¹⁰⁴ Dubinsky, Zach and Elizabeth Thompson. 2023. "Who's behind Canada's new pulp-and-paper powerhouse, and where's the money coming from?" *CBC News*. March 9, 2023. <https://www.cbc.ca/news/business/paper-excellence-pulp-china-1.6772654>.

south central Brazil; ironically, the drafts even went so far as to list APP as a Paper Excellence competitor.”

Two months later, in May 2023, the *CBC* reported that a former employee of APP in the mid 2010s who reached out to them following the publication of their investigation “said Jackson still managed the company day to day, but from APP’s offices in Shanghai, with resources and staffing from APP.”¹⁰⁵ The *CBC* report explained:

Emails provided by the source show APP and Paper Excellence even sometimes collaborated on hiring. In a 2013 email chain among hiring managers for the two companies, around 140 candidates for jobs at an APP construction project in Indonesia were also offered to Paper Excellence to fill positions in Canada, with an APP executive volunteering to send along their resumés to Paper Excellence’s HR manager.¹⁰⁶

Glacier Media reported another instance of APP’s collaboration with Paper Excellence:

One former employee, who asked to remain anonymous, said he was recruited by Paper Excellence from India, sent to APP facilities in Indonesia for several months for training and company “indoctrination,” and then flown to work at a Paper Excellence pulp and paper mill in British Columbia.¹⁰⁷

Self-representation about the relationship

Paper Excellence reports that it began operating in 2007 when it acquired the Meadow Lake Mechanical Pulp mill in Saskatchewan, Canada. The press release announcing the acquisition of the Meadow Lake pulp mill on January 18, 2007 states, “The Purchaser [Meadow Lake Mechanical Pulp Inc.] is indirectly related to the Sinar Mas companies. It is anticipated that the Sinar Mas Pulp and Paper Products division (“APP”) will be providing technical expertise to the Purchaser in respect of future operations of the Meadow Lake Pulp Mill.[. . .] The Purchaser is excited about the opportunity of being able to expand its worldwide operations into Northern Saskatchewan and Canada.”¹⁰⁸

The press release was apparently issued by Sinar Mas: The middle section of the press release appears under the header “About Sinar Mas”, and it includes descriptions of Sinar Mas, APP,

¹⁰⁵ Dubinsky, Zach and Elizabeth Thompson. 2023. “Five questions swirling around forestry giant Paper Excellence ahead of grilling from MPs.” *CBC News*. May 2, 2023.

<https://www.cbc.ca/news/politics/paper-excellence-house-commons-committee-hearing-1.6829076>.

¹⁰⁶ Dubinsky, Zach and Elizabeth Thompson. 2023. “Five questions swirling around forestry giant Paper Excellence ahead of grilling from MPs.” *CBC News*. May 2, 2023.

<https://www.cbc.ca/news/politics/paper-excellence-house-commons-committee-hearing-1.6829076>.

¹⁰⁷ Labbe, Stefan. 2023. “Deforestation Inc.: Investigation unravels B.C. forestry links to China.” *Coast Reporter*. Glacier Media. March 12, 2023.

<https://www.coastreporter.net/resources-agriculture/deforestation-inc-investigation-unravels-bc-forestry-links-to-china-6690416>.

¹⁰⁸ Sinar Mas. 2007. “Meadow Lake Mechanical Pulp Mill: Press Release.” Canadian Corporate Newswire, January 17, 2007.

and Sinar Mas Forestry (see Appendix D).¹⁰⁹ The bottom section of the press release lists APP's accomplishments and commitments on sustainability and respect for indigenous communities, ending with the statement: "To date, APP and Sinar Mas operations directly and indirectly support millions of families, most of whom live in remote villages and rural communities."¹¹⁰

In line with the press release by Sinar Mas, national and local media outlets reported that Sinar Mas and APP purchased the Meadow Lake pulp mill. The headline of a CBC article on December 15, 2006 read, "Meadow Lake mill sold to Indonesian company." The article reported, "On Friday, a spokesman for the mill announced that a major international pulp and paper company based in Indonesia has bought the plant for C\$37 million." The article concludes with, "The purchase is by a company called Sinar Mas Group, which owns Asia Pulp and Paper."

CBC reported in May 2023, "The company's oldest holding in Canada, the mill at Meadow Lake, Sask., was actually purchased through a British Virgin Islands-registered corporation in 2007. Until at least 2010, it operated under the Sinar Mas banner."¹¹¹

After the purchase of the Meadow Lake mill was complete, the report in Saskatchewan's local media on January 25, 2007, stated, "The \$38-million purchase of the mill's fixed and operating assets by a subsidiary of Asian forest product giant Sinar Mas – approved by a Court of Queen's Bench judge nearly two weeks ago – became official on Wednesday."¹¹² The report went on to note, "Vern Bachiu, director of planning and development for the Meadow Lake Tribal Council, said council members met briefly with a representative of Sinar Mas last week."

From 2008 until at least April 2010, the Meadow Lake mill included on its letterhead that it was a "Division of Sinarmas", including on six letters it sent to an environmental regulator in Saskatchewan.¹¹³ (See Appendix E for two examples of these letters.) By October 2010, the Meadow Lake mill's letterhead switched to include Paper Excellence's logo (see Appendix E for an example of a letter from October 2010).

In May 2023, Jean-Francois Guillot, CEO of Paper Excellence's French operations and two mills in Canada, appearing before a Canadian Parliamentary committee, testified, "I'd like to remind committee members that we don't deny the fact that, in its early days, Paper Excellence received help from APP Sinar Mas. However, I would reiterate that this support has been terminated. The last form of support, which was from the Bank of China, was terminated in

¹⁰⁹ Sinar Mas. 2007. "Meadow Lake Mechanical Pulp Mill: Press Release." Canadian Corporate Newswire, January 17, 2007.

¹¹⁰ Sinar Mas. 2007. "Meadow Lake Mechanical Pulp Mill: Press Release." Canadian Corporate Newswire, January 17, 2007.

¹¹¹ Dubinsky, Zach and Elizabeth Thompson. 2023. "Five questions swirling around forestry giant Paper Excellence ahead of grilling from MPs." *CBC News*. May 2, 2023. <https://www.cbc.ca/news/politics/paper-excellence-house-commons-committee-hearing-1.6829076>.

¹¹² Wood, James. 2007. "Pulp mill changes hands." *The Star Phoenix*. January 25, 2007.

¹¹³ Meadow Lake Mechanical Pulp Mill. Letters to Saskatchewan environmental regulator dated: May 30, 2008; June 2, 2008; October 15, 2009; March 26, 2010; April 16, 2010; and September 15, 2010. Via access to information request to the Government of Saskatchewan in 2022.

2020.”¹¹⁴ *Glacier Media* reported on Guillot having “initially acknowledged Paper Excellence and APP – including the parent Sinar Mas Group run by Wijaya’s father – were linked as late as 2020, but later said he misspoke and said ties ended in 2015.”¹¹⁵

Financial details

Paper Excellence’s direct financial connection to Sinar Mas is evident in Paper Excellence’s early financing arrangements. In 2010, a bank in China owned by Sinar Mas¹¹⁶ made a US\$17.5 million loan to Paper Excellence at a near-zero percent interest rate.¹¹⁷ In 2011, Paper Excellence B.V. reported in its Annual Report that the “shareholder loan” of US\$17 million in 2010 increased to US\$70 million as of December 31, 2011.¹¹⁸

On the investment side, Paper Excellence B.V.’s financial reports between 2010 and 2014 filed with the Dutch financial authority report accumulated shareholder investment in the form of share premium of US\$788 million.¹¹⁹ It is unclear whether this shareholder investment is part of the “help from APP Sinar Mas” that Paper Excellence executive Jean-Francois Guillot described to a Canadian Parliamentary committee was provided in the “early days” of Paper Excellence. Guillot’s admission to Canada Parliament’s Standing Committee on Natural Resources raises questions about whether Paper Excellence’s initial investment of close to US\$800 million came solely from the current reported owner, Jackson Wijaya, or if some or all of it came from Sinar Mas and/or his close family members who control the corporate group. It is significant to note

¹¹⁴ Standing Committee on Natural Resources. Transcript from May 30, 2023. House of Commons, Canada. <https://www.ourcommons.ca/DocumentViewer/en/44-1/RNNR/meeting-65/evidence>.

¹¹⁵ Labbe, Stefan. 2023. “B.C. forestry company said it had links to Asian conglomerate until 2015.” *North Shore News*. Glacier Media. May 30, 2023.

<https://www.nsnews.com/highlights/bc-forestry-company-said-it-had-links-to-asian-conglomerate-until-2015-7074946>.

¹¹⁶ Webb, Sara. 2001. “Widjaja family discloses ownership of offshore banks.” *The Wall Street Journal*. May 25, 2001. <https://www.wsj.com/articles/SB990729621280692905>.

Li, Baker. 2009. “Sinopac Fin eyes stake in Bank Int’l Ningbo.” Reuters. December 6, 2009.

<https://www.reuters.com/article/idINTOE5B600K20091207>.

¹¹⁷ Paper Excellence B.V. 2012 “Paper Excellence B.V. Annual Report 2010.” Kamer van Koophandel (KvK), January 31, 2012.

Profundo. 2012. *Dutch private companies related to APP*. Greenpeace Nederland.

<https://docplayer.net/7830518-Dutch-private-companiesrelated-to-app-update-a-research-paper-prepared-for-greenpeace-nederland.html>.

¹¹⁸ Paper Excellence B.V. 2013 “Paper Excellence B.V. Annual Report 2011.” Kamer van Koophandel (KvK), January 31, 2013.

¹¹⁹ Paper Excellence B.V. 2012. “Paper Excellence B.V. Annual Report 2010.” Kamer van Koophandel (KvK), January 31, 2012.

Paper Excellence B.V. 2013. “Paper Excellence B.V. Annual Report 2011.” Kamer van Koophandel (KvK), January 31, 2013.

Paper Excellence B.V. 2014. “Paper Excellence B.V. Annual Report 2012.” Kamer van Koophandel (KvK), January 30, 2014.

