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WASHINGTON, D.C. 20460

OFFICE OF
THE ADMINISTRATOR

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Chuck Foy

COMMENTS:

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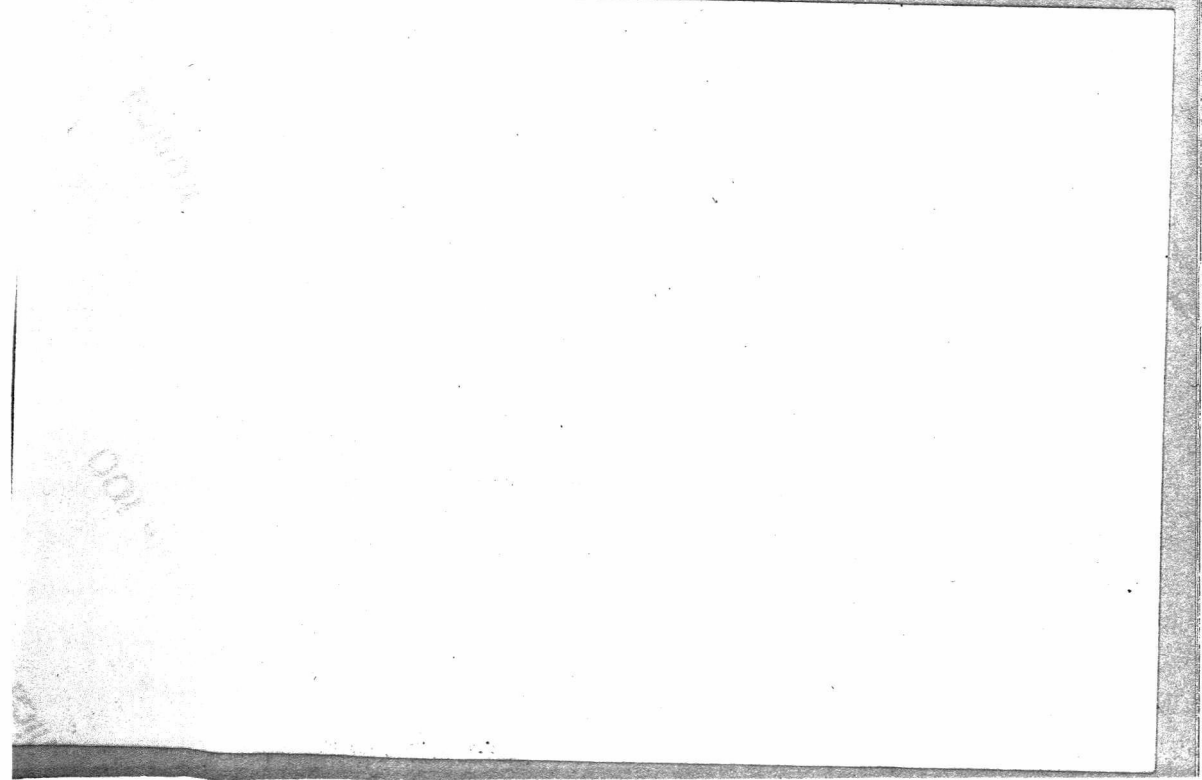
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Loving Neighbors Across Time

LOVING NEIGHBORS ACROSS

TIME

A Christian
Guide to
Protecting
the Earth

ROBERT PARHAM

Foreword by Senator Albert Gore

THE CO-WORKERS' PRAYER

Make us worthy, Lord, to serve our fellow men throughout the world who live and die in poverty and hunger.

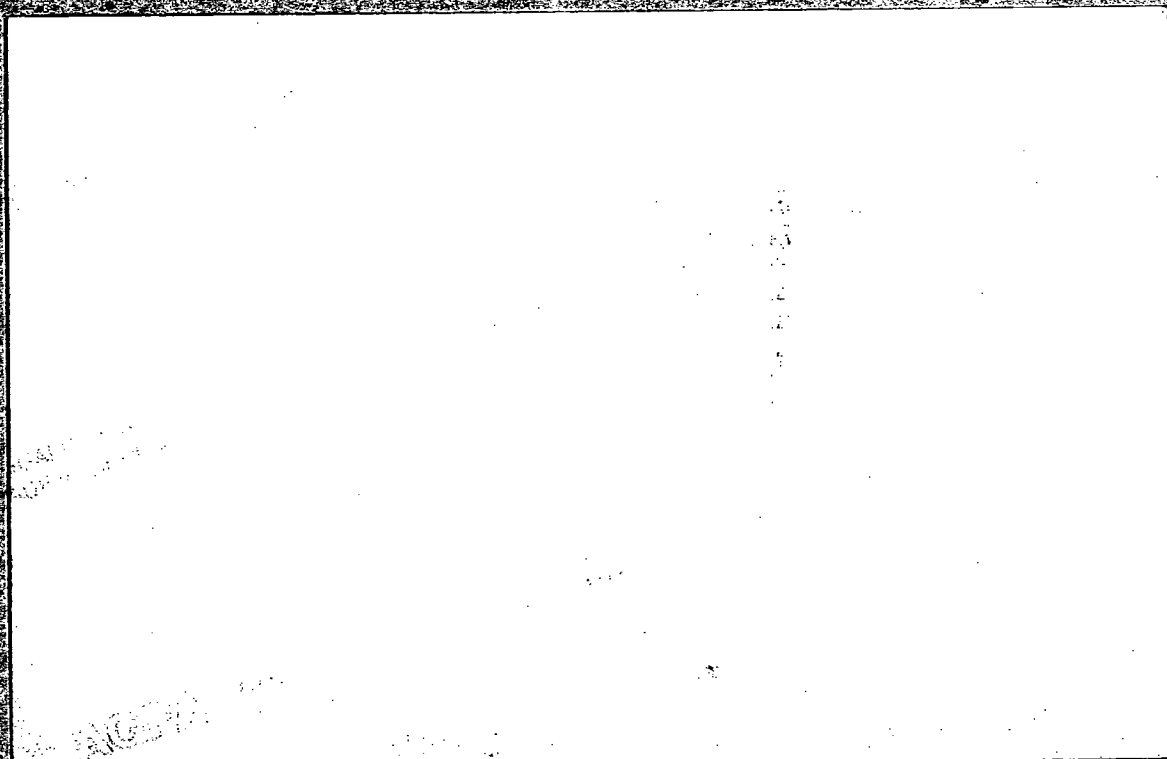
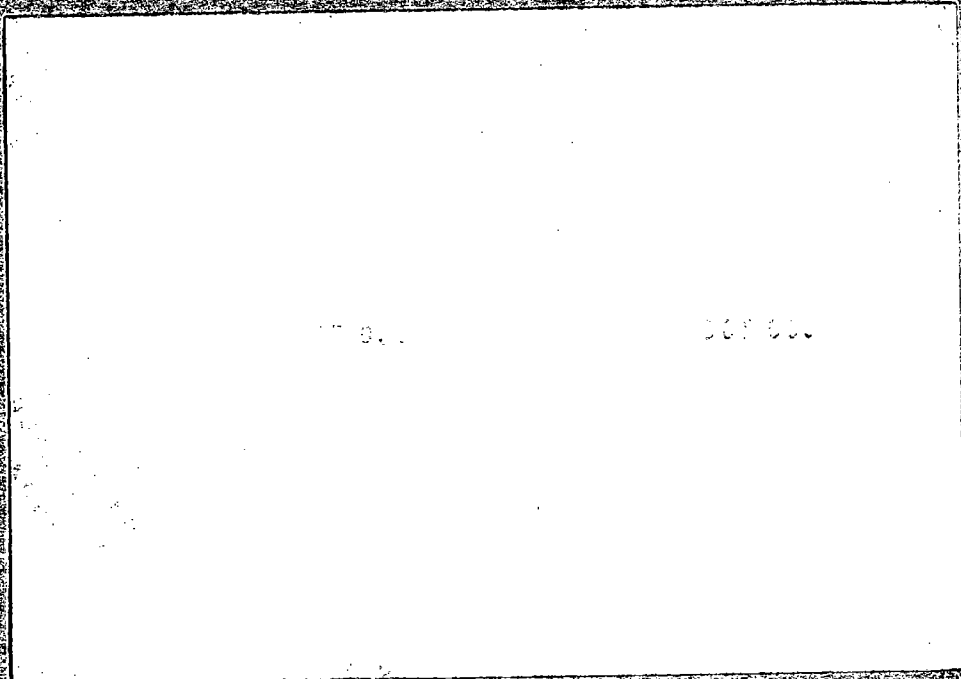
Give them, through our hands, this day their daily bread; and by our understanding love, give peace and joy.

Lord, make me a channel of Thy peace, that where there is hatred, I may bring love; that where there is wrong, I may bring the spirit of forgiveness; that where there is discord, I may bring harmony; that where there is error, I may bring truth; that where there is doubt, I may bring faith; that where there is despair, I may bring hope; that where there are shadows, I may bring light; that where there is sadness, I may bring joy.

Lord, grant that I may seek rather to comfort than to be comforted; to understand than to be understood; to love than to be loved; for it is by forgetting self that one finds; it is by forgiving that one is forgiven; it is by dying that one awakens to eternal life.

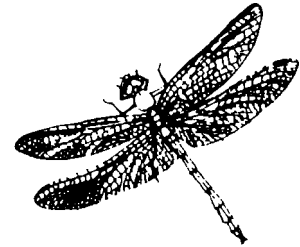
AMEN





Churchville Nature Center Advisory Committee, Incorporated

501 CHURCHVILLE LANE • CHURCHVILLE, PENNSYLVANIA 18966 • (215) 357-4005



February 19, 1993

Ms. Kathleen McGinty

Dear Ms. McGinty:

Congratulations upon your recent appointment to the staff of President Clinton. You may be assured that many of us look forward to the new approach to environmental issues that you and the President will be developing.

