

# tong tana

april 2005

[www.bmf.ch](http://www.bmf.ch)



## Government certified fraud

*After years of plundering the Penan's primeval forest in Sarawak, the Malaysian logging company Samling has now been rewarded with a label certifying to "sustainable forestry".*

Datuk Peter Chin, member of Prime Minister Badawi's cabinet and Malaysian Minister for Plantation Industries and Commodities, made another visit to his home state of Sarawak on 4 January 2005. A festive ceremony brought him to Miri in the northern part of the island of Borneo where the Malaysian Timber Certification Council MTCC was awarding its seal of approval to Samling, the first private logging company in Malaysia to receive it. The 59-year-old Chin personally presented the certificate, supposedly meant to guarantee sustainable forest management, to those responsible at Samling. The Minister knew he could count on the applause of the logging barons.

But Samling's certification met with less enthusiasm from the indigenous Penan people living in Sarawak who have been defending themselves for years against the destruction of their last remaining primeval forests by the Malaysian timber industry. In a letter of protest dated 25 January 2005, 12 Penan headmen and 582 inhabitants of the settlement on the upper reaches of the Baram River affected by the certification informed MTCC president Freezailah B. Che Yeom that they strongly objected to the awarding of the certificate. The letter, verified by thumbprint, demanded the immediate forfeiture of the certification. "We have not been consulted in this matter that pertains to our land. ... We cannot accept the fact that Samling has been certified as a reward for the continuous violation of our rights."

**Penan protest against MTCC's forestry certification:**

**"Samling should not be certified as a reward for violating our rights."**

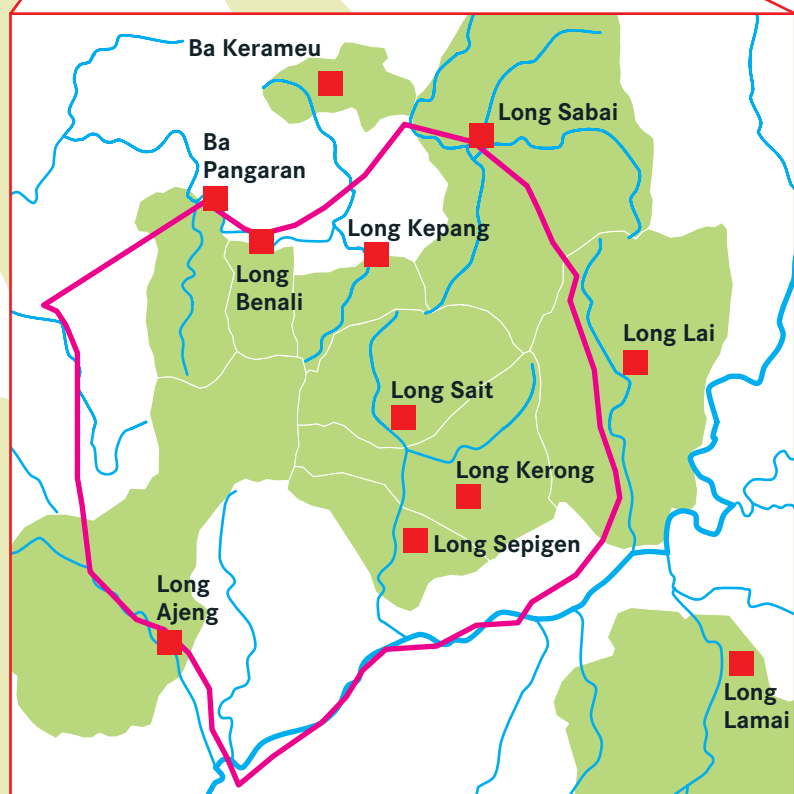
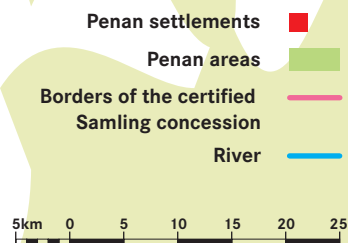
Research by the Bruno Manser Fonds (BMF) has revealed that some 80 percent of the 55'949 hectares (about 560 square kilometres) of the Samling concession now certified as "sustainable forest management" are actually traditional Penan territories. As an estimated 90 percent of Sarawak's primary trees have already been logged, it represents one of the last contiguous areas of primeval forest in the heavily forested Malaysian state. Three-fourths of the forest area is made up of mixed dipterocarpaceous trees. Many of the tropical giants belong to the Dipterocarpaceae family of plants. A satellite image from 2001, discovered by BMF and the Salzburg firm Geospace, indicates that Samling's logging in the certified concession had already severely damaged the forest (see adjoining comparison).