Paper Excellence B.V. 2015. “Paper Excellence B.V. Annual Report 2013.” Kamer van Koophandel (KvK), February 2, 2015.

Paper Excellence B.V. 2016. “Paper Excellence B.V. Annual Report 2014.” Kamer van Koophandel (KvK), January 29, 2016.

that Jackson was reportedly 27 years old in 2007 when Paper Excellence was started¹²⁰, and that no information could be found in the public domain to indicate any additional source of wealth or income generation beyond his family connections and positions with APP China, where he reportedly started working when he was 22 years old.

More recently, Paper Excellence has acquired two large companies - Domtar and Resolute - for a combined value of US\$5.7 billion. Publicly available documents provide little clarity on the source of equity investment, or whether Jackson Wijaya was representing just himself or his family as the named shareholder. As noted earlier in this complaint, SEC filings by both Domtar and Resolute report that “Jackson Wijaya” potentially includes “family members” of Jackson Wijaya.¹²¹ The SEC filings also report “co-investors” who are not identified by name.¹²² Given the financial connections between Paper Excellence and Sinar Mas identified above, legitimate questions arise about whether Paper Excellence’s astronomical growth in the last five years has, at least in part, been underwritten by Sinar Mas, APP, and/or Widjaja family members who control the Sinar Mas Group.

Official government documents and proceedings

Along with the evidence presented above, government statements and other official documentation shed light on Paper Excellence’s relationship with APP and Sinar Mas.

Inter-Corporate Ownership Database, Statistics Canada

The Government of Canada’s national statistical agency maintains an annually updated database showing the ownership relationships of Canadian corporations. The Inter-corporate Ownership Database claims to be “the most authoritative and comprehensive source of

¹²⁰ In the Green Fortune bond prospectus issued in 2017, Jackson is described as being 37 years old. See: Green Fortune Capital Limited. 2017. “Bond offering prospectus for Green Fortune Capital Limited and guaranteed by Ever Dragon Investments Group Limited”, Hong Kong Stock Exchange, September 18, 2017.

¹²¹ Domtar Corporation. 2022. Exhibit 4.1 of Form 10-K. Annual Report for the fiscal year ended December 31, 2021. United States Securities and Exchange Commission. https://www.sec.gov/Archives/edgar/data/1381531/000156459022009469/ufs-ex41_61.htm.
Domtar Corporation. 2022. Exhibit 4.2 of Form 10-K. Annual Report for the fiscal year ended December 31, 2021. United States Securities and Exchange Commission. https://www.sec.gov/Archives/edgar/data/1381531/000156459022009469/ufs-ex42_60.htm
Domtar Corporation. 2022. Exhibit 4.3 of Form 10-K. Annual Report for the fiscal year ended December 31, 2021. United States Securities and Exchange Commission. https://www.sec.gov/Archives/edgar/data/1381531/000156459022009469/ufs-ex43_65.htm.

¹²² Domtar Corporation. 2022. Exhibit 4.1 of Form 10-K. Annual Report for the fiscal year ended December 31, 2021. United States Securities and Exchange Commission. https://www.sec.gov/Archives/edgar/data/1381531/000156459022009469/ufs-ex41_61.htm.
Domtar Corporation. 2022. Exhibit 4.2 of Form 10-K. Annual Report for the fiscal year ended December 31, 2021. United States Securities and Exchange Commission. https://www.sec.gov/Archives/edgar/data/1381531/000156459022009469/ufs-ex42_60.htm.
Domtar Corporation. 2022. Exhibit 4.3 of Form 10-K. Annual Report for the fiscal year ended December 31, 2021. United States Securities and Exchange Commission. https://www.sec.gov/Archives/edgar/data/1381531/000156459022009469/ufs-ex43_65.htm.

information available on corporate ownership; a unique directory of ‘who owns what’ in Canada.” The 2021 edition of the database, published on June 17, 2022, identifies Sinar Mas Group as owning Paper Excellence and Asia Pulp & Paper.¹²³ According to emails made public in a Freedom of Information request, Statistics Canada affirmed this relationship to Paper Excellence when Paper Excellence’s representatives challenged the finding.¹²⁴ The Statistics Canada director responsible for the Inter-corporate ownership database wrote to Paper Excellence’s representative on October 13, 2022, “As of July 06th 2022, the information we have directs us to believe that Paper Excellence is ultimately owned by Sinar Mas.”¹²⁵ On October 30, 2023, Statistics Canada published the 2022 edition of the database in which the connection between Paper Excellence and Sinar Mas is severed.¹²⁶ Paper Excellence’s parent company, according to the 2022 edition, is Elite Shine Investments Ltd in the British Virgin Islands, which the database indicates is controlled from Indonesia.¹²⁷ The Orbis database on private companies, one of the most comprehensive sources for data on corporate entities, identifies the Widjaja family as the owner of Elite Shine Investments Limited.¹²⁸ The 2021 edition of the Inter-corporate Ownership database indicates that the Sinar Mas Group owns Elite Shine Investments Ltd.¹²⁹

Minister of International Trade, Export Promotion, Small Business and Economic Development, Global Affairs Canada

Minister of International Trade, Export Promotion, Small Business and Economic Development Mary Ng refers to Paper Excellence as “Sinar Mas” before the House of Commons Standing Committee on Natural Resources in February 2021. Minister Ng in her testimony stated, “Since 2015, the trade commissioner service has facilitated numerous forest-related investment projects to Canada, including into Quebec, Ontario, Alberta, New Brunswick and British Columbia. [...] Take for example, Sinar Mas from Indonesia. It has invested hundreds of millions of dollars to modernize paper mills in British Columbia, Saskatchewan and Nova Scotia...”¹³⁰ *Glacier Media* reported on Minister Ng’s remarks in an October 2023 article, noting that

¹²³ Statistics Canada. 2022. “Paper Excellence Canada Holdings Corporation”. Inter-corporate ownership. Database 2021, accessed in August 2023.

<https://www150.statcan.gc.ca/n1/pub/61-517-x/61-517-x2021001-eng.htm>.

¹²⁴ Government of Canada. 2022. *ATIP 2022 A-2022-00355*. Emails from Statistics Canada staff members obtained through Access to Information and Privacy (ATIP) provision.

<https://open.canada.ca/en/search/ati/reference/6369cff6e035794645e4c724ae7a85b3>. (By request)

¹²⁵ Government of Canada. 2022. *ATIP 2022 A-2022-00355*. Emails from Statistics Canada staff members obtained through Access to Information and Privacy (ATIP) provision.

<https://open.canada.ca/en/search/ati/reference/6369cff6e035794645e4c724ae7a85b3>. (By request)

¹²⁶ Statistics Canada. 2023. “Paper Excellence Canada Holdings Corporation”. Inter-corporate ownership. Database 2022, accessed in November 2023.

¹²⁷ Statistics Canada. 2023. “Paper Excellence Canada Holdings Corporation”. Inter-corporate ownership. Database 2022, accessed in November 2023.

¹²⁸ Orbis. “Paper Excellence B.V.” Bureau van Djik. Data update August 19, 2022. Accessed on August 22, 2022.

¹²⁹ Statistics Canada. 2022. “Paper Excellence Canada Holdings Corporation”. Inter-corporate ownership. Database 2021, accessed in August 2023.

¹³⁰ House of Commons, Canada. 2021. “Evidence”. February 26, 2021. Standing Committee on Natural Resources, 43rd Parliament. Transcript accessed in September 2023. <https://www.ourcommons.ca/DocumentViewer/en/43-2/RNNR/meeting-14/evidence>.

“Officially, the Sinar Mas Group has no paper mills in Canada. The only company that fits the company profile described by Minister Ng is Paper Excellence.”¹³¹ *Glacier Media* sought clarification on Minister Ng’s testimony: “When asked to explain why Minister Ng told the Standing Committee on Natural Resources the Sinar Mas Group had invested hundreds of millions of dollars in Canadian mills seemingly owned by Paper Excellence, a spokesperson with Global Affairs Canada refused to directly answer the question.”¹³²

Competition Bureau Canada

Competition Bureau Canada, “an independent law enforcement agency that protects and promotes competition for the benefit of Canadian consumers and businesses”, published a statement in December 2021 about its review of Paper Excellence’s acquisition of Domtar.¹³³ The Competition Bureau states, “Throughout the review of the Proposed Transaction, the Bureau learned that many industry participants view Paper Excellence and APP [Asia Pulp & Paper] as sharing a significant relationship.” The Competition Bureau went on to note that there is a “widespread belief in the industry of a significant link between the two companies...”

Department of Finance and Treasury Board, Province of Nova Scotia

A briefing note sent to the Premier of Nova Scotia on January 29, 2019 by Nova Scotia’s Department of Finance and Treasury Board stated of Paper Excellence’s ownership that “PEC [Paper Excellence Canada] is ultimately controlled by Asia Pulp and Paper (APP), an integrated pulp and paper company (division of conglomerate Sinar Mas) based out of Indonesia. [...] APP’s annual pulp and paper production volume exceeds 20,000,000 tons; therefore, NP [Northern Pulp] is likely a relatively small player within APP family of companies.”¹³⁴

Ministry of Energy and Resources, Province of Saskatchewan

In its 2011-2012 Annual Report, the Province of Saskatchewan’s Ministry of Energy and Resources reported, “In April 2011 Paper Excellence, a subsidiary of the Indonesian company Sinar Mas, finalized the purchase of the Prince Albert pulp mill from Domtar.”¹³⁵ In 2009, then

¹³¹ Labbe, Stefan. 2023. “Paper Excellence CEO refuses to face federal committee, prompts threat of legal summons.” *Vancouver is Awesome*. Glacier Media. October, 20, 2023. <https://www.vancouverisawesome.com/highlights/paper-excellence-ceo-refuses-to-face-federal-committee-prompts-threat-of-legal-summons-7671610>.

¹³² Labbe, Stefan. 2023. “Paper Excellence CEO refuses to face federal committee, prompts threat of legal summons.” *Vancouver is Awesome*. Glacier Media. October, 20, 2023. <https://www.vancouverisawesome.com/highlights/paper-excellence-ceo-refuses-to-face-federal-committee-prompts-threat-of-legal-summons-7671610>.