I would like to invite you to attend and make a few remarks to an active group of volunteers affiliated with the Churchville Nature Center in Bucks County. The Churchville Nature Center is a county operated environmental center actively supported by a volunteer advisory board and over 200 other volunteers. These volunteers are active as program and class leaders, fund raisers, grounds maintenance, store keepers and in many other many other capacities. The Churchville Nature Center is a prime example of how governmental programs may be enhanced by the participation of voluntary community members. Many of our school children are learning an important part of our heritage through the recently developed Lenape Village developed on our grounds. Enclosed is literature which explains some of our current activity.

The occasion for which we would like you to speak is a Volunteer Recognition Dinner to be held on Saturday, June 5, 1993 at 6:30 pm. This will be a catered dinner probably attended by about 150 people.

Your participation would be much appreciated. I look forward to hearing from you and working out any details needed to be arranged for your attendance at our Volunteer Recognition Dinner.

You may respond by reaching me at my home address, 3244 Jennings Lane, Chalfont, PA 18914 or by phone 215-491-0687.

Sincerely,

Allan W. Twombly

PHOTOCOPY
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MAINICHI DAILY NEWS

JULY 4/3/1991



TWO-HEADED KITTEN — John Wilson holds a kitten born with two heads in Fort White, Florida, last Saturday. The kitten, which lived for three days, meowed from both mouths and fed from each mouth. Another cat in the litter was born with six legs, two tails and no head. Wilson believes the mother cat regularly drank water that may have been contaminated by a nearby landfill. (AP)

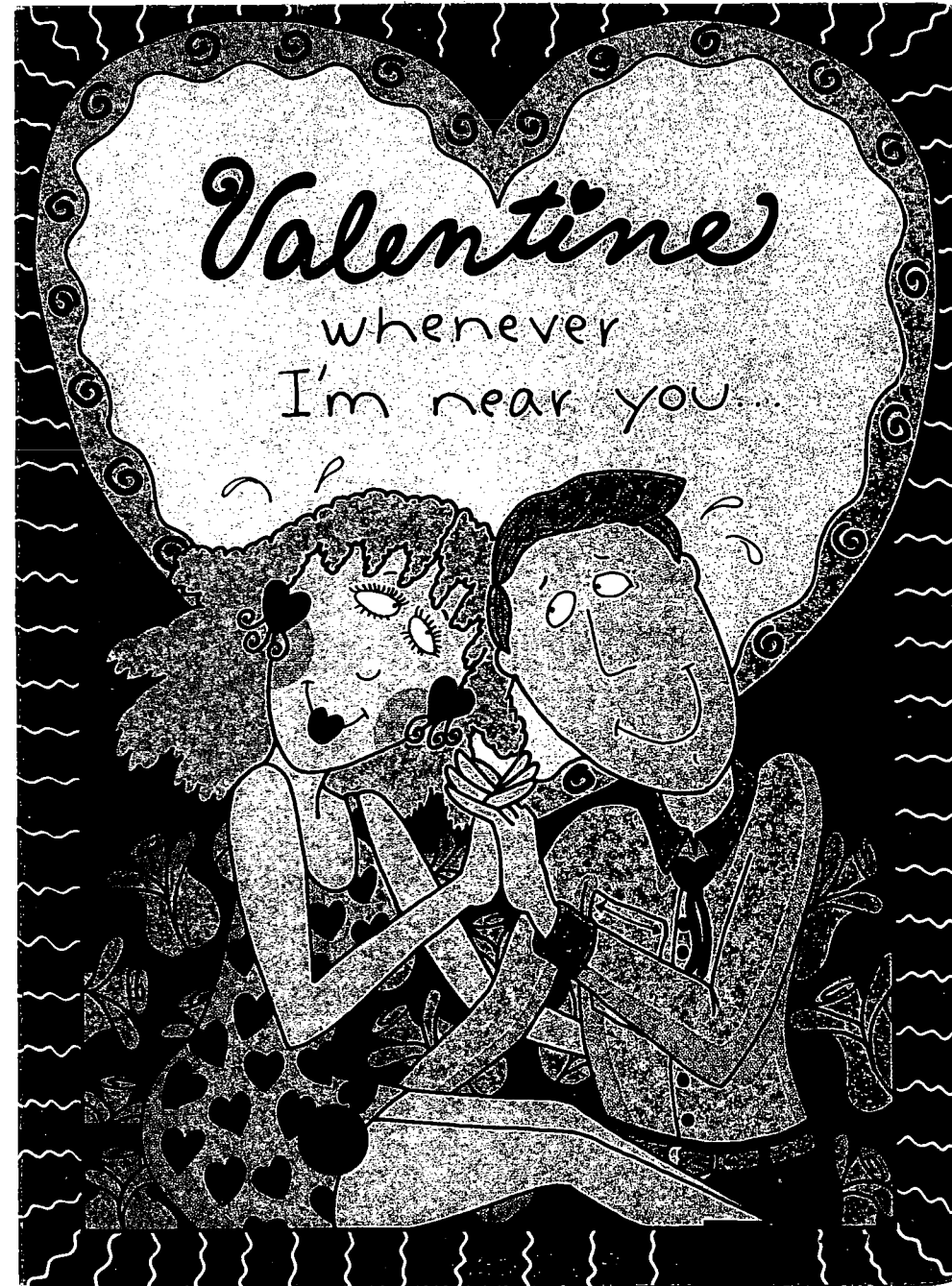
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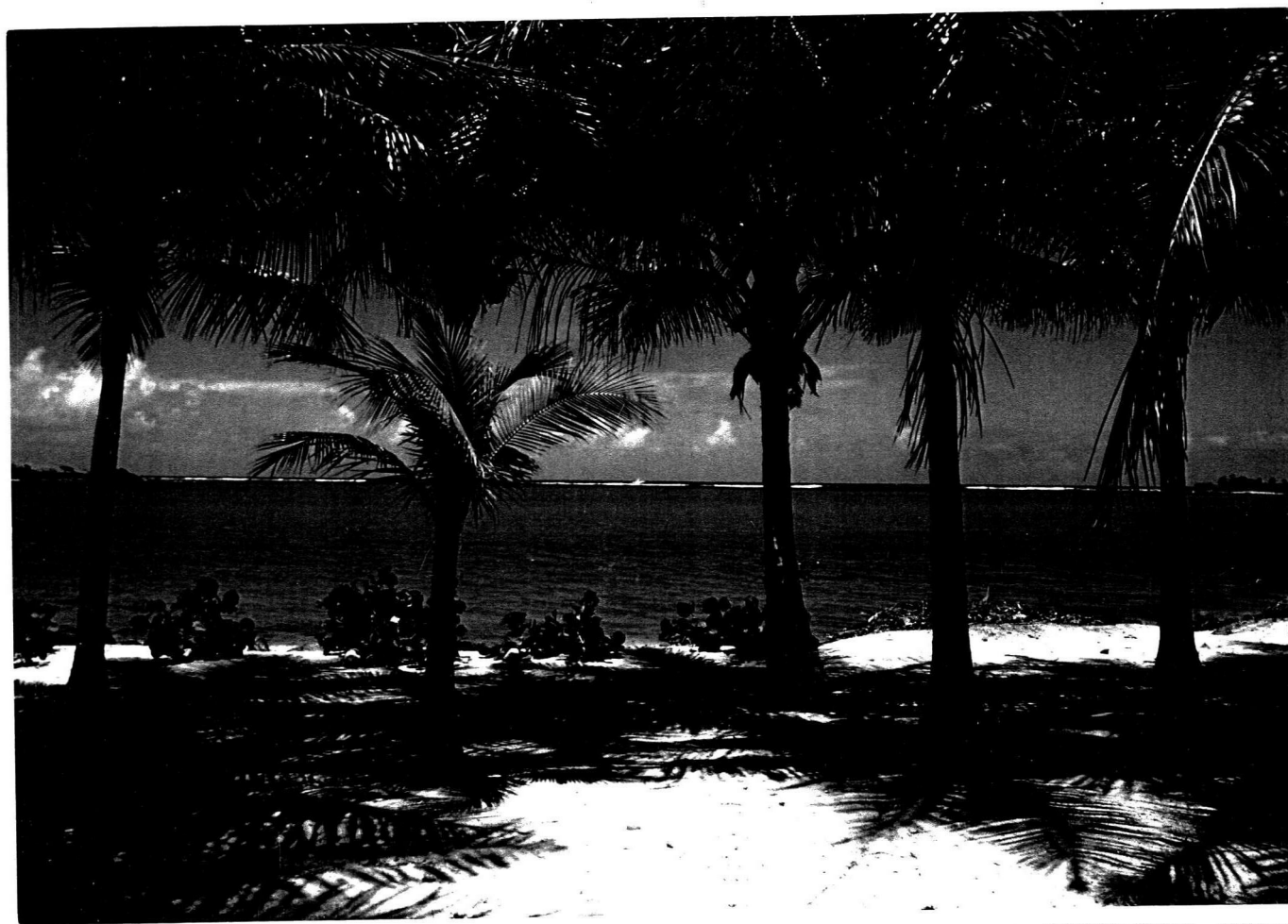
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...I get very suspicious
about your possible
contribution to
global warming.

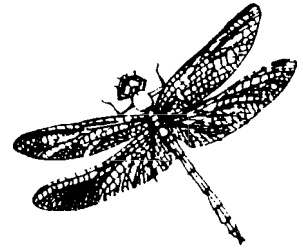


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Dear Mary:

Would you kindly present this
note to your sister on behalf of the
Churchville Nature Center?

