

## **ORANG ASAL WALK OUT OF STAKEHOLDER CONSULTATION**

The coalition of indigenous and social groups under Jaringan Orang Asal dan NGO Tentang Isu-isu Hutan (JOANGO Hutan) and Jaringan Orang Asal SeMalaysia (JOAS) today walked out of the multi-stakeholder consultation on FLEGT organised by the Ministry of Plantation Industries and Commodities (MPIC).

The reason for the walkout was in protest of the flawed and non-transparent process as well as the lackadaisical manner in which information was gathered and responses given to participants of the consultation.

### ***Background to FLEGT***

FLEGT stands for Forest Law Enforcement, Governance and Trade. This is an EU initiative to deal with the imports of illegally sourced timber into the EU. More than 50% of all tropical timber and more than 20% of all timber from boreal forests coming into the EU is illegally sourced. The EU has no law to stop this timber coming in.

Under international trade rules (such as the World Trade Organisation) it is difficult for the EU to make a law banning all illegal imports. Under pressure from both NGOs and the industry, the EU has now adopted a law to ban illegal timber from 'partner countries' only. Partner countries are countries, with which the EU has developed a Voluntary Partnership Agreement or VPA. This licensing scheme cannot work until there is an agreed definition of 'legality' in Malaysia.

The following statement was read by a representative of the JOANGO Hutan and JOAS coalition groups prior to the walkout.

**Statement by  
JOANGO Hutan, Jaringan Orang Asal SeMalaysia (JOAS)  
And Concerned Lawyers  
18 March 2008**

Mr. Chairman, distinguished ladies and gentlemen.

The Malaysia-EU FLEGT negotiation calls for full and effective participation of indigenous and local communities and other stakeholders. Over the last 3 meetings we, the representative of JOANGO Hutan, JOAS and Concerned Lawyers have been actively participating in this consultation process contributing the best of our experiences, knowledge and will.

Throughout this time we have expressed our views and concerns regarding our fundamental rights, which are a critical constituent to this agreement.

Mr. Chairman, we have made great efforts to be part of this process. However, it is with great disappointment that we have found ourselves marginalized right from the beginning of this consultation process.

In particular, our demand that the definition of legal timber should include the clause that *such timber and its products shall be free from aboriginal or native customary claims, and free from*

*aboriginal or native territorial boundaries* has not been taken seriously.

This is our **minimum demand**.

The excuse given for not including it in the definition of legal timber is not acceptable to us.

Further, despite your assurances, Mr. Chairman, that all recommendations would be taken into consideration, none of our recommendations in the memoranda that we have submitted were included in the official documents. This is extremely disturbing in light of the relevance of these recommendations to our lives, our lands and our rights as peoples.

We therefore are unable to accept the text as it is in its current form. We further reiterate that a definition which merely requires parties to abide by the law as set out in statutory provisions is simplistic and fails to deal with the real issue: respect for the Orang Asal as a people, as an autonomous community with our own customs, laws and institutions and the need to ensure that governmental actions do not jeopardise the very survival of our community but provide for the socio economic upliftment of the same.

Mr. Chairman, we express our strong protest at this rejection of our minimum demand.

In view of this unacceptable censuring, we are left with no choice but to officially withdraw from this process until our minimum demand is met.

We refuse to continue to participate in a process that is making decisions over our lives and yet expects our participation to be mere endorsement of a process that does not respect us.

We will be considering further appropriate measures and will bring this up during the meeting with the Ministry and the EU tomorrow.

Thank you Mr. Chairman.

**Press statement issued by**

***Jaringan Orang Asal dan NGO Tentang Isu Hutan/Network of Indigenous Peoples and Non-Governmental Organisations on Forest Issues (JOANGO Hutan) and Jaringan Orang Asal SeMalaysia/The Indigenous Peoples' Network of Malaysia, (JOAS)***

**JOANGO Hutan** consists of the following organisations:

Borneo Resources Institute of Malaysia (BRIMAS), Sarawak  
Center for Orang Asli Concerns (COAC), Selangor  
Indigenous Peoples Development Centre (IPDC), Sarawak  
Institute for Development of Alternative Living (IDEAL), Sarawak  
Keruan Association (Penan), Sarawak  
Partners of Community Organisations (PACOS Trust), Sabah  
Peninsular Malaysia Orang Asli Association (POASM)  
SACCESS, Sarawak  
Sahabat Alam Malaysia (Friends of the Earth Malaysia)  
Save Our Sungai Selangor (SOS Selangor), Selangor  
Sinui Pai Nanek Sengik (SPNS/'New Life One Heart'), Perak-based Orang Asli community group

**JOAS** comprises 33 *Orang Asal* communities and community organisations or networks.