¹³³ Competition Bureau Canada, 2021. *Competition Bureau statement regarding its review of Paper Excellence’s acquisition of Domtar*. Position Statement. December 8, 2021. <https://ised-isde.canada.ca/site/competition-bureau-canada/en/how-we-foster-competition/education-and-outreach/position-statements/competition-bureau-statement-regarding-its-review-paper-excellences-acquisition-domtar>.

¹³⁴ Nova Scotia Lands and Forestry. 2019. Freedom of Information Request (2019-01274-DLF). January 29, 2019. Accessed in August 2023. https://openinformation.novascotia.ca/FOI-Requests/2019-01274-DLF/dy6f-szv5?utm_source=the%20peak&utm_campaign=the%20peak%3A%20outbound&utm_medium=referral.

¹³⁵ Ministry of Energy and Resources, Province of Saskatchewan. 2012. *Annual Report 2011-2012*. July 2012. <https://progressive-economics.ca/wp-content/uploads/2012/08/2011-12-ER-Annual-Report.pdf>.

Minister of Energy and Resources Bill Boyd stated in Saskatchewan's Legislative Assembly about a forest management area associated with the Meadow Lake Mechanical Pulp Mill: "The FMA [forest management area] is held by Mistik Management Ltd. The shareholders in Mistik Management Ltd. are NorSask Forest Products Inc. (50%) and Sinar Mas Group (50%)....Sinar Mas Group purchased its 50% share effective January 23, 2008."¹³⁶

United States District Court Southern District of New York, Petition by the United States Attorney for the Southern District of New York

U.S. Federal prosecutors from the Southern District of New York indicated the Widjaja family ultimately controlled Paper Excellence's parent company in the proceedings for a debt collection case against APP: A motion filed by Federal Prosecutor Preet Bharara in U.S. District Court in 2010 acknowledged that Jackson Wijaya owned 100% of the voting securities for Marque Technologies, which owned Paper Excellence's parent company Elite Shine Investments. The motion alleges that these companies were ultimately controlled by the Widjaja family and under common control with Sinar Mas.¹³⁷

The *CBC* explains the situation that led to the motion by a Federal prosecutor in the U.S. District Court:

Sinar Mas's APP unit was looking to expand in North America. A subsidiary tried to purchase three bankrupt pulp mills in 2008. It hit a snag because various APP companies still owed a U.S. government agency \$144 million US following a huge default in 2001 and the U.S. government was trying to seize some of the funds for the mills purchase, court records show.

So APP tried another approach, according to the court filings. It transferred its right to buy the pulp mills into two newly incorporated companies that it didn't directly own, for no money. Both were then folded into yet another new, Dutch company: Paper Excellence BV, the first entity to bear that name.

The U.S. government moved to block the transfers, alleging they were implemented as "a shield for fraudulent or improper conduct" and that the Wijaya family had "hindered and delayed" debt collection efforts. The mill deal fell through.

British Columbia Legislative Assembly, Special Committee

In 2012, Mac Anderson, head of Mackenzie Fiber Management Corporation, a wood supply company owned by Paper Excellence, testified to a special committee on timber supply in British Columbia's Legislative Assembly: "Paper Excellence is owned by a company called Sinar Mas. Sinar Mas has over 32 pulp mills worldwide. They have some of the largest pulp mills in

¹³⁶ Legislative Assembly of the Province of Saskatchewan. 2009. "Votes and Proceedings." 3rd Session of the 26th Legislature. November 3, 2009. <https://docs.legassembly.sk.ca/legdocs/Legislative%20Assembly/Minutes/26L3S/8%20--%20November%202009%20--%20Votes.pdf>.

¹³⁷ United States District Court Southern District of New York. 2010. *Judgment creditor's petition to set aside or avoid the Pindo Deli-Columbia Pulp and Paper transfers*. Export-Import Bank of the United States vs Asia Pulp & Paper Co., Ltd., et al., and Columbia Pulp and Paper Ltd., and Columbia Pulp and Paper, Inc. 03 Civ. 8554 (DCP) (JCF). Filed on February 24, 2010.

the world. They have a number of other companies – Asia Pulp & Paper, etc. They're the largest manufacturer of tissue paper products, cardboard products in Asia."¹³⁸

Office of the Commissioner of Lobbying of Canada, Lobbyist Registration

Moe Sihota, a prominent former politician, indicated Paper Excellence's affiliation with Sinar Mas on lobbyist registration forms over a period of almost two and a half years (see Appendix F for Moe Sihota's lobbyist registration).¹³⁹ After the NGO report on Paper Excellence was published in October 2022, Moe Sihota removed his declaration of Paper Excellence's affiliation with Sinar Mas. When asked by Glacier Media why he started omitting Sinar Mas from his lobbyist registration, Sihota said that "he removed the link after he 'was approached.' 'I didn't understand the corporate structure at the time that I took on the file,' Sihota said. 'It was an error. I corrected it. OK?'"¹⁴⁰

Scope of "indirect involvement" (PfA v2) and "corporate group" (PfA v3)

Does Paper Excellence's relationship with APP meet the FSC's criteria for "indirect involvement" with APP? The FSC's Policy for Association is a "tool that allows" the FSC to "clearly define FSC's ability to take such action against companies that engage in any one of the activities listed as unacceptable."¹⁴¹ The "unacceptable activities" are "deforestation, destruction of High Conservation Values, illegal logging and illegal trade of timber, human and traditional rights violations, workers' rights violations, and use of genetically modified organisms."¹⁴² The FSC claims to be the "only" forestry certification scheme that "expects commitment to its core values by not only certified companies, but also other companies who belong to the corporate group of a certified company."¹⁴³ The FSC warns that "organizations found responsible for these activities face exclusion from the FSC scheme."¹⁴⁴

¹³⁸ Legislative Assembly of the Province of British Columbia. 2012. Special Committee on Timber Supply. Report of Proceedings, Fourth Session, 39th Parliament. Mackenzie. June 21, 2012. Issue No. 14. <https://www.leg.bc.ca/content/legacy/Web/cmt/39thParl/session-4/timber/hansard/F0621pm-14.pdf>.

¹³⁹ Office of the Registrar of Lobbyists, British Columbia. 2022. "Registration – Consultant Lobbyist for Moe Sihota." Version 1 of 6 (August 12 to November 6, 2020). Accessed on October 5, 2022.

<https://www.lobbyistsregistrar.bc.ca/app/secure/orl/lrs/do/vwRg?regId=56554964&cno=3505>.

¹⁴⁰ Labbe, Stefan. 2023. "B.C. forestry company said it had links to Asian conglomerate until 2015." *North Shore News*. Glacier Media. May 30, 2023.

<https://www.nsnews.com/highlights/bc-forestry-company-said-it-had-links-to-asian-conglomerate-until-2015-7074946>.

¹⁴¹ Forest Stewardship Council. 2023. "Policy for Association." Website on FSC Connect. Accessed in September 2023. <https://connect.fsc.org/system-integrity/policy-association>.

¹⁴² Forest Stewardship Council. 2023. "Policy for Association." Website on FSC Connect. Accessed in September 2023. <https://connect.fsc.org/system-integrity/policy-association>.

¹⁴³ Forest Stewardship Council. 2023. "Policy for Association." Website on FSC Connect. Accessed in September 2023. <https://connect.fsc.org/system-integrity/policy-association>.

¹⁴⁴ Forest Stewardship Council. 2023. "Policy for Association." Website on FSC Connect. Accessed in September 2023. <https://connect.fsc.org/system-integrity/policy-association>.

On January 1, 2023, a new version (Version 3) of the Policy for Association came into force that recognizes a broader understanding of “corporate group”.¹⁴⁵ “Unacceptable activities” that occurred prior to 2023 remain covered by the previous Policy for Association (Version 2). Under this previous version (Version 2), the scope of disassociation, i.e. “exclusion from the scheme”, is defined by “indirect involvement.”

Indirect involvement (PfA v2)

The “indirect involvement” paragraph of the FSC’s Policy for Association version 2 (PfA v2) states:

Indirect involvement: Situations in which the associated organization or individual, with a minimum ownership or voting power of 51%, is involved as a parent or sister company, subsidiary, shareholder or Board of Directors to an organization directly involved in unacceptable activities. Indirect involvement also includes activities performed by subcontractors when acting on behalf of the associated organization or individual.¹⁴⁶

APP is an organization that has been found by the FSC to be involved in “unacceptable activities” and for which the disassociation, first instituted in 2007, remains in force.¹⁴⁷ This complaint provides evidence indicating that Paper Excellence, like APP, is controlled by Sinar Mas. We believe that FSC staff already know this given the abundance of evidence. It appears the FSC has not taken action against Paper Excellence because it considers that Paper Excellence and APP must have the same majority shareholder to meet the criteria for “indirect involvement”. This position is evident both in the FSC’s public statements about the Paper Excellence case¹⁴⁸ and in recent comments made more generally describing the “indirect involvement” criteria as taking an ownership-based approach to corporate responsibility.¹⁴⁹

The FSC’s use of ownership as the sole criteria for determining “indirect involvement” is at odds with FSC’s own policy and international accounting standards that say control – with or without formal ownership of a majority of the equity shares – is the basis for determining parent/subsidiary corporate relationships. The control-based standard is well-established, and it undermines the FSC’s interpretation of “indirect involvement” as only based on formal equity ownership and voting rights.

¹⁴⁵ Forest Stewardship Council. 2023. “Policy for Association.” Website on FSC Connect. Accessed in September 2023. <https://connect.fsc.org/system-integrity/policy-association>.

¹⁴⁶ Forest Stewardship Council. 2009. *Policy for the Association of Organizations with FSC FSC-POL-01-004 V2-0. Approved in July 2009 (Part I) and September 2011 (Part II)*. <https://connect.fsc.org/document-center/documents/38f19fb6-1fa7-42c0-8eb7-8796802c15d7>.

¹⁴⁷ Forest Stewardship Council. 2023. “Policy for Association.” Website on FSC Connect. Accessed in September 2023. <https://connect.fsc.org/system-integrity/policy-association>.