Thanks,

Allen Kewmily

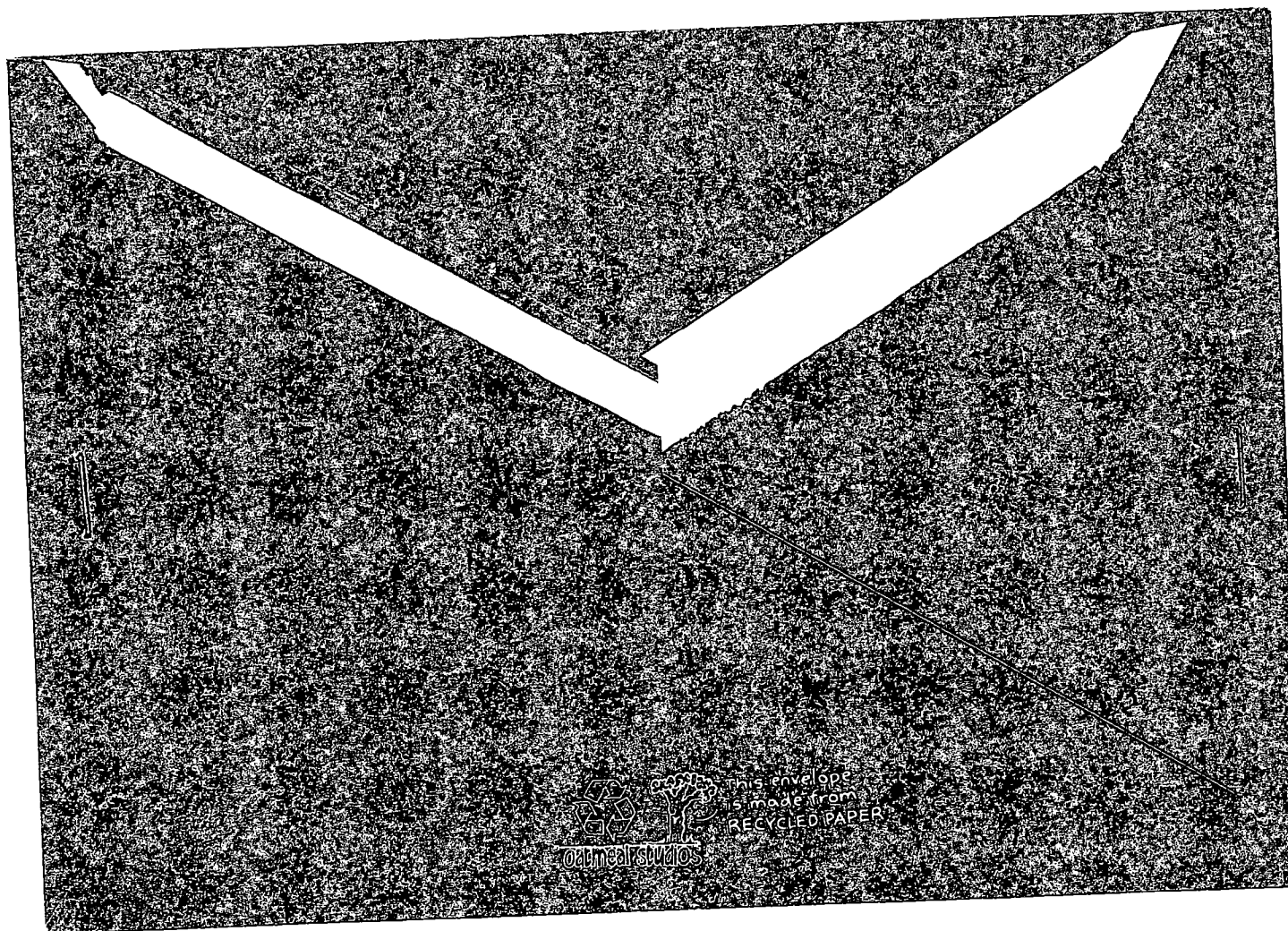
Hi Kate,

Please call ^{and} I will explain.

Hope all is well!

Love,

Maureen



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**"THESE ARE THE FRONT LINES
OF THE WAR AGAINST NATURE"***



*Borneo's Native Peoples are Fighting Ruinous
Logging to Save Their Culture, Malaysia's
Economy and the World's Rainforests.*

** Senator Al Gore,
Earth in the Balance*

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Malaysia

Tropical heat

FROM OUR SOUTH-EAST ASIA CORRESPONDENT

THE "crime" of Anderson Mutung Urud, who was arrested in Malaysia this month, is that he acted as a guide for a Canadian member of Parliament who went to Sarawak in January to observe protests against logging. Many governments dislike

green campaigners, particularly those with foreign connections. Few, however, get as upset as Malaysia's government.

Last July eight foreigners chained themselves to cranes and barges loading logs in Sarawak. Bernama, the government-run news agency, described their action as "a war against Malaysia". Anti-logging protests, Bernama said, are "being used to set up an international infrastructure that can attack and topple the sovereign governments of third-world nations, using the excuse of saving the environment."

The intellectual inspiration for these salvos comes from Mahathir Mohamad, Malaysia's prime minister since 1981. At January's summit meeting in Singapore of the Association of South-East Asian Nations, Dr Mahathir said groups that want to ban the trade in tropical timber are "advocating that forest dwellers remain in the forest, eating monkeys and suffering from all kinds of diseases." It was claimed by some that tropical forests were a common heritage of the world. "We dispute this," Dr Mahathir pointed out that the rich fifth of the world produces four-fifths of the greenhouse gases, and complained about the "undue focus on the tropical forest".

Defending the developing world against what he sees as the unreasonable demands of the rich countries is a familiar theme of Dr Mahathir's. In fact his government's policy for its remaining forests in Peninsular Malaysia seems eminently sensible. In the 11 states of the peninsula at least 32 trees 30 centimetres (12 inches) or more in diameter must be left standing on each hectare (2½ acres) after it has been logged. The World Bank says this is one of the best attempts in the world to make tropical forestry sustainable.

THE ECONOMIST 2/15/92

The Mahathir government directly controls the peninsular states. It has much less influence in Sabah and Sarawak, the two Malaysian states on the island of Borneo; these states enjoy a degree of autonomy. The Borneo rain forest is the oldest in the world and possibly the most diverse; a survey of ten hectares of Sarawak's forest by the Royal Geographical Society found nearly 800 species of tree. It is this forest that provides most of Malaysia's exports of tropical logs, which account for two-thirds of the world's trade in tropical roundwood. Sabah is expected to be logged out by 1995 or so. A report by the Yokohama-based International Timber Trade Organisation, written in 1990, predicted that Sarawak would have no virgin forest left by 2001.

In both states a small group of politicians controls the timber trade. The family of James Wong, Sarawak's minister for the environment, controls some of the largest logging concessions. Whether or not the Mahathir government approves of the destruction of Sarawak's forests, it is unwilling to offend Mr Wong and his cronies, fearing

that this would further dilute its control over the two eastern states.

The gloomy predictions of the greens and others look like coming true. Loli Mirai is chief of Long Leng, a Penan longhouse in north-east Sarawak. It was the Penans Dr Mahathir had in mind when he spoke about people living miserably poor lives in the forest. Mr Mirai's people are lucky to find a monkey to eat these days, because loggers have scared them away. He has been prosecuted for burning four bridges built by logging companies, and most members of his family have been detained by the police. "But nothing has changed." He now says it is a waste of time joining the protests.

BACKGROUND INFORMATION

One of the world's richest remaining rainforests, in Sarawak, Malaysia, is being cut down so fast that it will be logged out within eight years. At the same time, the local people who live and depend on the forest for their way of life are being denied their land rights and their very existence is being threatened. These pages describe in greater detail why this is happening and what the local people see as necessary to halt this wanton destruction of their land.

Sarawak's Geography.

- It is the largest of the thirteen states of Malaysia.
- It is situated on the island of Borneo; part of East Malaysia.
- It has a land area of 12.33 million hectares (724,450 sq. km.):
38% of Malaysia's total land area
- 9.42 million hectares has been gazetted as Forest Estate.

Sarawak's Population.

- 1.7 million people (around 10% of Malaysia's total population).
- Malays and Melanaus (coastal people) comprise 19.7% of total. Chinese comprise 29.5%.
- Dayaks (living in the interior) make up 49.5% of total. These are most directly affected by the logging.
- The Dayaks comprise a number of smaller ethnic groups, including the Iban, Kayan, Kelabit, Penan and Bukitan. Many of these are dependent on the forest, which supplies the basic necessities of food, fuel, land, medicines, and materials for housing and tools. For some of the groups, including the 9,000 Penans, their traditional lifestyle is as hunters and gatherers in the forest, whose whole culture incorporates the forest. For instance, tracts of lands in the forest are set aside as burial grounds for their ancestors, a critical part of their culture. They claim that much of the forest being logged belongs to them under Native Customary Law.

The Forest.

- The rainforests of Borneo are considered to be the oldest in the world.
- They include remnants of ecosystems which have been continually evolving over at least 100 million years.
- They contain some of the most diverse terrestrial ecosystems on earth, very few of which have been properly studied.
- An estimated 2,500-2,900 tree species are native to Borneo. Some already have been logged to extinction.

- The forests are home to the hornbill, barking deer, argus pheasant, gibbon orang-utan, flying fox, and other animal species which are threatened by the logging.

It is worth noting that about 25% of the world's medicines come from plants growing in rainforests, and this despite the fact that less than 1% of such plants have been properly assessed for their medicinal potential. The rapid destruction of the Sarawak rainforest means that a hugely rich natural laboratory with vast potential for the health of humankind will be destroyed FOREVER.

Rates of Logging and Its Effects

Consequences of logging include disruption of climatic equilibrium and the acceleration of global warming, a loss of biological diversity on an unprecedented scale, the destruction of forest-based societies, increasing droughts, floods, soil erosion and desertification, and the dispossession and displacement of peasants and forest peoples through floods and other ecological effects of deforestation. All these are pertinent to Malaysia, but the Malaysian government has been impervious to suggestions that they address these issues as a matter of urgency. They are logging themselves to extinction: short-term benefits (including the making of millions by local politicians and friends) have been chosen over the longer-term. Thousands of local people have had their land rights ignored and are presently engaged in a last ditch struggle to try to salvage something of their traditional culture for their future.

