
Malaysia: Indigenous communities reject timber certification

Local communities from all over Malaysia reject the country's attempt to greenwash its timber industry. During the COP-7 meeting of the Biodiversity Convention in Malaysia in February, representatives for 253 indigenous, forest based communities presented a statement describing the Malaysian Timber Certification Council scheme, MTCC, as a scheme that "has caused, and continues to cause, the further marginalisation of our communities".

The recently launched campaign is ongoing, and signatures from additional communities rejecting MTCC are still coming in.

Malaysia is the world's biggest exporter of tropical timber and timber products. Unfortunately, this timber comes from forests which have for years been seriously over-logged. According to data from FAO, Malaysia lost 2.7 million hectares of forest during the 1990s, 13.4 per cent of the country's forest area. Malaysia plans a further "legal" deforestation (i.e. "forest conversion") of 3.9 million hectares. No less important is Malaysia's lack of recognition of the rights of indigenous peoples and forest based communities. Logging is conducted in the forests which local people depend on for their survival, without any meaningful consultation.

Responsible for the community campaign is JoangoHutan, the Network of Indigenous Peoples and NGOs on Forest Issues in Malaysia, which have distributed information about MTCC and Malaysian forestry to hundreds of villages where MTCC's certifiers never have been.

As written in the statement from the indigenous communities; "Malaysia has a diversity of indigenous ethnic groups. The majority of us live in the interior areas and depend on the forest and the resources found on our traditional or adat territories. Our forest homelands are the source of our histories, cultures, and identities."

The communities continue; "It is clear that MTCC's goal is to find ways to sell our timber while we are mandated to protect our forests and to secure the livelihoods and interests of our people who live in, depend on, and derive their spiritual and cultural identity from the forests."

"Logging causes many problems for our peoples. It degrades the environment, pollutes the air and the rivers, devastates our livelihoods, threatens our health, causes landslides and mudslides that destroy lives and property, and can subject us to involuntary resettlement and oppression. However the biggest impact that logging has on indigenous peoples is the loss of our rights over our traditional lands. Outsiders are invariably given logging rights to our lands without our prior informed consent."

MTCC was set up in 1998, after more than a decade of harsh criticism of Malaysian forestry and the violation of indigenous peoples' rights, from both Malaysian and international organisations.

"Malaysia wanted to revive its timber product exports to Europe where the trade has suffered from the ill-founded perception that the products did not come from well-managed forests," the Malaysian Primary Industries Minister, Dr. Lim Keng Yaik, has explained. Today, more than 4 million hectares in Malaysia are certified as 'sustainably managed' by the MTCC.

Several Malaysian social, environmental, and community-based groups were invited to participate in the process in 1999. 14 of these NGOs, together forming the JoangoHutan network, have repeatedly demanded changes in MTCC, to ensure that the Malaysian certification scheme can be considered credible. The fact that their concerns were ignored during the process, led JoangoHutan to withdraw from the negotiations in July 2001. Lack of recognition of indigenous peoples' rights has been, and continues to be, one of their crucial points in the criticism of MTCC.

"MTCC does not recognize nor protect indigenous peoples rights over traditional lands.(...) If MTCC is honestly concerned about guaranteeing the social and cultural sustainability of indigenous communities, then it should put a halt to all logging in the traditional lands of the indigenous peoples until at least when the highest standards of timber certification are in place," the communities write.

This criticism is confirmed by the MTCC senior manager Harnarinder Singh. To the Malaysian web-based newspaper Malaysiakini, he says that to recognise indigenous claims over traditional land would require an overhaul of state laws, which at the moment do not acknowledge native customary rights over their land. "Since the council can only operate within existing legislation, it would be unfair to place the onus of such demands onto the council," he adds.

The statement from the Malaysian communities concludes with a clear rejection of MTCC, and demands fundamental changes before MTCC can be considered a credible mechanism for certifying sustainable forestry: "We cannot accept the MTCC Timber Certification Scheme. We can only accept a scheme to certify timber as having been harvested in a socially and environmentally sustainable way if it complies with the following minimum conditions:

- Our rights to our traditional territories must be recognized and secured;
- The full principles and criteria of the FSC must be applied, without any dilution to the indicators and verifiers by the insertion of clauses allowing such standards to be "subject to existing national legislation";
- Assessors and certifiers should include credible indigenous peoples themselves;
- And, most importantly, the prior informed consent of the communities affected by the proposed logging should be obtained before any indigenous traditional land is designated for logging."

By: Nils Hermann Ranum, Rainforest Foundation Norway. Article based on the statement "Reject the MTCC timber certification scheme", from JoangoHutan/Malaysian indigenous communities, Feb 19, 2004, and article from <http://www.malaysiakini.com> , Feb 19, 2004.