¹⁴⁸ Forest Stewardship Council. 2023. “The Forest Stewardship Council’s (FSC) statement on the recent report by the International Consortium of Investigative Journalists (ICIJ).” Press release. March 3, 2023. <https://fsc.org/en/newscentre/general-news/response-to-recent-media-report-by-icij>.

¹⁴⁹ FSC. 2023. *Confirming the extent of corporate groups: Policy for Association (FSC-POL-01-004 V3-0)*. June 2023. <https://connect.fsc.org/media/guidance-cg-executive-summary.pdf>.

Updated in 2021, the FSC policy document that defines the process for its handling of Policy for Association complaints defines “affiliated group” as: “The totality of legal entities to which an associated organization is affiliated in a corporate relationship in which either party controls the performance of the other (e.g. parent or sister company, subsidiary, holding company, joint venture) as described in Policy for Association FSC-POL-01-004.”¹⁵⁰ The determination of corporate relationship and affiliation is “control”, not “ownership”, according to this FSC policy.

A control-based approach is also prescribed in the international accounting standard used by the FSC to prepare its own financial statements, IFRS, states that the determining factor for parent/subsidiary relationships¹⁵¹ is control, not ownership: “An investor, regardless of the nature of its involvement with an entity (the investee), shall determine whether it is a parent by assessing whether it controls the investee.”¹⁵² This definition is from IFRS 10 on *Consolidated Financial Statements*, which addresses the determination of “parent” and “subsidiary” relationships for the purposes of financial reporting and corporate consolidation.

IFRS 10 clearly states that “control”, not “ownership”, is the basis for determining “parent” relationships. The accounting standard’s criteria for determining control: “An investor controls an investee when it is exposed, or has rights, to variable returns from its involvement with the investee and has the ability to affect those returns through its power over the investee.”¹⁵³ The accounting standard cautions against relying solely on ownership to determine parent/subsidiary (and, by extension, sister company) relationships:

Power arises from rights. Sometimes assessing power is straightforward, such as when power over an investee is obtained directly and solely from the voting rights granted by equity instruments such as shares, and can be assessed by considering the voting rights from those shareholdings. In other cases, the assessment will be more complex and require more than one factor to be considered, for example when power results from one or more contractual arrangements.

In regards to Paper Excellence, have Sinar Mas and APP ever met the criteria for control per IFRS 10? The evidence documented above shows: a first-degree family relationship (parent/child) between APP’s Chairman and Paper Excellence’s reported owner; Paper Excellence’s reported owner held key management positions in APP China; and statements by former APP and Paper Excellence staff demonstrating that APP’s Chairman was a key decision-maker for Paper Excellence. The evidence further shows that APP senior management

¹⁵⁰ Forest Stewardship Council. 2021. *Processing FSC Policy for Association Complaints*. FSC-PRO-01-009 V4-0 EN. January 5, 2021 (effective date). <https://connect.fsc.org/document-centre/documents/resource/329>.

¹⁵¹ “Consolidated financial statements are financial statements that present the assets, liabilities, equity, income, expenses and cash flows of a parent and its subsidiaries as those of a single economic entity.” International Financial Reporting Standards (IFRS). 2023. *IFRS 10 Consolidated Financial Statements*. <https://www.ifrs.org/issued-standards/list-of-standards/ifrs-10-consolidated-financial-statements/>.

¹⁵² International Financial Reporting Standards (IFRS). 2023. *IFRS 10 Consolidated Financial Statements*. <https://www.ifrs.org/issued-standards/list-of-standards/ifrs-10-consolidated-financial-statements/>.

¹⁵³ International Financial Reporting Standards (IFRS). 2023. *IFRS 10 Consolidated Financial Statements*. <https://www.ifrs.org/issued-standards/list-of-standards/ifrs-10-consolidated-financial-statements/>.

personnel held key management positions in Paper Excellence. Leaked emails, as reported on by multiple media outlets in March 2023, show that APP staff were directing Paper Excellence's behavior in significant ways that could affect Paper Excellence's returns, such as deciding when and to whom to sell its products, collaborating on representations made to a national regulator, and providing market forecasts.

Finally, official government documents and proceedings recognize that the Sinar Mas Group, owner of APP, controls Paper Excellence as well. This official record includes: testimony in 2021 by a senior Federal official to a Standing Committee of the House of Commons; a determination of ownership in 2021 by an "authoritative" database from Statistics Canada on corporate ownership; a briefing note in 2019 from the Nova Scotia Treasury Department to the Premier of Nova Scotia; a position statement in 2021 from the Competition Bureau Canada; and a motion by a Federal Prosecutor in U.S. District Court in 2010 alleging fraud.

The set of documented facts and the official record strongly indicate that Sinar Mas has had "power" over Paper Excellence "to direct activities that most significantly affect the returns of the investee" per IFRS 10's definition of control.¹⁵⁴ (A similar analysis applies to the criteria for variable interest entities in Generally Accepted Accounting Principles (GAAP).¹⁵⁵) Furthermore, legitimate questions about whether the source of Paper Excellence's equity investment and financing is Sinar Mas and/or members of the Widjaja family indicates the strong possibility that Sinar Mas' beneficial owners are exposed to and have rights to the variable returns of Paper Excellence. Based on the "preponderance of evidence" standard applied to PfA cases¹⁵⁶, we are confident that the FSC will determine that it is more likely than not that Sinar Mas controls Paper Excellence.

Corporate group - PfA v3

Does Paper Excellence's relationship with APP meet the criteria for "corporate group" in accordance with PfA v3? Applying to violations that occur from January 1, 2023 onwards, the determination that Paper Excellence and APP are in the same corporate group would mean that, going forward, violations by APP could impact Paper Excellence's membership status in the FSC and vice versa.

To define a corporate group, the PfA v3 identifies factors of control aligned with the Accountability Framework Initiative's definition of corporate control. The AFI definition

¹⁵⁴ International Financial Reporting Standards (IFRS). 2023. *IFRS 10 Consolidated Financial Statements*. <https://www.ifrs.org/issued-standards/list-of-standards/ifrs-10-consolidated-financial-statements/>.

¹⁵⁵ Financial Accounting Standards Board. 2023. *Summary of Interpretation No. 46*. Accessed in October 2023. <https://www.fasb.org/page/PageContent?pagelid=/reference-library/superseded-standards/summary-of-interpretation-no-46.html&bcpath=tff>.

¹⁵⁶ Forest Stewardship Council. 2021. *Processing FSC Policy for Association Complaints*. *FSC-PRO-01-009 V4-0 EN*. January 5, 2021 (effective date). <https://connect.fsc.org/document-centre/documents/resource/329>.

recognizes ways that parent entities can control subsidiaries through non-formal arrangements, which can include management control, shared resources, and hidden beneficial ownership.¹⁵⁷

Based on the AFI's factors of control, the facts established above offer compelling evidence that Paper Excellence is part of the Sinar Mas Group.

Beneficial ownership: Is ultimate ownership hidden in offshore companies or by the use of nominees?

Paper Excellence's shareholder companies span multiple offshore jurisdictions, which has the effect of concealing the ultimate beneficial owners. SEC filings for Domtar and Resolute Forest Products state that "Jackson Wijaya" could mean any of his family members,¹⁵⁸ raising the possibility that Jackson Wijaya is a nominee for the ultimate controlling shareholders of Sinar Mas and APP. Accounts by former Paper Excellence staff that Teguh Ganda Widjaja, APP's Chairman, was making key decisions for Paper Excellence from his office in Shanghai¹⁵⁹ underscore the possibility that Jackson Wijaya is a nominee.

Formality of relationship: Is there formal ownership, such as through an investment holding structure?

Due to Paper Excellence's opaque ownership structure, we can neither conclude nor rule out that Paper Excellence's ultimate beneficial owner(s) overlap with APP's shareholders or shareholders of other Sinar Mas companies. It is significant that in 2021 Canada's authoritative database on corporate ownership recognized Sinar Mas' ownership of Paper Excellence and

¹⁵⁷ Accountability Framework Initiative. 2022. "Definitions: Key terms that are used in the Accountability Framework Core Principles and Operational Guidance." Webpage and pdf accessed in August 2022. <https://accountability-framework.org/the-framework/contents/definitions/>.

¹⁵⁸ Domtar Corporation. 2022. *Exhibit 4.1 of Form 10-K*. Annual Report for the fiscal year ended December 31, 2021. United States Securities and Exchange Commission. https://www.sec.gov/Archives/edgar/data/1381531/000156459022009469/ufs-ex41_61.htm
Domtar Corporation. 2022. *Exhibit 4.2 of Form 10-K*. Annual Report for the fiscal year ended December 31, 2021. United States Securities and Exchange Commission. https://www.sec.gov/Archives/edgar/data/1381531/000156459022009469/ufs-ex42_60.htm
Domtar Corporation. 2022. *Exhibit 4.3 of Form 10-K*. Annual Report for the fiscal year ended December 31, 2021. United States Securities and Exchange Commission. https://www.sec.gov/Archives/edgar/data/1381531/000156459022009469/ufs-ex43_65.htm.

¹⁵⁹ Barral, Anne-Laure. 2023. "Deforestation Inc : derrière deux usines françaises de pâte à papier, un groupe asiatique très décrié." *Radio France*. March 1, 2023. <https://www.radiofrance.fr/franceinter/deforestation-inc-derriere-deux-usines-francaises-de-pate-a-papier-un-groupe-asiatique-tres-decrie-7954693>.
Senecat, Adrien and Hugo Ruher. 2023. "How two intertwined companies dominate the paper market." *Le Monde*. March 1, 2023. https://www.lemonde.fr/en/les-decodeurs/article/2023/03/01/how-two-intertwined-companies-dominate-the-paper-market_6017837_8.html#.
Dubinsky, Zach and Elizabeth Thompson. 2023. "Five questions swirling around forestry giant Paper Excellence ahead of grilling from MPs." *CBC News*. May 2, 2023. <https://www.cbc.ca/news/politics/paper-excellence-house-commons-committee-hearing-1.6829076>.