Rates of Logging

- At current rates of logging, the rainforest in Sarawak will be effectively logged out within eight years.
- Logging continues twenty-four hours a day, seven days a week. Floodlights are in use at night.
- Malaysia will be a net importer of timber by the year 2000. (ITTO estimate).
- Between 1963 and 1985, 30% of the gazetted Forest estate was logged.
- In 1985 itself, 10.6 million cubic metres of logs were cut from the forest. (270,000 hectares). The estimate for this year is currently 18 million cubic metres, over 400,000 hectares. (An increase of 70%).
- Over 60% of remaining areas already have been given out in concessions.
- Environmental groups around the world have been calling for an immediate stop to the logging.
- The more conservative (and criticised) International Tropical Organisation (ITTO) Mission of 1990 called for an immediate reduction in logging to a maximum of 9.2 million cubic metres a year. The ITTO is made up of representatives from the major tropical timber consuming and producing nations, including the UK. The fact that Malaysia has actually increased the logging rate made Lord Cranbrook, leader of the ITTO Mission, express his

deep dissatisfaction that 'Malaysia is showing total disregard if not disrespect for the work of the ITTO.'

Cutting and Sustainability

- In many areas in Sarawak, clear cutting is permitted.
- Even where some precautions are taken, the best estimate is that 46% of natural cover is destroyed through logging.
- The use of bulldozers, tractors and other heavy machinery churns up the topsoil to such an extent that natural regeneration becomes impossible.
- The Malaysian government works on the principle that there will be a natural cycle of regeneration of 25 years. Most experts would consider this to be a gross underestimate; the US Congressional Mission, for instance, reported that a cycle of 70 years would be a minimum period.
- Less than one-tenth of 1% of total production of tropical timber can be confidently assessed as sustainable. (ITTO Report 1988).
- Of 33 countries which were net exporters of tropical timber in 1987, only 10 will have any left to export by year 2000. (World Resources Institute 'Tropical Call to Action', 1985). (Logging rates have increased since then).
- The rapid depletion of the Malaysian rainforest will only lead to further pressure on other rainforests to supply tropical timber to importing countries unless policies and practices are changed. The example of Thailand stands as an instructive case study; it is now increasingly an Importer of tropical wood from Malaysia, and faces serious environmental consequences from its own depletion of its forests.

Environment Impact

- 65% of Sarawak's rivers are seriously affected (polluted and/or affected by siltation) by logging; many are permanently turbid.
- Nutritional levels for local people have been seriously affected. Logging has affected fish catches, wild life, access to land for planting, and fruit and other tree plantations. A 1979 Government study indicated that at least 8.4% of rural Dayak children were seriously undernourished, a figure that will be much higher today.
- A World Wildlife Fund study of 1986 estimated that the indigenous people could rely on 54 kg. of fish and game per person per annum from the forest. In areas which have been excessively logged, this falls to a mere 2 kg. per person per annum.
- Local climate cycles are known to be affected by deforestation, leading to flood/drought cycles and possibly to desertification. (P. Hurst, 1990).
- It is well-established that deforestation also affects the global climate.

The Logging Industry.

- The industry employs some 55,000 people, of which over 30% are immigrant workers from the Philippines or Indonesia.
- Accident rates in Sarawak's logging industry are very high. In the first four months of this year, 33 people were killed. The accident rate is twenty times higher than for the Canadian logging industry, for instance.
- In 1983, logging deaths accounted for 67% of all fatal occupational accidents in the state.
- Under the local social security scheme, accident compensation is very low, and workers cannot take their employer to court.
- Claims that the industry is vital because of the employment it provides are suspect not just because of the immigrant labour situation, but also because it is a short-term employment at current rates. In eight years, thousands of people will have no jobs. Meanwhile, thousands of the local people have been denied their rights to land and livelihoods.

Many commentators have noted that perhaps the major obstacle to a proper assessment and resolution of the issues at stake in the logging of the Sarawak rainforest lies in the fact that it is the politicians who control the logging concessions and in many cases actually own them. Political manipulation and corruption means that supervision and planning within logged areas have fallen far short of what is necessary; there is little control of how much is logged and how quickly. Many reports have noted that the number of on-the-ground Forestry Department staff falls well short of what would be needed to properly monitor the logging.

The Concession Holders

Timber is one of the few natural resources in Malaysia which the Federal Government has allowed to remain in the hands of the State government. As a result, it has become the major area in Sarawak of political patronage, nepotism and largesse. This is self-acknowledged. In the Sarawak state election campaign of 1987, the competing political parties published lists of each other's timber concessions, and the Chief Minister froze concessions owned by his opponents which covered 1.25 million hectares and which were worth between M\$9 billion and M\$22.5 billion, (at current rates of exchange, between approximately £2 billion and £4.8 billion). The Chief Minister through his family controls a number of logging concessions, the State Minister of Environment (James Wong) owns 300,000 hectares, and other prominent State government politicians and their friends, including the influential Datuk Linggi and Iban representatives like Kenneth Kanyan, have become millionaires.

Far from seeing this as corrupt practice, the Chief Minister calmly states that 'granting concessions to politicians is a good thing as it frees them from their sponsors' (New Straits

Times, 10/4/87). James Wong says that he was 'in logging before I was in politics.' The Federal government have done nothing to intervene, despite the fact that in neighbouring Sabah, the Chief Minister Joseph Palrin was charged with corruption earlier this year, one of the counts being the corrupt granting of timber concessions. (The fact that Palrin took his party into the opposition camp helps to explain this).

Over 60% of the remaining forests have been conceded for logging to the local political elite. This brings them directly into conflict with the local indigenous people, who claim that their rights to their traditional lands enshrined in Native Customary Law have been completely ignored.

The Dayak Response

Background to Land Rights

Dayak culture practices a system of egalitarian customary law ('adat'), in which land cannot be bought and sold but is held by the community and used by individuals as befits their needs. Brooke's administration (1841-1945) attempted to introduce private property relations through the registering of land and the granting of land titles, but this was always ad hoc and unsatisfactory.

Under the Sarawak Land Code of 1957, Native Customary Land was recognized as land not held under title but which exists as Native Customary Land prior to 1st January 1958. However, arbitrary powers vested in the Minister have confused the situation: he has the power to declare an area of state land as a Native Communal Reserve (Part 11, s6(1)), but equally can issue an order for a Native Reserve to cease to be such. It is worth noting that by 1986, nearly thirty years after the introduction of the Land Code, the area of land for which titles had actually been issued amounted to less than 4% of Sarawak's total land area. The area of customary Native Land theoretically amounted to over 25%. But for the latter and for the rest, the arbitrary power vested in the Minister has failed to protect the Dayak land rights, has been used to deprive the Dayaks of Customary Land, and has encouraged the loggers to trespass on and log land which the Dayaks maintain belongs to them.

Attempts to Negotiate

The Dayaks have vainly been trying to negotiate with the State government to settle their land disputes. As Jalong, a Dayak later arrested on a blockade, stated last year. *'We have written so many letters and had so many meetings with our leaders and our Government on our problems. All of them promised to do this and that for us. But till today nothing has been done.....they simply treat us as though we do not exist and have no rights at all.'*

In June 1987, a delegation of 12 indigenous people took their complaints to the Federal

Government in Kuala Lumpur. They met with a number of politicians. Anwar Ibrahim, now Minister of Finance, stated that it is *'the government's policy to defend the rights of people... especially the rural poor.'* Leo Moggie, President of the Sarawak political party PBDS, stated that he had every sympathy and *'personally would like to see less logging taking place.'* The Sarawak National Party (SNAP) Vice-President, Luhah Wan, said that he *'would urge logging should stop and timber licences should be cancelled.'* The Inspector-General of Police, Tan Sri Haniff Omar, stated that he would set up a task force to investigate complaints against police behaviour and use of force at blockades. None of these promises have translated into action; the situation has instead greatly deteriorated.

Since land is the key to the whole Dayak culture, the fight to preserve their land rights is a fight to preserve their way of life. In this respect, Articles in the Universal Declaration of Human Rights are applicable, including:

- Article 12: *No one shall be subjected to arbitrary interference with his privacy, family, home...Everyone has the right to the protection of the law against such interferences or attacks.*
- Article 17: *No one shall be arbitrarily deprived of his property.*
- Article 25: *Everyone has a right to a standard of living adequate for the health and well-being of themselves and their family.*
- Article 27: *Everyone has the right to freely participate in the cultural life of the community.*

Other international conventions breached include:

- Article 6.3: *outlaws 'deliberate measures which might damage directly or indirectly the cultural and natural heritage' (World Heritage Convention 1972)*
- Article 1: *outlaws the hostile use of environmental modification techniques having widespread, long-lasting or severe effects. (Environmental Modification Convention 1979)*
- Article 4: *Special measures shall be adopted...for safeguarding the...cultures and environment of (tribal) peoples.' (ILO Convention on Indigenous Peoples 1989)*

Blockades and Arrests:

As the situation gets more and more critical, the Dayaks have sought more direct ways to protect their homelands. In many areas, this has amounted to forming human blockades to stop logging

companies operating. Since 1987, when 23 blockades in areas in Baram and Limbang districts were mounted, there have been many such blockades all over Sarawak. In certain isolated cases, bridges have been burned and machinery destroyed.

The immediate reaction of the authorities to the blockades was to amend the Forest Ordinance in 1987 to make any obstruction of logging activities a criminal offence. Under Section 90, this offence is subject to a maximum of a two-year jail sentence and a M\$6,000 fine.

To date, many hundreds of Dayaks have been arrested and detained for participating in such actions. There have been many complaints about the unreasonableness of force used at the blockades by the Police, as well as beatings and harassment of the local people once they have been arrested.

The mounting of three blockades in Limbang, Belega and Tatau on June 20th 1991 is further testimony to the determination of the Dayaks to pursue their struggle until their grievances are settled or their forests are gone. A blockade at Long Ajeng has been going for seven months. They are calling for international support.

What the Dayaks have said

"We are now like fish in the pool of a drying-out riverbed. If the logging does not stop immediately, we Penans will not survive. We suffer from hunger because with our forests the companies are also destroying our sago-palms, wild fruit trees and plantains, and cause a depletion of our fish and game and all that we need in our daily lives."

(Mutang Tuo, Voices of Borneo World Tour, London 1990)

"The forest is our livelihood. We lived here long before any outsiders came. We fished in clean rivers, and hunted in the jungle. Now the logging companies turn rivers into muddy streams and the jungle is devastated. The fish cannot survive in dirty streams and wild animals will not live in devastated forests."

