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## Malaysia: The end of the GTZ-funded 'FOMISS' project in Sarawak

Runaway logging in the Malaysian state of Sarawak has been a major concern for environmentalists since the mid-1980s. The issue gained international prominence in 1987, when indigenous Dayaks, their patience exhausted after decades fruitlessly demanding recognition of their land rights, erected barricades across logging company roads to halt the destruction of their forests. When the government reacted with mass arrests and the detention of activists without charge or trial using colonial security laws, international campaigns in solidarity with the Dayaks were launched world-wide making the forest destruction in Borneo second only to the Amazon in terms of public profile. Technical evaluations by the International Tropical Timber Organization (ITTO) and the World Bank confirmed the unsustainable rates of harvesting of tropical timbers in the State and while the ITTO recommended a substantially reduced level of extraction and the freeze of logging in disputed areas, the World Bank recommended measures to recognise indigenous land rights. Due to massive corruption, however, these recommendations were almost wholly ignored by the Sarawak and Malaysian governments.

Nevertheless, building on the ITTO's recommendations, the German Technical Cooperation Agency (GTZ) developed a technical assistance project with one of the largest timber companies in the State to carry out an experimental, low impact logging operation. The project has run into a barrage of criticism from both local and European NGOs concerned about its likely impact on the indigenous Penan, Kenyah and Kelabit peoples who inhabit the project area. They have criticised the project, in its original conception, as a technical logging operation which will seriously impact primary tropical forests and which fails to give priority to the needs and rights of indigenous peoples. Their main concerns are:

- No measures were contemplated to recognise the land rights of the Indigenous Peoples, even though indigenous communities are currently pursuing court proceedings to gain recognition of their rights to the area.
- Whereas almost the whole of the project area overlaps the communities' farming, hunting and gathering territories, GTZ staff dismissed the Dayaks' land claims as "excessive" and "unrealisable" before even investigating how the communities actually use the area.
- Indigenous participation in project planning and implementation has come very late. This means the communities either have to fit into a pre-conceived plan or reject the project. Many have rejected the project as a result.
- Instead of building on existing indigenous land use and knowledge in order to develop a forest management programme that is socially and environmentally friendly, the project will subject the area to logging while encouraging the indigenous peoples to settle down to intensive agriculture on the fringes of their territories. Neither practice is likely to be sustainable.
- By denying indigenous land rights, failing to consult effectively with the affected communities and logging primary forests the project violates the German Ministry of Development Assistance's

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guidelines on forest-dwelling peoples and tropical forests.

- Although the aim of the project is to develop a model logging project that can be "certified", it violates Principles 2&3 of the Forest Stewardship Council, which require recognition of both legal and customary rights of indigenous peoples and for them to be legally established.

After a heated correspondence, during which GTZ at first tried to deny these problems, GTZ entered into a more constructive dialogue with NGOs and in late 1999 sent an independent consultant to the area to review the socio-economic component. The consultant's report substantially endorsed the NGO position and recommended measures to address the main concerns they had raised. The Sarawak government and the company, Samling Timbers proved reluctant to accept the revised project and in early 2000, GTZ decided to withdraw from the FOMISS project after their Malaysian counterparts refused to modify the project to address Dayak concerns.

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