APP¹⁶⁰, and that Canada's Minister of International Trade apparently understands Paper Excellence to be Sinar Mas.¹⁶¹

Declared as a group: Has the group publicly declared the companies are linked?

Initially Sinar Mas acknowledged its connection to Paper Excellence's first mill acquisition through issuing a press release to announce the acquisition in 2007¹⁶² and including its name on the mill's letterhead for the next three years until 2010.¹⁶³ More recently, Paper Excellence has made public statements that it is independent of APP and Sinar Mas, including after multiple media investigations were published in March 2023.¹⁶⁴ In May 2023, a Paper Excellence executive testified at a committee hearing in Canada's House of Commons that Paper Excellence received help from Sinar Mas until 2015.¹⁶⁵

Family control: Are the companies owned or run by members of the same family?

Paper Excellence and APP are owned and run by members of the same family. Paper Excellence's apparent owner, Jackson Wijaya, is the son of APP's Chairman and shareholder, Teguh Ganda Widjaja.¹⁶⁶ Jackson Wijaya's sister, Linda Wijaya Limantara, has been a managing director and shareholder of APP.¹⁶⁷ Jackson Wijaya's uncles – Muktar Widjaja, Franky Widjaja, and Indra Widjaja – have been shareholders of APP.¹⁶⁸

Financial control: Are there contractual or other financial arrangements that indicate one party controls the performance of another?

¹⁶⁰ Statistics Canada. 2022. "Paper Excellence Canada Holdings Corporation". Inter-corporate ownership. Database 2021, accessed in August 2023.

<https://www150.statcan.gc.ca/n1/pub/61-517-x/61-517-x2021001-eng.htm>.

¹⁶¹ House of Commons, Canada. 2021. "Evidence". February 26, 2021. Standing Committee on Natural Resources, 43rd Parliament. Transcript accessed in September 2023.

<https://www.ourcommons.ca/DocumentViewer/en/43-2/RNNR/meeting-14/evidence>.

¹⁶² Sinar Mas. 2007. "Meadow Lake Mechanical Pulp Mill: Press Release." Canadian Corporate Newswire, January 17, 2007.

¹⁶³ Meadow Lake Mechanical Pulp Mill. 2008-2010. Six letters to environmental regulators in Saskatchewan. Obtained through Access to Information and Privacy request to the Government of Saskatchewan.

¹⁶⁴ Paper Excellence. 2023. "Jackson Wijaya's and Paper Excellence's commitment to Canadian communities." Press release, March 10, 2023.

<https://paperexcellence.com/jackson-wijaya-committed-to-canadian-communities/>.

¹⁶⁵ Standing Committee on Natural Resources. Transcript from May 30, 2023. House of Commons, Canada. <https://www.ourcommons.ca/DocumentViewer/en/44-1/RNNR/meeting-65/evidence>.

¹⁶⁶ Paper Excellence. 2023. "Jackson Wijaya's and Paper Excellence's commitment to Canadian communities." Press release, March 10, 2023.

<https://paperexcellence.com/jackson-wijaya-committed-to-canadian-communities/>.

¹⁶⁷ Suzuki, Jun. 2016. "Linda Wijaya pursues growth and conservation." *Nikkei Asia*. October 13.

<https://asia.nikkei.com/Business/Linda-Wijaya-pursues-growth-and-conservation>.

Ministry of Law and Human Rights, Government of Indonesia. 2021. "PT Purinusa Ekapersada". Corporate profile, accessed on October 6, 2021. <https://ahu.go.id/pencarian/profil-pemilik-manfaat>.

¹⁶⁸ Ministry of Law and Human Rights, Government of Indonesia. 2021. "PT Purinusa Ekapersada". Corporate profile, accessed on October 6, 2021. <https://ahu.go.id/pencarian/profil-pemilik-manfaat>.

In 2010, a bank in China owned by Sinar Mas¹⁶⁹ made a US\$17.5 million loan to Paper Excellence at a near-zero percent interest rate.¹⁷⁰ In 2011, Paper Excellence B.V. reported in its Annual Report that the “shareholder loan” of US\$17 million in 2010 increased to US\$70 million as of December 31, 2011.¹⁷¹ Through 2014, Paper Excellence B.V.’s reported shareholder investment in the form of share premium totaled close to US\$800 million¹⁷² – a period in which “help from APP Sinar Mas” was provided to Paper Excellence, according to the recent testimony of a Paper Excellence executive at a committee hearing in Canada’s House of Commons.¹⁷³ Similarly, Paper Excellence issued a press release in March 2023 that stated: “It is well known that Jackson Wijaya, the ultimate and sole owner of Paper Excellence, is the son of the current head of APP. In the early days, Jackson benefited from some experience gained from the family business early in his life, as well as support getting his company started.”¹⁷⁴

Paper Excellence has recently acquired two large companies - Domtar in 2021¹⁷⁵ and Resolute Forest Products in 2023¹⁷⁶ - for a total investment of US\$5.7 billion. Publicly available documents provide little clarity on the source of equity investment for the acquisitions of Domtar and Resolute. SEC filings by both Domtar and Resolute state that “Jackson Wijaya”, the

¹⁶⁹ Webb, Sara. 2001. “Widjaja family discloses ownership of offshore banks.” *The Wall Street Journal*. May 25, 2001. <https://www.wsj.com/articles/SB990729621280692905>.

Li, Baker. 2009. “Sinopac Fin eyes stake in Bank Int’l Ningbo.” Reuters. December 6, 2009. <https://www.reuters.com/article/idINTOE5B600K20091207>.

¹⁷⁰ Paper Excellence B.V. 2012 “Paper Excellence B.V. Annual Report 2010.” Kamer van Koophandel (KvK), January 31, 2012.

Profundo. 2012. *Dutch private companies related to APP*. Greenpeace Nederland.

<https://docplayer.net/7830518-Dutch-private-companiesrelated-to-app-update-a-research-paper-prepared-for-greenpeace-nederland.html>.

¹⁷¹ Paper Excellence B.V. 2013 “Paper Excellence B.V. Annual Report 2011.” Kamer van Koophandel (KvK), January 31, 2013.

¹⁷² Paper Excellence B.V. 2012. “Paper Excellence B.V. Annual Report 2010.” Kamer van Koophandel (KvK), January 31, 2012.

Paper Excellence B.V. 2013. “Paper Excellence B.V. Annual Report 2011.” Kamer van Koophandel (KvK), January 31, 2013.

Paper Excellence B.V. 2014. “Paper Excellence B.V. Annual Report 2012.” Kamer van Koophandel (KvK), January 30, 2014.

Paper Excellence B.V. 2015. “Paper Excellence B.V. Annual Report 2013.” Kamer van Koophandel (KvK), February 2, 2015.

Paper Excellence B.V. 2016. “Paper Excellence B.V. Annual Report 2014.” Kamer van Koophandel (KvK), January 29, 2016.

¹⁷³ Standing Committee on Natural Resources. Transcript from May 30, 2023. House of Commons, Canada. <https://www.ourcommons.ca/DocumentViewer/en/44-1/RNNR/meeting-65/evidence>.

¹⁷⁴ Paper Excellence. 2023. “Jackson Wijaya’s and Paper Excellence’s commitment to Canadian communities.” Press release, March 10, 2023. <https://paperexcellence.com/jackson-wijaya-committed-to-canadian-communities/>.

¹⁷⁵ Paper Excellence. 2021. “Paper Excellence welcomes Domtar into its group of companies.” Company press release. November 31, 2022.

<https://paperexcellence.com/paper-excellence-welcomes-domtar-into-its-group-of-companies/>.

¹⁷⁶ Paper Excellence. 2023. “Paper Excellence welcomes Resolute into its family of companies.” Company press release. March 1, 2023.

<https://paperexcellence.com/paper-excellence-welcomes-resolute-into-its-family-of-companies/>.

reported investor making these acquisitions, potentially includes “family members” of Jackson Wijaya.¹⁷⁷ The SEC filings also report “co-investors” who are not identified by name.¹⁷⁸

Management control: Is there extensive overlap in officials between companies?

Three directors (Suresh Kilam, Tei Ah Lek, and Danilo Benvenuti) of APP companies served at the same time as directors for Paper Excellence companies. And a longtime and current director of Paper Excellence companies (Hardi Wardhana, aka Peter Wardhana), listed his address at Sinar Mas headquarters in Jakarta on official documents as late as 2018. Jackson Wijaya also held key management roles in APP China at the same time as he was reportedly the owner of Paper Excellence.

Shared resources: Do companies share a registered address, land or other physical assets, or provision of company functions or services?

A collaborative media investigation published in March 2023 that included the *CBC* “found leaked records and insider accounts that show that Paper Excellence, at least until a few years ago, appears to have been closely – and secretly – coordinating business and strategy decisions with Asia Pulp & Paper, one of the world’s biggest pulp-and-paper players, which has a track record of environmental destruction.”¹⁷⁹ The leaked emails, according to multiple media reports, show APP staff: directing Paper Excellence on when and to whom to sell its products, collaborating on representations made to a national regulator on behalf of Paper Excellence, and providing market forecasts. According to the whistleblower that provided the emails, “APP staff is PE staff. There is no difference there.”¹⁸⁰

¹⁷⁷ Domtar Corporation. 2022. *Exhibit 4.1 of Form 10-K*. Annual Report for the fiscal year ended December 31, 2021. United States Securities and Exchange Commission.

https://www.sec.gov/Archives/edgar/data/1381531/000156459022009469/ufs-ex41_61.htm.

Domtar Corporation. 2022. *Exhibit 4.2 of Form 10-K*. Annual Report for the fiscal year ended December 31, 2021. United States Securities and Exchange Commission.

https://www.sec.gov/Archives/edgar/data/1381531/000156459022009469/ufs-ex42_60.htm.

Domtar Corporation. 2022. *Exhibit 4.3 of Form 10-K*. Annual Report for the fiscal year ended December 31, 2021. United States Securities and Exchange Commission.

https://www.sec.gov/Archives/edgar/data/1381531/000156459022009469/ufs-ex43_65.htm.