(Part of 'Stop the Logging' statement signed by 61 tribal leaders).

"How can we respect the law when the law does not respect us?" (Kayan activist).

"My people are slowly dying." (Leader from the Baram district)

"We are not saying that not a single tree should be cut down, only that the logging should be managed in a way that benefits the local people."

(Harrison Ngau, Dayak activist arrested under the Internal Security Act of 1987)

"We want development, but how can we accept the kind of development which demands us to

forsake and forgo our rights to our land?"

(Tama Lawai, Kelabit Leader).

"Development does not mean stealing our land and forest away from us, this is not development but theft of our land, our rights and our cultural identity. Development means to us a) recognising our land rights in practice, b) putting a stop to logging in our lands and forests so that we can continue to live and c) introducing clean water supply, proper health facilities and better schools for our children."

(Resolution 5 from First Natives Workshop, 15 July 1987)

"For us the natives, whether settled or semi-settled, and particularly the nomadic Penan, the rainforest is the source of all food, medicine, tools, building materials, spiritual connection and burial sites of our ancestors. The government policy of forced relocation and assimilation...is a violation of our rights to self-determination and dignity as human beings."

(from Statement to the UN Commission for Human Rights, Geneva, March 1991).

"If we don't fight now to protect our land, we will die soon. We have formed blockades because all of us are affected by the logging. We come...not in joy but in desperation."

(Jangan Tambliong, Kelabit leader).

"We have appealed many times to our Sarawak government to be fair and respect our customary land. Our government has continually taken the side of the logging companies and our protests have gone unheeded. Instead, the government calls on the police to arrest and prosecute us, treating us like criminals. The police and the forest department often get timber workers to help them in arresting our people...While we all work in Sarawak to convince our government to stop logging our forest, we also wish to make an appeal to the international community, especially to Japan which is the biggest buyer of Sarawak logs."

(from Statement of Sarawak's Womens' Committee to Japanese Citizens, May 1991).

Claims and Counter-Claims

Many books, reports, articles, and studies of one sort or another have been written on the situation in Sarawak. Missions have been sent by a wide variety of organisations. From these, a number of recommendations have been made, and the Malaysian Government has come under increasing criticism for their apparent lack of concern at the logging of their forests. As a result it has sought to refute the accusations levelled against them by a variety of counter-arguments.

Malaysian Government Arguments:

1. *"The Deforestation is caused by the Dayaks themselves through shifting cultivation."*

The evidence is clearly contrary to this claim. An estimated 36,000 families in Sarawak practice shifting cultivation. Each household (average 6 people) rarely use more than 2.5 hectares of land. This represents a total of 73,000 hectares of shifting cultivation land, a figure which in fact concurs with information of the Sarawak Agriculture Department. Less than half of this land is located in primary forests; in other words, hardly a significant amount compared to the more than 400,000 hectares logged by logging companies last year.

2. *"We have an effective Forestry Policy and the logging is sustainable."*

Although Malaysia does have a national forestry policy, it is hardly implemented and its efficacy in Sarawak and Sabah is limited, due to the fact that the latter States have their own Land Codes. We have discussed above the increase in rates of logging even despite the ITTO Report (which the Malaysian Government claimed was favourable) and the subsequent reaction of Lord Cranbrook. We have also mention the estimates of 'sustainability.' It is worth noting that a ban on log exports exists in West Malaysia, but not in Sarawak or Sabah.

3. *"The campaigners are out to sabotage our industry; they are sponsored by our softwood competitors."*

Not one iota of evidence has ever been produced to back up this rather absurd claim. However, the control of the local Malaysian news media by the Malaysian government means that this sort of disinformation gets wide circulation within the country and there are few channels through which it can be challenged there.

4. *"Why should the Dayaks be left out of development?"*

The Malaysian government claims that they want to move the Penans and other groups 'into the twentieth century,' and have questioned the motivation of Western conservationists, who, the Malaysian government has claimed, only want to preserve the nomadic tribal lifestyles of groups like the Penan for their own exotic and voyeuristic pleasure as tourists or anthropologists, for instance.

The fact is that most Western campaigners support the Dayaks' own demand to be full participants in decisions about their own future. The issue is one of self-determination, asked for by the Dayaks themselves but refused by the Malaysian government. We refer you to the quotations of the Dayaks on the sheet "The Dayak Response."

Some International Reactions and Recommendations

The European Parliament calls for a ban on all tropical hardwood imports from Sarawak *'until it can be established that logging does not cause unnecessary environmental damage and does not threaten the way of life of the indigenous people.'* (Resolution, 8th July 1988).

It also voices serious concern *'at the imprisonment of more than 100 natives because of their peaceful protests against the large-scale timber felling within their traditional areas in Sarawak'* and calls on its members to protest to the Malaysian authorities about these arrests and to encourage the Sarawak and Malaysian government to initiate genuine negotiations with representatives of the indigenous people *'to seek a peaceful and socially acceptable solution.'* (Resolution, November 1989)

The Report of US House of Representatives Committee on Foreign Affairs Mission to Sarawak (September 1989) documents in detail the land rights disputes and the lack of sustainability of logging practices. The Report states that *'although the Sarawak State government is confident that its current forestry management practices are environmentally sound and sustainable, there is considerable evidence indicating such is not the case.'* On land rights, it states that *'without a resolution, native people are likely to face increasing hardships as they defend their customary lands from encroachment by logging companies.'* In its recommendations, it urges the Malaysian government to address these issues, and also sets out how the international community has a role to play in providing technical support and in reducing their own demand for raw timber.

The Report of the International Tropical Timber Organization's Mission to Sarawak (May 1990) called for an immediate reduction in logging rates to 9.2 million cubic metres per year, and recommended that forestry management practices be subject to complete review. The Mission was widely criticised for not including as part of its mandate the situation of the indigenous people, but even despite this, the Report suggested an immediate moratorium in areas where land disputes exist. The disquiet of the ITTO following the Malaysian *increase* in the rate of logging has been quoted above (Rates of Logging).

The LAWASIA Observer Mission Report (April 1990) (entitled 'The Human Cost of Sarawak's Timber Revenue') documents the land rights dispute and states that *'Official recognition of the land rights claims needs immediate attention. To continue to ignore the grievances of the indigenous people perpetuates injustice.'* It concludes *'further pressure and action will be necessary to encourage Malaysia and Sarawak to effect a just resolution.'*

Prince Charles at the Rainforest Lecture, 6th February 1990, said *'it seems to me that any discussion about the tropical forests should start by looking at the people who depend directly on them for their livelihood....The main focus of concern must be on the remaining tribal people...Their story is one of which we must all be profoundly ashamed.'*

Of course environmental groups around the world have also been putting out regular reports and recommendations concerning the situation in Sarawak.

RECOMMENDATIONS

Many of the recommendations proposed by different organisations would fall into the following: a call to the United Nations, appropriate agencies and the Malaysian and other national governments to:

1. Respect the rights to land of the forest peoples and those who depend upon the forest for their livelihood, achieving land security, rejecting policies and practices which discriminate against them, and ensuring that their right to self-determination is fully respected.
2. Halt all practices and projects which would contribute directly or indirectly to further forest loss. This would include a review of any government or agency policy which contributes to that, both where projects are financed which cause deforestation and where trade practices encourage deforestation. They should:
 - a) take immediate steps to curb wastage, misuse and over-consumption of timber products;
 - b) ban all imports of tropical timber from natural forests and tropical wood products.

Many would also argue that there needs to be a restructuring of the present global economic system which is dominated by the 'developed' countries at the expense of the poor in the Third World. The disproportionately high control and use of the world's resources by the former needs to be addressed if the world's rainforests, including that in Malaysia, are to be saved and regenerated.

The Role of Consumers

Clearly the rapid depletion of the Sarawak rainforest and the denial of land rights to its people is contingent upon the demand generated for tropical hardwood in importing countries. Only 20% of the wood is used locally. Unless there is a serious review of consumption practices and a determined effort to implement alternatives to tropical hardwood use already well documented (for instance from Friends of the Earth), not only will the pressure to destroy Sarawak's forest remain, but further rainforests will then be cut in the same way, until there are none left in the world.

The Role of Japan

- Japan is the biggest importer of tropical hardwood from Sarawak.
- In 1989, it bought over 60% of Sarawak's exported tropical logs.
- Big companies involved include Nichimen, Nissho Iwai, Marubeni, Ataka Mokuzai, C. Itoh, Sumitomo and Mitsubishi.
- In 1979, Japan imported 2.27 million cubic metres of logs from Sarawak. In 1989, it imported 6.68 million cubic metres.
- The 1989 figure shows an increase of some 27% over the previous year.
- Much of the tropical hardwood is used in throw-away moulds for the building industry.
- Japan has 2.5% of the world's population and accounted for 52% of the world's total consumption of tropical timber in 1989.
- Marubeni was awarded the 'Rainforest Destruction Award 1989' by the Japanese Tropical Action Network (JATAN).
- Most companies involved in the import of tropical hardwood have responded to environmentalist campaigns by setting up 'Environmental Departments' within their offices, described by JATAN as 'eyewash'.
- Japan also operates a tariff system which puts higher tariffs on the import of processed timber, discouraging producer companies from undertaking domestic processing.

An extract from a letter from JATAN to Mitsubishi (only the sixth largest importer of logs from Sarawak in 1989):

"If we are to consider environmental damage as our yardstick of responsibility, it is clear that your company is directly responsible for the widespread destruction of the tropical forests. In 1989, Mitsubishi imported 254,000 cubic metres of timber into Japan: 179,000 cubic metres from Sarawak. There can be no doubt that this is a great deal of timber. Even allowing for a 30% loss in processing, **this would produce enough plywood to cover the entire City of London with 1 cm. thick plywood.** (our italics).

"It means that the timber imported by Mitsubishi has led to the logging of between 6,922.4 ha. and 7,614.4 ha. If we accept that 80% of this will be in unlogged forests, this means that your company was, in one year alone, directly responsible for the destruction of between 55.3 and 61 square kilometres of one of the most biologically diverse areas on the planet."