Headman Bilong Oyoi, speaker for the Penan who are affected, is emphatic: "Many of us have suffered from Samling. Our rivers are polluted, our places of worship have been damaged and our animals have been driven away. The company is depriving us of our culture and of our livelihood." The contamination of drinking water supplies is especially serious. When the large trees have been cut, erosion takes over and the soil of the primeval forest is washed away. Long Ajeng, a village on the Sela'an River, has nothing but dirty water when it rains. Even Jawa Nyipia, the headman of Long Ajeng, therefore signed the letter of protest. He appealed to the Bruno Manser Fonds. "Make the public aware of our situation so that the entire world will know what is happening in Malaysia."

Jawa Nyipia knows what he is talking about. He was there when the inhabitants of Long Ajeng blocked the construction of an important logging road for months at the beginning of the 90's. More than 1000 Penan participated in the erection of a roadblock in February 1993, the largest blockade that Sarawak had ever seen. In its forcible disbandment by special units of the police and military on 28 September 1993, more than 200 persons were injured. Three Penan died as the result of excessive police brutality. The case makes it clear: Samling's access to the upper reaches of the Baram area can only be gained through violence. Twelve years after the use of tear gas, logging in what is certainly the most controversial forest concession of Sarawak should suddenly be considered sustainable.

The certificate of sustainability was issued on the basis of an expertise of SIRIM Qas International, a certifying firm belonging to the Malaysian government with headquarters in Selangor (West Malaysia). Of particular embarrassment in the matter was the following: After the protest by the Penan became public, SIRIM Qas and MTCC did not even admit to having known that a land rights claim for the largest part of the newly-certified area was pending against Samling and the government of Sarawak. At least that is what Chew Lye Teng, the manager of MTCC, indicated in an initial statement to NGO's. Lawyers for the Penan are now considering legal action against Samling and MTCC.

Lukas Straumann





## The Malaysian Timber Certification Council MTCC under fire

The elaboration of the Malaysian forestry certification MTCC was at first considered as a promising step in the direction of sustainable forest management in Malaysia. After it had become clear that local NGO's were integrated into discussions for reasons of image only and without any real weight, most of the Malaysian environmental and human rights organisations distanced themselves from the label in 2001 /2002. Criticism was expressed with regard to the inadequate definition of targets, the absence of independence on the part of the controlling instances and the lack of transparency in awarding the label. The fact that the label largely ignores the land rights of the indigenous people is especially objectionable. The certificate is primarily aimed at the European market. Although only a small part of Malaysian timber is being exported to Europe, the price paid by European customers is substantially higher than that on the Asian market. It is to be hoped that Europe will not be taken in by the MTCC's sustainability rhetoric. Denmark is the only country until now to have recognised the label.

### For a detailed criticism of MTCC, see:

Wong Meng Chuo / IDEAL: Footprints in the Forest. Current practice and future challenges in Forest Certification. A Report on the Malaysian Timber Certification Scheme, January 2004. Available online under: [http://www.fern.org/pubs/reports/footprints\\_MTCC.pdf](http://www.fern.org/pubs/reports/footprints_MTCC.pdf)



**Black day for the Penan: On 28 September 1993, the blockade of Long Ajeng was broken up by force.**

## Campaign against certification for Samling

On 17 February 2005, the Bruno Manser Fonds issued a press announcement calling international attention to the protest of the Penan against the certification awarded by the Malaysian Timber Certification Council to Samling for the "Sela'an-Linau Forest Management Unit". The media and environmental organisations in Malaysia, Canada, USA, Japan, Great Great Britain, Germany and Norway published the announcement. Background information on the subject, a map of the certified area, and a photograph of the concession made by the earth imaging satellite IKONOS can be downloaded from our homepage [www.bmf.ch](http://www.bmf.ch).