¹⁷⁸ Domtar Corporation. 2022. *Exhibit 4.1 of Form 10-K*. Annual Report for the fiscal year ended December 31, 2021. United States Securities and Exchange Commission.

https://www.sec.gov/Archives/edgar/data/1381531/000156459022009469/ufs-ex41_61.htm.

Domtar Corporation. 2022. *Exhibit 4.2 of Form 10-K*. Annual Report for the fiscal year ended December 31, 2021. United States Securities and Exchange Commission.

https://www.sec.gov/Archives/edgar/data/1381531/000156459022009469/ufs-ex42_60.htm.

Domtar Corporation. 2022. *Exhibit 4.3 of Form 10-K*. Annual Report for the fiscal year ended December 31, 2021. United States Securities and Exchange Commission.

https://www.sec.gov/Archives/edgar/data/1381531/000156459022009469/ufs-ex43_65.htm.

¹⁷⁹ Dubinsky, Zach and Elizabeth Thompson. 2023. “Who’s behind Canada’s new pulp-and-paper powerhouse, and where’s the money coming from?” *CBC News*. March 9, 2023.

<https://www.cbc.ca/news/business/paper-excellence-pulp-china-1.6772654>.

¹⁸⁰ Dubinsky, Zach and Elizabeth Thompson. 2023. “Who’s behind Canada’s new pulp-and-paper powerhouse, and where’s the money coming from?” *CBC News*. March 9, 2023.

<https://www.cbc.ca/news/business/paper-excellence-pulp-china-1.6772654>.

Overview of the steps that have been taken to resolve the issues prior to lodging this complaint and the response that was provided

Auriga Nusantara, an NGO based in Indonesia, sent a letter in October 2019 to the FSC’s Director General and Chair of the International Board of Directors about Jackson Wijaya’s involvement in APP. Nine months later, in a letter dated July 15, 2020, FSC Director General Kim Carstensen stated: “Our analysis confirms that Jackson Widjaya [sic] controls over 51% of Paper Excellence and shows that he is involved with APP China through Ever Dragon Investments, which would qualify Paper Excellence as being indirectly involved with an indirectly involved organization. With this, we have found Jackson Widjaya [sic] positioned one degree removed from the disassociated group.”¹⁸¹

In October 2022, Greenpeace Canada with other organizations published a report, *Papering over corporate control*, which details Paper Excellence’s extensive links with APP and Sinar Mas beyond Jackson Wijaya’s management positions with APP China. The report stated, “The substantial evidence compiled in this report requires a response from FSC that includes initiating its own Policy for Association (PfA) investigation of the links between Paper Excellence and APP.”¹⁸² To the best of our knowledge, the FSC has not initiated such an investigation at the time of this complaint’s submission, nor did it issue any public comments addressing the findings of the report.

In March 2023, several media organizations published stories about Paper Excellence’s relationship with APP and Sinar Mas as part of the Deforestation Inc investigation led by ICIJ. In response to those stories, the FSC issued a press release, which stated: “FSC has evaluated the shareholder interests between Paper Excellence and the APP Group multiple times and has concluded each time that there is no majority ownership relationship between APP and Paper Excellence.”¹⁸³ The FSC Director General was quoted by *Radio France* on March 1, 2023 as stating in response to the publication’s reporting on Paper Excellence, “There is no relationship between APP on the one hand and Paper Excellence, Fibre Excellence on the other.”¹⁸⁴

¹⁸¹ Carstensen, Kim. 2020. Letter to Auriga Nusantara Chairman Timer Manurung. July 15, 2020.

¹⁸² Greenpeace et al. 2022. *Papering over corporate control: Paper Excellence’s relationship with Asia Pulp & Paper and the Sinar Mas Group*. October 2022. https://www.greenpeace.org/static/planet4-canada-stateless/2022/10/ddb2befa-report_papering_over_corporate_control.pdf.

¹⁸³ Forest Stewardship Council. 2023. “The Forest Stewardship Council’s (FSC) statement on the recent report by the International Consortium of Investigative Journalists (ICIJ).” Press release. March 3, 2023. <https://fsc.org/en/newscentre/general-news/response-to-recent-media-report-by-icij>.

¹⁸⁴ Barral, Anne-Laure. 2023. “Deforestation Inc : derrière deux usines françaises de pâte à papier, un groupe asiatique très décrié.” *Radio France*. March 1, 2023. <https://www.radiofrance.fr/franceinter/deforestation-inc-derriere-deux-usines-francaises-de-pate-a-papier-un-groupe-asiatique-tres-decrie-7954693>.

Since the FSC conducted its most recent assessment in 2021 of Paper Excellence's relationship with APP and Sinar Mas,¹⁸⁵ new and compelling evidence from NGO, media, and government investigations about the relationship has entered the public domain. In this time, the FSC has also updated its corporate responsibility policy, though the old policy continues to apply to infractions prior to 2023. This complaint presents evidence showing that Paper Excellence's ongoing membership contravenes both FSC's old and new policies.

Agreement to share the complaint with the Defendant and other Parties to the Complaint

Yes

Agreement to adhere to the terms and provisions of the PfA complaints procedure (FSC-PRO-01-009)

Yes

¹⁸⁵ Griffiths, James. 2021. "Paper Excellence's ties to controversial Indonesian forestry giant could hinder Canadian expansion." *The Globe and Mail*. March 13, 2023. <https://www.theglobeandmail.com/business/article-paper-excellence-seeks-to-create-a-huge-canadian-for-est-products/>.

Appendix A. List of Paper Excellence-owned operations with FSC certificates

Certificate Holder	Operation	Province/State	Country	License Code	Certificate Code	FSC valid until	Forest area (ha)	Pulp	Paper/Tissue	Sawmill	Paper Converting
PF Resolu Canada	Cote-Nord	Quebec	Canada	FSC-C113533	SAI-FM/COC-001555	4-Nov-27	2,203,110				
PF Resolu Canada	Mauricie UAF 4251, 4352	Quebec	Canada	FSC-C100398	SAI-FM/COC-001944	1-Feb-25	1,658,190				
Resolute FP Canada	Ontario Woodlands (Black Spruce)	Ontario	Canada	FSC-C107523	SAI-FM/COC-002278	29-Aug-26	2,267,629				
PF Resolu Canada	Produits du bois Region Abitibi	Quebec	Canada	FSC-C113532	SAI-FM/COC-001554	3-Nov-27	1,011,830				
Domtar	Usine de Windsor	Quebec	Canada	FSC-C100638	SAI-FM/COC-001131	27-Feb-26	159,820				
Paper Excellence Canada	Crofton	British Columbia	Canada	FSC-C004353	SAI-COC-007541	20-Mar-27		x			
Paper Excellence Canada	Howe Sound	British Columbia	Canada	FSC-C004353	SAI-COC-007541	20-Mar-27		x			
Paper Excellence Canada	Meadow Lake	Saskatchewan	Canada	FSC-C004353	SAI-COC-007541	20-Mar-27		x			
Paper Excellence Canada	Skookumchuck	British Columbia	Canada	FSC-C004353	SAI-COC-007541	20-Mar-27		x			
Fibre Excellence	Fibre Excellence Provence	France	France	FSC-C122317	SGSCH-COC-110050	24-May-28		x			
Fibre Excellence	Fibre Excellence Saint-Gaudens	France	France	FSC-C122317	SGSCH-COC-110050	24-May-28		x			
Domtar Paper Company	Ashdown	Arkansas	United States	FSC-C001844	NC-COC-001318	26-Nov-24		x	x		
Domtar Paper Company	Nekoosa	Wisconsin	United States	FSC-C001844	NC-COC-001318	26-Nov-24		x	x		
Domtar Paper Company	Espanola	Ontario	Canada	FSC-C001844	NC-COC-001318	26-Nov-24		x	x		
Domtar Paper Company	Windsor	Quebec	Canada	FSC-C001844	NC-COC-001318	26-Nov-24		x	x		
Domtar Paper Company	Hawesville	Kentucky	United States	FSC-C001844	NC-COC-001318	26-Nov-24		x	x		
Domtar Paper Company	Johnsburg	Pennsylvania	United States	FSC-C001844	NC-COC-001318	26-Nov-24		x	x		
Domtar Paper Company	Rothschild	Wisconsin	United States	FSC-C001844	NC-COC-001318	26-Nov-24		x	x		
Domtar Paper Company	Marlboro	South Carolina	United States	FSC-C001844	NC-COC-001318	26-Nov-24		x	x		
Domtar Paper Company	Plymouth	North Carolina	United States	FSC-C001844	NC-COC-001318	26-Nov-24		x			
Resolute Forest Products	Saint Felicien	Quebec	Canada	FSC-C139334	SAI-COC-002877	12-Jan-28		x		x	
Resolute Forest Products	Coosa Pines	Alabama	United States	FSC-C139334	SAI-COC-002877	12-Jan-28		x			
Resolute Forest Products	Menominee	Michigan	United States	FSC-C139334	SAI-COC-002877	12-Jan-28		x			
Paper Excellence Canada	Port Alberni	British Columbia	Canada	FSC-C004353	SAI-COC-007541	20-Mar-27			x		
Domtar Paper Company	Kingsport	Tennessee	United States	FSC-C001844	NC-COC-001318	26-Nov-24			x		
Domtar Paper Company	West Carrollton	Ohio	United States	FSC-C001844	NC-COC-001318	26-Nov-24			x		
Resolute Forest Products	Calhoun	Tennessee	United States	FSC-C139334	SAI-COC-002877	12-Jan-28			x		
Resolute Forest Products	Grenada	Mississippi	United States	FSC-C139334	SAI-COC-002877	12-Jan-28			x		
Resolute Forest Products	Alma	Quebec	Canada	FSC-C139334	SAI-COC-002877	12-Jan-28			x		
Resolute Forest Products	Clermont	Quebec	Canada	FSC-C139334	SAI-COC-002877	12-Jan-28			x		
Resolute Forest Products	Dolbeau	Quebec	Canada	FSC-C139334	SAI-COC-002877	12-Jan-28			x		
Resolute Forest Products	Chateau-Richer	Quebec	Canada	FSC-C139334	SAI-COC-002877	12-Jan-28			x		
Resolute Forest Products	Kenogami	Quebec	Canada	FSC-C139334	SAI-COC-002877	12-Jan-28			x		
Resolute Forest Products	Mauricie	Quebec	Canada	FSC-C139334	SAI-COC-002877	12-Jan-28				x	
Resolute Forest Products	Girardville-Normandin	Quebec	Canada	FSC-C139334	SAI-COC-002877	12-Jan-28				x	
Resolute Forest Products	Senterre-Lac Clair	Quebec	Canada	FSC-C139334	SAI-COC-002877	12-Jan-28				x	
Resolute Forest Products	Chateau-Richer	Quebec	Canada	FSC-C139334	SAI-COC-002877	12-Jan-28				x	
Resolute Forest Products	Comotois	Quebec	Canada	FSC-C139334	SAI-COC-002877	12-Jan-28				x	
Resolute Forest Products	La Dore	Quebec	Canada	FSC-C139334	SAI-COC-002877	12-Jan-28				x	
Resolute Forest Products	Maniwaki	Quebec	Canada	FSC-C139334	SAI-COC-002877	12-Jan-28				x	
Resolute Forest Products	Mistassini	Quebec	Canada	FSC-C139334	SAI-COC-002877	12-Jan-28				x	
Resolute Forest Products	Outardes	Quebec	Canada	FSC-C139334	SAI-COC-002877	12-Jan-28				x	
Resolute Forest Products	Saint Thomas	Quebec	Canada	FSC-C139334	SAI-COC-002877	12-Jan-28				x	
Resolute Forest Products	Atikokan	Quebec	Canada	FSC-C139334	SAI-COC-002877	12-Jan-28				x	
Resolute Forest Products	Ignace	Ontario	Canada	FSC-C139334	SAI-COC-002877	12-Jan-28				x	
Resolute Forest Products	Opticivan	Quebec	Canada	FSC-C139334	SAI-COC-002877	12-Jan-28				x	
Resolute Forest Products	Thunder Bay	Ontario	Canada	FSC-C139334	SAI-COC-002877	12-Jan-28				x	
Domtar Paper Company	Addison	Illinois	United States	FSC-C001844	NC-COC-001318	26-Nov-24					x
Domtar Paper Company	Brownsville	Tennessee	United States	FSC-C001844	NC-COC-001318	26-Nov-24					x
Domtar Paper Company	DuBois	Pennsylvania	United States	FSC-C001844	NC-COC-001318	26-Nov-24					x
Domtar Paper Company	Owensboro	Kentucky	United States	FSC-C001844	NC-COC-001318	26-Nov-24					x
Domtar Paper Company	Rock Hill	South Carolina	United States	FSC-C001844	NC-COC-001318	26-Nov-24					x
Domtar Paper Company	Tatum	South Carolina	United States	FSC-C001844	NC-COC-001318	26-Nov-24					x
Domtar Paper Company	Washington Courthouse	Ohio	United States	FSC-C001844	NC-COC-001318	26-Nov-24					x
Domtar Paper Company	EAM	Georgia	United States	FSC-C001844	NC-COC-001318	26-Nov-24					x
Resolute = red text											
Domtar = green text											
Paper Excellence = blue text											