(letter to Mr. Mori, Mitsubishi, dated April 22nd 1991).

Role of the UK and EEC

- The ECC imported 668,912 tonnes of Malaysian tropical hardwood worth 276.9 million ECUs in 1988.
- The UK share was 64,333 tonnes.
- The UK imported 52,901 cubic metres of plywood from Malaysia between January and October 1990, five times more than any other EEC country.
- The EEC bought 20% of Malaysian plywood exports. (1988).
- The European Parliament have passed resolutions relating to the situation in Sarawak, notably the resolution of July 1988 calling for an import ban and a stop to logging in Sarawak in areas of land dispute. This has yet to be implemented. The UK Government has shown little interest in supporting such a resolution.

United States Senate

WASHINGTON, DC 20510-4202

March 27, 1992

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The Penan Indians of Sarawak are waging a battle for their survival. Their homes and their culture are in grave jeopardy as logging companies rapaciously tear down the forest on which they depend.

For the last several months, hundreds of Penan have peacefully protested the continued deforestation. Gathering on the logging roads, they have desperately tried to hold off the bulldozers and chainsaws. The Malaysian government is now acting aggressively to stop their opposition. Recently, the leaders of the Penan have been jailed and their call for help is being silenced as the government has barred journalists from the area.

The rainforests of Sarawak are among the world's oldest and richest forest ecosystems. The forests are being cut down so fast however, that, if current rates are maintained, the entire region will be deforested within **eight years**. Some of the estimated 2,500 species of trees have already been logged to extinction.

Sadly, the struggle of the Penan is not an isolated event. All around the world cultures that have developed and thrived over the millenia are being destroyed by the relentless onslaught of timber, mining and commercial agricultural interests. Their loss is a tragedy to us all; and I believe that we must speak out against the human rights and environmental abuses they endure.

I hope that you will join me in this initiative. If you have any questions please don't hesitate to call me personally or have your staff contact Katie McGinty or Ram Uppuluri of my staff.

Sincerely,



Albert Gore Jr.
United States Senator

102^D CONGRESS
2^D SESSION

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IN THE SENATE OF THE UNITED STATES

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rain forests of Malaysia.

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of Sarawak, some of the most biologically and culturally
diverse rain forests, are being logged at the fastest rate
in the world;

Whereas despite the recommendation of the International
Tropical Timber Organization that this logging rate be
significantly reduced to ensure long-term sustainability,
the rate has instead risen dramatically;

Whereas this rate of logging will lead to the disappearance
of virtually all primary tropical rain forests in Sarawak
within a decade;

Whereas the effects of this logging on the indigenous peoples
of Sarawak are causing hunger and suffering, and will

lead to the destruction of their traditional cultures if it is not stopped immediately;

Whereas many of these populations face severe discrimination, denial of human rights, loss of cultural and religious freedoms, and in the worst case, cultural or physical destruction;

Whereas one of the most severely impacted tribal groups in Sarawak is the Penan, the last intact nomadic hunting and gathering culture in Southeast Asia;

Whereas commercial logging backed by foreign capital is the driving force behind deforestation in Sarawak;

Whereas most of the logging concessions in Sarawak are distributed in a politically motivated and arbitrary manner, without regard to the socioecological consequences;

Whereas most of the timber logged in Sarawak is exported in raw form to Japan and other Asian countries for secondary processing, concentrating wealth from the exports in the hands of a few individuals, and providing no additional income or employment for the people of Sarawak; and

Whereas it is incumbent upon the world community to create an environment favorable to the survival of the rain forests and the cultures dependent upon them: Now, therefore, be it

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1 forests of Sarawak, by reducing the annual rate of
2 timber cutting by at least two-thirds, and by formally recognizing and upholding the customary land
3 rights and the internationally established human
4 rights of all indigenous peoples of such Government;
5
6 and

7 (2) it should be the policy of the United States
8 to call upon the Government of Japan to investigate
9 the activities of certain private companies of Japan
10 in contributing to the destruction of the Sarawak
11 rain forest, and therefore to the destruction of the
12 culture of the indigenous people of Sarawak.

PRESS CONFERENCE ON PENAN PEOPLE
WASHINGTON, DC

APRIL 2, 1992

Good afternoon. I'm Kerry Kennedy Cuomo and I'm the Executive Director of the Robert F. Kennedy Memorial Center for Human Rights. The Center is a non-profit organization which promotes rights protected under the U. N. Declaration of Human Rights and the U. N. Covenants on human rights. In addition, I am a special correspondent for the T.B.S. television show, Network Earth, where I report on human rights and the environment.

The Malaysian Government tolerates the systematic violation of the human rights of the Penan and other tribal peoples of Sarawak. The abuses are part and parcel of the Sarawak government's exploitation of the virgin rainforest through logging concessions. The Sarawak government has censored environmental journalists, targeted local environmentalists for persecution, and its policies threaten to obliterate the indigenous people of the Penan and other tribes.

The Malaysian government's permissiveness puts it in violation of articles 2, 3, 5, 9, 12, 18, 19 and 20 of the Universal Declaration of human rights, which guarantees the rights to free speech and association, protects individuals from

arbitrary arrest, detention or extra-judicial execution and safeguards the cultural integrity of indigenous people. When Malaysia joined the U. N. in September 1957, it promised its own citizens and the international community that it would respect these rights. Sadly, Malaysia has broken that promise to the Penan, other Dayak peoples in Sarawak, and in fact, to all of us.

When tribal peoples are stripped of their traditional land and its natural resources, they also lose their autonomy, and with it their very existence as a people. Consequently, the world is in danger of losing a language, a culture, a history, and crucial knowledge about how to manage our dwindling resources in a sustainable manner.

But most horrifying of all is the fact that hundreds of tribal people have already been arrested and imprisoned and more are suffering from malnutrition because of indifference, greed and corruption which have led to the unchecked exploitation of the forest for lumber. Without international pressure, these forces will destroy the virgin forest cover in the next eight years, and with it the plants and animals upon which the indigenous people depend for survival.

How do you measure the added miles these forest people must now walk to find an unsilted stream from which to drink, food for a meal, or a rare plant to relieve malaria? Measure the distance

in the distended bellies of their children or the empty eyes of the elders. We must do something to help them.

Anderson Mutang, a leading proponent of indigenous rights in Sarawak, arrived a few moments ago in Vancouver. He was just released from 30 days of detention. He was thrown in jail in retaliation for his part in organizing the peaceful resistance to logging. Anderson flew half way around the world and is on his way to be with us today. But he and his people have a longer road ahead. The struggle to save their homeland and with it, their very lives, is a much lengthier and more treacherous journey.

I am honored to walk with them.

This morning we are privileged to be joined by a leading ethnobotanist and the author of the book Penan, Voice for the Borneo Rainforest. Wade Davis has worked with 20 different tribal groups in ten nations. His unique perspective on the forest people of Sarawak is inspirational. Please welcome Wade.

A FRIEND'S PLANE TO NEW YORK was delayed for four hours, and all the while Bruno Manser sat quietly waiting in the lobby of the Regency Hotel. He was dressed in a wool vest, faded trousers, and sandals. His arms were bare, save for dozens of rattan bracelets that hung at his wrists. Short and sinewy, with dark hair cut high across his forehead and wire-rimmed spectacles hugging the bridge of his nose, he didn't look like a man with a price on his head, a man who had been stalked through the jungle by armed militia.

He was hungry, but because he didn't have a dinner jacket the hotel's restaurant had refused to serve him. Not that long ago, Manser had been an obscure and solitary fellow whose most remarkable pastime was exploring caves in his native Switzerland, a man who well into his twenties had never quite shaken a dream of disappearing into the jungle and living the life of a native tribesman. It had certainly never occurred to him to live the life of an environmental activist; that role would be thrust upon him by circumstance.

In 1984 Manser had left home and traveled to Malaysia with an innocent notion: to find the Penan, a nomadic tribe that inhabits the rainforests of Sarawak, a Malaysian state in northern Borneo. But his storybook ideal of the natural life was subverted by an onslaught of logging. The Penan homeland was quickly disappearing, and within months of his arrival Manser found himself deep in the battle to save it. He encouraged the Penan to form organized blockades to repel the bulldozers and in doing so invoked the rage of the Malaysian government, which had been convinced that people who could neither read nor write, with an unbroken tradition of nonviolence, would never challenge its authority. He eluded capture for five years and just nine months ago fled Sarawak as a last resort, breaking cover to call international attention to one of the world's most severe deforestation crises.

If it's difficult to imagine Manser a wanted man, it's even harder to picture him a hero. He is quiet and thoughtful, with a tendency to lapse in and out of conversations. Spend some time with him, though, and you get an idea of what must have charmed and motivated the Penan—and infuriated Malaysian officials. He has a

**SIX YEARS OF LIVING DANGEROUSLY:
BRUNO MANSER IN THE SARAWAK
RAINFOREST, THREE MONTHS BEFORE
HIS ESCAPE**

THE APOSTLE OF BORNEO



*All he wanted was to disappear into
the rainforest and live like a native
Penan. Instead, Bruno Manser became
a military target, an environmental
hero, and the envoy for a dying culture.*

By Wade Davis

hears are the buzz of chain saws and enormous log skidders hissing with exertion.

Logging in Malaysia has intensified over the past decade, with a rate of deforestation three times that of the Amazon. In 1986, according to the World Resources Institute, Malaysia accounted for 58 percent of the total global export of tropical logs, with a full 90 percent of the wood going to Japan, Taiwan, and South Korea, where it was processed into cheap furniture, packing crates, and disposable chopsticks. By 1985, an average of 1.2 acres of forest were being cut every minute, and more than a third of Sarawak's forest had disappeared. If that rate continues unabated, all of it will fall by 2010. Today 5.8 million hectares—46 percent of Sarawak's forested land—is held in logging concessions, which encompass at least three-quarters of the Penan's traditional homeland.