## News in Brief

### Advance notice: Memorial service for Bruno Manser

At the end of May, it will have been five years since Bruno Manser disappeared without leaving a trace. He was on his way in Sarawak's rainforest to the Penan nomads of Long Adang. There will be a public memorial service for Bruno in the Elisabethen church in Basel on Saturday, 21 May 2005. Selected persons from public life, cultural institutions, and friends will reflect on Bruno's life work. Previewed speakers include Ruth Dreifuss, Franz Hohler, Mutang Urud, Martin Vosseler, Christoph Eymann and Lukas Kundert. Kaspar Müller will serve as moderator.

### Successful threat of blockade in the Penan village of Ba Tik

The village of Ba Tik sighed with relief as the threatened advance of the Shin Yang logging company could be turned away just three kilometres from the village. For Headman Melai Nak, a period of anxiety came to an end. There are only 15 families living in Ba Tik, too few to defend themselves against the bulldozers. A year ago, Shin Yang even cut trees illegally in the area of the drinking water supply and many people in the village became sick. Now Ba Tik can count on the solidarity of the neighbouring communities. At the end of January, the Penan brought a letter of warning with numerous signatures to the logging company: "We are giving you three days to remove the bulldozers from our land. Otherwise we will erect a blockade!" Subsequent control by a 14-man delegation at the beginning of February revealed that Shin Yang had withdrawn its five bulldozers and workers from the villages bordering Ba Tik. The area of Ba Tik is being surveyed within the framework of the Community Mapping Project of the Bruno Manser Fonds.

### Basel Civil Court announces decision regarding death of Bruno Manser

On 10 March 2005, shortly after this newsletter had gone to press, the Basel Civil Court ruled that Bruno Manser is to be considered missing and presumed dead.

The media announcement can be found on our homepage. Tong Tana will return to the Court's decision in a later issue.

### New launching of the campaign "urwaldfreundlich.ch"

Under the name of "urwaldfreundlich.ch" [Friends of the Forest Switzerland], the Bruno Manser Fonds together with Greenpeace and WWF Switzerland newly launched the long-standing campaign to encourage communities to commit themselves to respecting the integrity of the tropical forests at the end of January. The campaign is bearing its first results. Since the last newsletter was published, 76 communities have joined the effort. Swiss communities in deserve of praise!

The new communities according to canton:

**Aargau:** Birrwil, Elfingen, Hausen, Biberstein, Safenwil. **Baselland:** Anwil, Arlesheim, Maisprach, Gelterkinden, Kilchberg, Liestal, Muttenz, Schönenbuch, Tenniken, Waldenburg. **Bern:** Aegerten, Gals, Hilterfingen, Meikirch, Oberried am Brienersee, Port, Prêles, Rapperswil, Rüeggisberg. **Freiburg:** Kerzers. **Geneva:** Confignon. **Glarus:** Rüti. **Grisons:** Roveredo, St. Moritz, Scuol, Tamins. **Jura:** All. **Lucerne:** Geuensee, Knutwil, Zell. **Neuchâtel:** Le Locle. **Sankt Gallen:** Eschenbach, Gaiserwald, Goldach, Kaltbrunn, Lütisburg, Niederbüren, Rieden, Weesen, Wil. **Schaffhausen:** Schleithelm, Stetten. **Solothurn:** Brugglen, Niederwil, Subingen. **Tessin:** Arbedo-Castione, Faido, Gudo, Magliaso, Moleno, Origgio, Personico, Sorengo, Vezia. **Thurgau:** Basadingen-Schlattigen, Kradolf-Schönenberg, Lommis, Roggwil, Sommeri. **Uri:** Schattdorf. **Wallis:** Vouvry. **Zurich:** Andelfingen, Bonstetten, Dachsen, Egg, Meilen, Moleno, Ottenbach, Rafz, Thalheim an der Thur, Uitikon, Zollikon / Zollikerberg.

Information is available under [www.urwaldfreundlich.ch](http://www.urwaldfreundlich.ch)



"Heartfelt gratitude to the Bruno Manser Fonds and to all of the people in Switzerland and around the world who are supporting us."

### Impressum

Tong Tana means „forest“ in the language of the indigenous Penan living in the rainforest of Sarawak (Malaysia)

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