*Note: Does not include FSC certificates for forest management areas that Paper Excellence affiliates control in partnership with other parties, including Mistik Management Inc. in Saskatchewan with 1.8 million hectares.

Source: FSC Certificate Database accessed in September 2023.

Appendix B. Letter from FSC Director General Kim Carstensen



Forest Stewardship Council®

FSC Global Development GmbH • Adenauerallee 134
53113 Bonn, Deutschland

Timer Manurung
AURIGA
Bukit Cimanggu City, Greenland Residence
Blok HH.17 No. 16, Bogor Jawa Barat
www.auriga.or.id

15-07-2020

Subject: FSC Response on request for clarification concerning Paper Excellence and its subsidiary mills and trading companies

Dear Timer Manurung,

Thank you for your letter dated October 24, 2019 regarding Paper Excellence and its corporate connection with the APP Group. We greatly appreciate Auriga's work in documenting and researching the complex corporate structures and relationships involving the Widjaya family and the Asia Pulp and Paper Group. We have studied the documents and the Notice of Listing by Green Fortune Capital Limited. According to our review and analysis of the documentation, there remains intact a corporate ownership division between the shareholdings of Paper Excellence and Asia Pulp and Paper, and thus we do not find the requisite 51% ownership under the Policy for Association.

Our analysis confirms that Jackson Widjaya controls over 51% of Paper Excellence and shows that he is involved with APP China through Ever Dragon Investments, which would qualify Paper Excellence as being indirectly involved with an indirectly involved organization. With this, we have found Jackson Widjaya positioned one degree removed from the disassociated group.

At this time FSC will not rescind certification of the listed Paper Excellence companies as we cannot show indirect involvement as per the FSC Policy for Association. The submitted information is nonetheless helpful and serves as a reminder of the complexity of corporate structures.

As you are aware, we have suspended discussions with APP for among other issues a lack of transparency in corporate structures. We encourage our stakeholders to continue submitting any relevant information on APP Group and any allegations of violations of the Policy for Association. FSC values the work of Auriga and partner organizations and looks forward to working together in the future for responsible forest management. Thank you again for your letter,

1 of 2

FSC Global Development GmbH • ic.fsc.org • FSC® F000100
Adenauerallee 134 • 53113 Bonn • Germany
T +49 (0) 228 367 66 0 • F +49 (0) 228 367 66 65
Geschäftsführer | Director: Kim Bering Becker Carstensen
Handelsregister | Commercial Register: Bonn HRB15990





Forest Stewardship Council®

and if you would like to have a meeting to discuss the findings in more detail please let us know.

Kind Regards,

A handwritten signature in blue ink that reads "Kim Carstensen".

Kim Carstensen
Managing Director

Appendix C. Excerpt from 2017 bond prospectus issued by Green Fortune Capital Ltd.

DIRECTORS AND SENIOR MANAGEMENT

Board of Directors of the Guarantor

The following table sets out information of the members of the board of directors of the Guarantor as at the date of this Offering Circular:

Name	Age	Position
Oei Tjie Goan (黃志源)	72	Chairman, president, director
Jackson Wijaya Limantara (黃傑勝)	37	Director, assistant president
Cha Ming Lee (李澤民)	59	Director
Iskandar Erwin	40	Director

Mr. Oei Tjie Goan (黃志源), aged 72, is currently the chairman of the Group as well as the president of APP China Holding Limited. In 1989, the Indonesian Management Association granted the Outstanding Management Award to Mr. Oei Tjie Goan in recognition of his achievements. Mr. Oei Tjie Goan was also awarded the title of honorary citizen in Ningbo and Zhenjiang as well as the Zhenjiang Municipal People's Medal. On 23 July 2008, Resource Information Systems, Inc. ranked Mr. Oei Tjie Goan as the most influential person of the year in the global pulp and paper industry. On 8 July 2010, the Peking University awarded Mr. Oei Tjie Goan an honorary doctoral degree. Mr. Oei Tjie Goan is Mr. Jackson Wijaya Limantara's father and holds a bachelor's degree.

Mr. Jackson Wijaya Limantara (黃傑勝), aged 37, has been a director of the Guarantor since 2005 and has assisted the chairman with the management of the Group's PRC business. He joined the Group in 2002 to set up the business enhancement team which implements managerial reforms in major production plants of the Group in the PRC. Mr. Jackson Wijaya Limantara is Mr. Oei Tjie Goan's son and holds a master's degree.

Senior Management of SMPI

The following table sets forth the senior management of SMPI as at the date of this Offering Circular:

Name	Age	Position
Oei Tjie Goan (黃志源)	72	Chairman, president
Jackson Wijaya Limantara (黃傑勝)	36	Assistant president
Tel Ah Lek (吳亞烈)	67	Director, general manager, chief financial officer
Zhai Jingli (翟京麗)	59	Director, vice-president, deputy chief financial officer

Source: Green Fortune Capital Limited. 2017. "Bond offering prospectus for Green Fortune Capital Limited and guaranteed by Ever Dragon Investments Group Limited", Hong Kong Stock Exchange, September 18, 2017.

Appendix D. Press release announcing acquisition of the Meadow Lake Mechanical Pulp Mill

Meadow Lake Mechanical Pulp Inc.: Press Release

Canadian Corporate Newswire

January 17, 2007 Wednesday 3:42 PM EST

Copyright 2007 PIMS Canada, Inc., doing business as CCNMatthews All Rights Reserved

Length: 1128 words

Body

CALGARY, ALBERTA--(CCNMatthews - Jan. 17, 2007) - Meadow Lake Mechanical Pulp Inc. (the "Purchaser") is pleased to announce that the Court of Queen's Bench in the Province of Saskatchewan has provided court approval for the sale of the Meadow Lake Pulp Mill and other related assets by the Meadow Lake Pulp Limited Partnership to the Purchaser. The pulp mill and its related assets are located in Meadow Lake, Saskatchewan, Canada. The Purchaser anticipates moving forward to complete the transaction as soon as possible, subject to satisfaction of various closing conditions related to the transaction.

The Purchaser is indirectly related to the Sinar Mas companies. It is anticipated that the Sinar Mas Pulp and Paper Products division ("APP") will be providing technical expertise to the Purchaser in respect of future operations of the Meadow Lake Pulp Mill.

The Purchaser is excited about the opportunity of being able to expand its worldwide operations into Northern Saskatchewan and Canada. The Purchaser, with the help of APP and the Saskatchewan Government, believes that it has the operating expertise and available capital to successfully restore the economic viability of the Meadow Lake Pulp Mill operations.

ABOUT SINAR MAS

Sinar Mas was founded in 1960. It continually enhances its technical capabilities and expands its market globally through its ventures with companies in Japan, Korea, China, Taiwan, the Philippines, Thailand, Singapore, Australia, France, Germany, Belgium, the United Kingdom and the United States, and now Canada. The Group's dynamic growth is based on four core businesses: food and agribusiness, financial services, pulp and paper products; and real estate and property.