Manser sketches this picture as he stands behind a podium at the East-West convention center in Honolulu, addressing participants at the WILD (Wilderness is the Last Dream) conference. Sponsored by the Western Canada Wilderness Committee, WILD has drawn several noted environmentalists, including Earth First! founder Dave Foreman and Sierra Club chairman Michael McCloskey. Manser's credentials pale by comparison, yet from the rapt faces in the audience it is clear he's the main attraction. He concludes his grim description of the Sarawak forest and goes on to talk about the Penan.

"Most people said they were a dirty people, living like pigs in the jungle," he recalls. "Others said they were beautiful, with skin like silk. Put these two images together and you will discover the truth."

Of Malaysia's 24 indigenous tribes, only a small group of Penan, 300 or so, continue to live as nomads. Like the Mbuti pygmies of Zaire and the Maku of the northwestern Amazon, they have never practiced agriculture. They depend instead on hunted game and wild sago palm, their primary source of carbohydrates.

Lacking the technology to transform the forest, Manser says, the Penan chose instead to understand it. From the forest they draw their life, hunting mouse deer and sambar deer, gibbons, civets, squirrels, and most important of all, the *babui*, a bearded wild pig endemic to Borneo. Plants provide roots that cleanse, leaves that cure, edible fruits and seeds, and magical potions that empower hunting dogs and dispel the forces of darkness.

Fearful of the heat of the sun, ignorant of the seas, insulated by the branches of the canopy, the Penan live in a cognitive and spiritual world based entirely on the forest. Distance and time are measured not in hours or miles but in the quality of the experience itself. A hunting trip, if successful, is considered short, though a Westerner might measure it in weeks. An arduous journey is one that exposes a Penan to the sun.

"I was drawn to the Penan for the simple reason that I feel well in nature," Manser says. "It is nothing romantic. When you live in the jungle you realize that daily life doesn't permit romanticism. One walks, the legs hurt, there are the leeches and the rain, and then you see something beautiful—that is your wage."

During his years in the rainforest, the Penan accepted Manser as an adopted son. He discovered the meaning of omens, the nature of the dead, the significance of taboos. He saw children born, with men acting as midwives, the woman braced against a tree, the infant dropping to the ground to be lifted only by the mother, the umbilical cord cut with a slice of bamboo. He saw people die, their bodies rolled in sleeping mats and carried to a place they had revered in life. In six years, Manser says, he never saw Penan quarrel. Only once did he see a

hungry child neglect to share food.

"There was a boy in that first Penan group," he says, "who caught seven fish. I remember watching the headman give three to each family and then carefully slice the remaining fish in two. That is the Penan. You will never find one with a full stomach and another who is hungry."

Images of the Penan and the Sarawak forest flash across a movie screen, along with shots of Manser's journals: hundreds of lavishly illustrated pages, written in beautiful script, recording all aspects of Penan life. When Manser is finished speaking, he hur-



"THE PENAN HAVE ORGANIZED THEMSELVES," SAYS MANSER, SHOWN HERE AT WORK ON HIS JOURNAL. "I HAVE NOT BEEN THEIR LEADER, JUST THEIR SECRETARY AND ADVISOR."

ries to his seat, shying from the light. Through the course of the evening, the other guests on the panel are surprised to find half-eaten apricots passed to them.

MANSER IS NOT THE FIRST WHITE MAN TO FIND FAVOR WITH the Penan. For more than a hundred years, Sarawak was ruled by a family dynasty, the descendants of Sir James Brooke, an English adventurer who, supported by the ships of the Royal Navy, had established a trading monopoly in 1841. Known as the White Rajahs of Sarawak, the male scions of the Brooke family ruled until 1946, when, in the twilight of the British Empire, control of Malaysia passed to the Crown, which finally granted independence in 1957. For the Penan the colonial era has by now drifted into the world of myth. To them it represents a time when they were left alone, when their forests stood immense and inviolable, a mantle of green stretching across the world. Ask a Penan today what he wants, and nine times out of ten he

the protective ring of Penan that moved through the forest with Bruno as its center."

IN THE SPRING OF 1987 THE PENAN'S RESENTMENT reached a flash point in the Baram River Valley. When yet another appeal to the government was ignored, they once again took action. Penan erected a barricade across a logging road in northern Sarawak. Within a week, 100 Kayan tribespeople blockaded another road. The barriers were flimsy—a few saplings bound with rattan. Their strength lay in the people who stood behind them. These human barricades, made up of men, women, and children, began as a quixotic gesture, a mere embarrassment to the government, but soon grew into an astonishingly effective strategy. Within eight weeks, operations in 16 logging camps ground to a halt, at an estimated cost to the timber industry of several million dollars. By October 1987, Penan and other indigenous communities had shut down roads at 23 sites. In all, some 1,000 Penan participated in the blockades.

The resistance stunned the Malaysian government, which laid the blame on Manser. Stories circulated in the Malaysian press that Manser was like a rajah to the Penan, carried through the forest on a bamboo throne. The government described him as a subversive Zionist and communist—potent condemnation in an Islamic nation that still remembers a bloody leftist insurgency in the sixties. In labeling Manser a threat to national security, the government, which denies any conflict with him, gave itself free rein to bring him down.

Though his only legal transgression involved the expiration of his visa, Malaysian officials sent soldiers on his trail. According to Manser's Western friends in Sarawak, several logging companies placed a \$30,000 reward on his head, and Penan men were beaten, one fatally. Security forces established checkpoints and dispatched commandos to sweep areas where Manser had reportedly been spotted.

To protect the Penan, Manser refuses to discuss details of the blockades and insists his role was only that of a messenger. "The Penan organized themselves," he says. "I have not been their leader, just their secretary and advisor. I tried to get information out to stop the logging, but that was a false hope, because the Malaysian government doesn't care about international media. In 1985 I prepared a report and sent it to 20 different papers

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United States Senate

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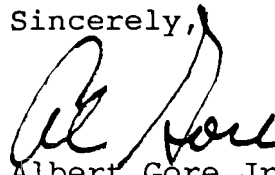
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the rate has instead risen dramatically;

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within a decade;

Whereas the effects of this logging on the indigenous peoples
of Sarawak are causing hunger and suffering, and will

lead to the destruction of their traditional cultures if it is not stopped immediately;

Whereas many of these populations face severe discrimination, denial of human rights, loss of cultural and religious freedoms, and in the worst case, cultural or physical destruction;

Whereas one of the most severely impacted tribal groups in Sarawak is the Penan, the last intact nomadic hunting and gathering culture in Southeast Asia;

Whereas commercial logging backed by foreign capital is the driving force behind deforestation in Sarawak;

Whereas most of the logging concessions in Sarawak are distributed in a politically motivated and arbitrary manner, without regard to the socioecological consequences;

Whereas most of the timber logged in Sarawak is exported in raw form to Japan and other Asian countries for secondary processing, concentrating wealth from the exports in the hands of a few individuals, and providing no additional income or employment for the people of Sarawak; and

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On Thursday, April 2, I plan to introduce the attached resolution concerning the tropical rain forests and the indigenous tribal peoples of Sarawak, Malaysia, and I am writing to invite you to join me as an original cosponsor.

The Penan Indians of Sarawak are waging a battle for their survival. Their homes and their culture are in grave jeopardy as logging companies rapaciously tear down the forest on which they depend.

For the last several months, hundreds of Penan have peacefully protested the continued deforestation. Gathering on the logging roads, they have desperately tried to hold off the bulldozers and chainsaws. The Malaysian government is now acting aggressively to stop their opposition. Recently, the leaders of the Penan have been jailed and their call for help is being silenced as the government has barred journalists from the area.

The rainforests of Sarawak are among the world's oldest and richest forest ecosystems. The forests are being cut down so fast however, that, if current rates are maintained, the entire region will be deforested within **eight years**. Some of the estimated 2,500 species of trees have already been logged to extinction.

Sadly, the struggle of the Penan is not an isolated event. All around the world cultures that have developed and thrived over the millenia are being destroyed by the relentless onslaught of timber, mining and commercial agricultural interests. Their loss is a tragedy to us all; and I believe that we must speak out against the human rights and environmental abuses they endure.

I hope that you will join me in this initiative. If you have any questions please don't hesitate to call me personally or have your staff contact Katie McGinty or Ram Uppuluri of my staff.

Sincerely,



Albert Gore Jr.
United States Senator

102^D CONGRESS
2^D SESSION

S. RES. _____

IN THE SENATE OF THE UNITED STATES

Mr. GORE submitted the following resolution; which was _____

RESOLUTION

To express the sense of the Senate concerning the tropical
rain forests of Malaysia.

Whereas the tropical rain forests of the East Malaysian State
of Sarawak, some of the most biologically and culturally
diverse rain forests, are being logged at the fastest rate
in the world;

Whereas despite the recommendation of the International
Tropical Timber Organization that this logging rate be
significantly reduced to ensure long-term sustainability,
the rate has instead risen dramatically;

Whereas this rate of logging will lead to the disappearance
of virtually all primary tropical rain forests in Sarawak
within a decade;

Whereas the effects of this logging on the indigenous peoples
of Sarawak are causing hunger and suffering, and will

lead to the destruction of their traditional cultures if it is not stopped immediately;

Whereas many of these populations face severe discrimination, denial of human rights, loss of cultural and religious freedoms, and in the worst case, cultural or physical destruction;

Whereas one of the most severely impacted tribal groups in Sarawak is the Penan, the last intact nomadic hunting and gathering culture in Southeast Asia;

Whereas commercial logging backed by foreign capital is the driving force behind deforestation in Sarawak;

Whereas most of the logging concessions in Sarawak are distributed in a politically motivated and arbitrary manner, without regard to the socioecological consequences;

Whereas most of the timber logged in Sarawak is exported in raw form to Japan and other Asian countries for secondary processing, concentrating wealth from the exports in the hands of a few individuals, and providing no additional income or employment for the people of Sarawak; and

Whereas it is incumbent upon the world community to create an environment favorable to the survival of the rain forests and the cultures dependent upon them: Now, therefore, be it

1 *Resolved*, That it is the sense of the Senate that—

2 (1) it should be the policy of the United States
3 to call upon the Government of Malaysia to act im-
4 mediately in defense of the environment of Sarawak
5 by ending the uncontrolled exploitation of the rain

1 forests of Sarawak, by reducing the annual rate of
2 timber cutting by at least two-thirds, and by formally recognizing and upholding the customary land
3 rights and the internationally established human
4 rights of all indigenous peoples of such Government;
5 and
6

7 (2) it should be the policy of the United States
8 to call upon the Government of Japan to investigate
9 the activities of certain private companies of Japan
10 in contributing to the destruction of the Sarawak
11 rain forest, and therefore to the destruction of the
12 culture of the indigenous people of Sarawak.