APP is one of the world's leading pulp and paper group of companies. The executive board of APP consists of experienced people in various fields and provides the backbone to its growth. APP has approximately 55,000 employees and currently markets its products to more than 65 countries and six continents. With current annual combined pulp, paper and packaging grades capacity of over 7,000,000 tons in Indonesia, it ranks number one in Asia, excluding Japan. In China, the company is considered as the largest pulp and paper producer, with 13 pulp and paper mills supported by more than 20,000 employees and 5 forestry holding companies with total assets of approximately \$4US billion. Gold Hai mill on Hainan Island, which began operating in 2004, is China's largest single line pulp mill.

Sinar Mas Forestry is the exclusive fiber supplier for APP's mills. As part of Sinar Mas, Sinar Mas Forestry manages sustainable fiber sources in Indonesia.

APP and its related entities are committed to purchasing wood fiber for pulp-making operations from sustainably-managed forestry sources, which conserve areas of outstanding habitat and operate in harmony with local communities. Key recent examples of these initiatives include:

Meadow Lake Mechanical Pulp Inc.: Press Release

1. APP implements a strict documented Chain of Custody (CoC) system to ensure the legality of its wood fiber supply. The proper functioning of this system is independently verified on a periodic basis. In 2005, a third-party verification audit was conducted by SGS (Societe Generale de Surveillance) for all of APP's active fiber sources under Sinar Mas Forestry in Sumatra, Indonesia. APP's CoC system is improved continually based on the recommendations of its independent verification auditors. CoC audits within APP mills are conducted on a periodic and are based on per-product batch basis. The CoC and legal origin field audit for 2006 by SGS was completed in December.

It has been acknowledged that some interest groups have recently issued information concerning the development of natural resources to ensure the sustainable supply of pulpwood for the pulp and paper industry in Indonesia. In response, a representative of the Government of Indonesia issued a statement:

"...Sinar Mas Forestry, one of the key players in forestry industry, has been conducting plantation forest development activities since 1983. The management of its plantation forest development incorporates the economic, social and environmental aspects in compliance with the laws and regulations of the Government of Indonesia, which are founded on sustainable forest management principles. To date, Sinar Mas Forestry, in collaboration with other stakeholders, has shown its strong commitment to developing the forest resources for the benefit of the nation."

The above statement was issued following a 'Sustainability Seminar', which was held in Tokyo, Japan on November 14th 2006. Further during the seminar, a representative of the Government of Indonesia also stated:

"...Having proactively fulfilled their legal commitment, APP and its fiber supplier have even gone beyond mere compliance, and have implemented dynamic conservation initiatives such as their collaborative efforts to develop the Sumatran Tiger Sanctuary and the Biosphere reserve in Riau Province. These initiatives demonstrate APP's extraordinary commitment to the long-term conservation of Indonesian forests, to the protection of our robust biodiversity for this and future generations and to sustainability as a whole."

In addition, APP has a formal policy that states it will respect the rights of indigenous communities. APP also recognizes that its commitment to sustainability in all operations is possible only if APP and Sinar Mas Forestry operations address improving the welfare of their employees and the local communities where they operate. In support of the policy of the Government of Indonesia, APP and Sinar Mas Forestry are focused on long-term community planning, economic empowerment of forest dwelling communities to increase welfare, education and employment opportunities.

To date, APP and Sinar Mas operations directly and indirectly support millions of families; most of whom live in remote villages and rural communities.

CAUTIONARY STATEMENT:

No regulatory authority has approved or disapproved the information contained herein. This news release may include certain "forward looking statements". All statements other than statements of historical fact included in this news release regarding forward-looking statements involve various risks and uncertainties. There can be no assurance that such statements will prove to be accurate and actual results and future events could differ materially from those anticipated in such statements.

FOR FURTHER INFORMATION PLEASE CONTACT:

Meadow Lake Mechanical Pulp Inc.
(Formerly 6551017 Canada Inc.)
Investor Relations
(403) 232-9500
(403) 266-1395 (FAX)
100, 400 - 3rd Avenue S.W.
Calgary, AB T2P 4H2

Appendix E. Excerpts of letters from Meadow Lake Mechanical Pulp Mill Inc.**MEADOW LAKE MECHANICAL PULP**

A DIVISION OF SINARMAS GROUP

May 30, 2008

Brent W. Bitter, M.Sc., Project Manager
Environmental Assessment Branch
4th Floor, 3211 Albert Street
Regina, SK S4S 5W6

RECEIVED
JUN 09 2008
Environmental
Assessment Branch

Re: Section 16 Application To Add Softwood In Pulping Process

Dear Sir;

In January 1990 an Environmental Impact Statement was submitted to the Environmental Assessment Branch under the name of Millar Western Pulp (Meadow Lake) Ltd. That same facility is now owned by Meadow Lake Mechanical Pulp Inc. The original application was based on the use of 100% aspen in the pulping process. At that time, the use of softwood had not been contemplated. It is now our intention to incorporate softwood in the pulping process.

**MEADOW LAKE MECHANICAL PULP****A DIVISION OF SINARMAS GROUP**

April 16, 2010

Darren Letkeman
Environmental Project Officer
Saskatchewan Ministry of Environment
Unit 1, 101 Railway Place
Meadow Lake, Sk S9X 1X6

RE: MLMP Status Update on Olivine Decommissioning

Darren:

Below is a status update on the work completed by Meadow Lake Mechanical Pulp Inc on developing a plan to decommission the Olivine Incinerator by the end of 2012 as per discussions with Saskatchewan Ministry of Environment officials during a meeting on February 5, 2009 and ^{FOIP 29(1)} March 19, 2009 letter to the Ministry. The last status updated was provided to the Ministry of Environment on October 15, 2009 and the intent of this letter is to inform the ministry on the progress since then on developing a plan.



MEADOW LAKE MECHANICAL PULP INC.

October 15, 2010

Rhonda Herzog
Environmental Project Officer
Saskatchewan Ministry of Environment
Prince Albert, SK S6V 6G1

RE: MLMP Status Update on Olivine Decommissioning

Rhonda:

Below is a status update on the work completed by Meadow Lake Mechanical Pulp Inc on developing a plan to decommission the Olivine Incinerator by the end of 2012 as per discussions with Saskatchewan Ministry of Environment officials during a meeting on February 5, 2009 and ^{FOIP 29(1)} March 19, 2009 letter to the Ministry. The last status updated was provided to the Ministry of Environment on April 16, 2010 and the intent of this letter is to inform the Ministry of the progress since then on developing a plan.

Source: Meadow Lake Mechanical Pulp Mill. Letters to Saskatchewan environmental regulator dated: May 30, 2008; June 2, 2008; October 15, 2009; March 26, 2010; April 16, 2010; and September 15, 2010. Via access to information request to the Government of Saskatchewan in 2022.

Paper Excellence's current (2023) homepage displaying logo



   | [NEWS CENTRE](#) [CAREERS](#) [SPEAKUP](#) [CONTACT](#)

[COMPANY](#) [LOCATIONS](#) [PULP](#) [CATALYST PAPER](#) [RESPONSIBILITY](#)

Source: <https://paperexcellence.com/>

Appendix F. Lobbyist registration in Canada for Moe Sihota

O.R.L. office of the registrar of lobbyists
BRITISH COLUMBIA
www.lobbyistsregistrar.bc.ca

Registry Search Tools Reporting Tools Lobbying Statistics Help Sign In

Registry Dashboard

Registration - Consultant Lobbyist Share this page

Paper Excellence Canada Holdings Corporation / Moe Sihota, Consultant Lobbyist

Registration Information

Client name: Paper Excellence Canada Holdings Corporation
 Previous client names
 Lobbyist name: Moe Sihota, Consultant Lobbyist
 Initial registration start date: 2020-08-12
 Registration status: Active
 Projected end date: No date provided
 Registration number: 2094-3505

Associated Lobbying Activity Reports

Total number of Lobbying Activity Reports: 27
 Lobbying Activity Reports - last 6 months: 4

Registration versions: 6 of 6: 2022-07-02 to present

Version 6 of 6 (2022-07-02 to present)

Lobbying Information Client Details Lobbyist Details

Client Contact Information

Paper Excellence Canada Holdings Corporation

Address: 200- 3600 Lysander Lane
 Richmond, BC V7B 1C3
 Canada

Telephone number: 604-247-4400
 Website: paperecellence.com

Description of Business Activities

One of the largest Pulp and paper producers in North America with operations in B.C.

Contributors to the Lobbying Activity

No person or organization contributed over \$1000CDN, within the preceding 12 months, toward the lobbying activity on behalf of the organization that has a direct interest in the outcome of the lobbying activity.

Government Funding in the Last 12 Months

Source of Government Funding	Funding Received	Funding Requested
Canada Revenue Agency	\$15,727,461.00 Period received: 2021-01-01 to 2022-12-31	None requested
Nova Scotia	\$10,000,000.00 Period received: 2021-01-01 to 2021-12-31	None requested

Coalition Members Information

Paper Excellence Canada Holdings Corporation is not a coalition member.

Affiliates with a Direct Interest in the Outcome

- Catalyst Paper Corporation
 - 3600 Lysander Lane
Richmond, BC V7B 1C3
Canada
- Chebynd Mechanical Pulp Inc
 - 4181 Chebynd Pulp Mill Road
Chebynd, BC V0C 1J0
Canada
- Howe Sound Pulp&Paper Corporation
 - 3838 Port Mellon Highway
Port Mellon, BC V0N 2S0
Canada
- MacKenzie Pulp Mill Corporation
 - PO Box 2609
1000 Coquilwalde Road
Mackenzie, BC V0J 2C0
Canada
- Sinar Mas Group
 - 4 Gondangdia, Kec Menteng
Jakarta 10350
Indonesia
- Skookumchuk Pulp Mill Corporation
 - 4501 Farstad Way
Skookumchuk, BC V0B 2E0
Canada

Source: Office of the Registrar of Lobbyists, British Columbia. 2022. "Registration – Consultant Lobbyist for Moe Sihota." Version 1 of 6 (August 12 to November 6, 2020). Accessed on October 5, 2022.
<https://www.lobbyistsregistrar.bc.ca/app/secure/orl/lrs/do/vwRg?regId=56554964&cno=3505>.