Pls. copy this for Al & Charles

U.S Senate to vote on Sarawak Rain Forests

WASHINGTON, April 2 (AFP) - U.S. Senator Al Gore Thursday introduced a bill calling on the governments of Malaysia and Japan to take immediate steps to protect endangered rainforests in Sarawak.

Gore said that the entire region, which is part of Malaysia, would be deforested within eight years if the current level of logging were allowed to go unchecked.

The Tennessee senator's resolution urges the U.S. administration to call on the Malaysian government "to act immediately in defense of Sarawak's environment by reducing the annual rate of timber cutting by at least two-thirds."

It also calls on Kuala Lumpur to formally recognize and uphold the land rights and human rights of all its indigenous peoples.

Deforestation of the rainforests in Sarawak, located in the northern sector of the island of Borneo, was brought to world attention by the plight of the Penan Indians.

With the aid of Bruno Manser, a native Swiss who spent six years living with them, the Penan have built barricades along logging routes in an effort to resist any further deforestation of their homelands.

The Malaysian government maintains it has a sustainable management forestry program and rejects any interference by foreign countries in its internal affairs. Several indigenous leaders have been arrested.

Gore's resolution further urges the U.S. administration to call on Japan to investigate the activities of certain private Japanese companies which he said were mainly responsible for importing the timber from Sarawak.

The senator, who ran for the Democratic presidential nomination four years ago, said the President George Bush should set an example in Rio de Janeiro in early June.

Gore said that he had also been in touch with legislators in Japan and in the European parliament in Strasbourg and that he expected them to introduce similar legislation.

Manser and other activists involved in the campaign to save the Sarawak rainforests are currently in the United States to drum up support ahead of the Rio de Janeiro summit.

Raw - take a look @ these for res. file of Sarawak stuff. Mf,

Malaysia Blasts U.S. Senator for anti-logging bill.

KUALA LUMPUR, April 3 (AFP) - Malaysia Friday blasted a U.S. senator for introducing a bill calling for curbs on logging in its timber-rich eastern Sarawak state, saying the move was a way to erect new trade barriers.

Primary Industries Minister Lim Keng Yaik said the move had underlined the growing urgency for Malaysia to launch a full-scale counterattack to beat the anti-logging campaign being waged with increasing intensity worldwide.

"It is worrying but we should not panic," Lim said, adding that it had made it more imperative now for Malaysia to fight back and present "our side of the story."

Democratic Senator Al Gore's move was driven by "politically intentions," and could be considered as a way to erect more non-tariff trade barriers, Lim said in an interview.

"The question in debate is that the senator is biased because he has not bothered to find out for himself the true picture of what is happening in Sarawak before moving the bill," Lim said.

Gore introduced Thursday in Washington a bill calling on the governments of Malaysia and Japan to take immediate steps to protect endangered rainforests in Sarawak. The senator said Sarawak would be deforested within eight years if the current level of logging was allowed to go unchecked.

Lim said Malaysia would contact its embassy in Washington to take up the issue and explain that Malaysia "is actually practicing sustainable forestry policies."

In Wellington early Friday, president of New Zealand Timber Importers Association was quoted as saying that its members have decided not to buy tropical wood from areas in Southeast Asia and Latin America where forestry was unsustainable because of excess logging.

Malaysia, home to some of the world's lushest tropical rainforests, has been under increasing attack by Western environmentalists campaigning against the trade in tropical hardwoods.

Politicians and businesses are taking the Malaysian situation in the wrong context because they are being fed with one-sided stories which have been blown out of proportion the country's logging and moves to resettle the Penan tribes in Sarawak," Lim said.

Western environmentalists have accused Malaysia of driving the Penans into extinction through indiscriminate logging.

"We had previously been presenting our views in overseas forums but on an ad hoc basis constrained by finances, but now we are in a better position to do it systematically," Lim said.

Lim on Tuesday announced he had been directed by the cabinet to launch in May's special taskforce in Europe to counter the anti-tropical timber campaign. The taskforce would be financed by the private-sector Malaysian Timber Industry Council (MTIDC).

Lim would also lead a Malaysian delegation for a two-week mission from May 2 to Sweden, Germany, Belgium, Holland and Britain to meet government leaders, environmentalists and non-governmental organizations to explain Kuala Lumpur's position.

Lim said over the last three to four years, there had been multiple resolutions moved in European Parliament "but the European commissioners found fit not to impose and implement them."

Timber is Malaysia's second largest single foreign exchange earner within the primary commodity sector. The timber industry, comprising saw logs and sawn timber, earned M\$7.11 billion dollars (US\$2.7 billion) last year.

Senator Urges Japan to Take Up Tropical Rain Forest Cause

WASHINGTON, April 2 Kyodo - A U.S. senator called on Japan Thursday to investigate the involvement of private Japanese companies in the destruction of tropical rain forests in Malaysia.

Sen. Al Gore said he was introducing a resolution in the Senate urging the Japanese government to launch an investigation of the role Japanese timber importers play in the destruction of the Sarawak rain forest on the island of Borneo.

"At risk are some of the oldest and richest forest ecosystems being cut down so fast, that if current rates are maintained, the entire region will be deforested within eight years," the Tennessee Democrat said at a news conference.

The resolution also calls on the Malaysian government to reduce timber cutting by at least two-thirds and to uphold the customary land rights as well as the human rights of indigenous Malaysians. Gore said the culture of the Sarawak people is threatened with extinction by the destruction of the rain forests.

He criticized the Malaysian government, saying it was intimidating Sarawak leaders who campaign to protect the forests. He also accused the government of restricting media coverage concerning the rain forests.

Many environmental organizations have spoken out against the rate at which rain forests are being harvested and the effect the timber cutting has on local people.

Much of the recent outcry has been directed at Japan, a major importer of tropical timber.

The issue of tropical rain forests will be one of those taken up at the Earth Summit in Rio de Janeiro in June.

--Kyodo--

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United States: Senate calls for protections in Malaysian forest

Washington, Apr 2 (IPS) -- The Malaysian government should reduce by at least two-thirds the rate of timber cutting in Sarawak and uphold customary land rights of the Penan indigenous peoples there, according to a resolution introduced Thursday in the US Senate.

The resolution by Tennessee Senator Albert Gore -- one of the recognized leaders of the US environmental movement -- also calls for Japan to investigate the activities of certain Japanese companies in Sarawak, which he says promote the destruction of the rainforest there, as well as the culture of the Sarawak people.

Japan is the single largest consumer of tropical timber, one-third of which comes from Sarawak, according to Gore's office. Sarawak exports raw logs to Japan and other Asian countries for secondary processing.

Environmental groups have estimated that current logging rates in Malaysia are so high that the country will soon follow the Philippines and Thailand to become a net importer of tropical logs by the year 2000.

Sarawak is also home to the Dayaks, the name for the 25 indigenous groups that live in Sarawak's interior.

They comprise about 49 percent of the state's population, but environmental groups have charged they have no say in logging policy affecting their ancestral lands.

One of the Dayak groups, the Penan, is one of the last nomadic hunter-gatherer peoples left on earth and is particularly threatened by widespread logging of the forests, according to environmental groups.

"The Penan Indians and other tribes in Sarawak are being arrested for their efforts to protect the tropical rainforest that is their home," Gore said Thursday. "For months, they have peacefully protested the deforestation, attempting to block logging roads, facing arrests and harassment from the Malaysian government which has banned the media from covering the story."

"At risk are some of the oldest and richest forest ecosystems -- being cut down so fast that if current rates are maintained, the entire region will be deforested within eight years," said the Senator, who will head the congressional delegation to the "Earth Summit" in Rio de Janeiro in June.

"Some species of trees already have been logged to extinction," he added.

Gore was joined by Kerry Kennedy Cuomo, director of the Robert F. Kennedy memorial center for human rights. She is the daughter of Robert Kennedy and daughter-in-law of New York Governor Mario Cuomo.

"The Malaysian government tolerates the systematic violation of the human rights of the Penan and other tribal peoples of Sarawak," she told a news conference.

"When tribal peoples are stripped of their traditional land and its natural resources, they also lose their autonomy, and with it their very existence as a people," she said.

"Consequently, the world is in danger of losing a language, a culture, a history and crucial knowledge about how to manage our dwindling resources in a sustainable manner," she said.

SOS SARAWAK**Contact****Anthony Dixon: tel: (212) 909-2755 fax: (212) 355-6721**

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Date: April 7, 1992
Subject: Some of the media coverage of the campaign to date and a one-page critique of Malaysia's role in the preparatory meetings for UNCED
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THE SARAWAK CRISIS, THE EARTH SUMMIT, AND THE POTENTIAL FOR A
WORLD FOREST CONVENTION : THE CONNECTIONS

The deforestation and indigenous peoples' human rights crisis in Sarawak has generated outrage and criticism from environmental organizations and a growing number of political and human rights leaders worldwide. This criticism has made Malaysia, which claims it is unfounded and unjust, furious.

Malaysia's fury has manifested itself most visibly in the negotiation process leading up to the Earth Summit (the United Nations Conference on Environment and Development, scheduled for Rio de Janeiro June 3-14, 1992). This is the most significant environmental conference, and the most comprehensive international summit meeting, in world history. Preparatory negotiations on a variety of hoped-for accords have been underway for the last two years.

One of the primary agreements long hoped to be signed at the Earth Summit was some sort of world forest convention or treaty. This would have been the first time the world had ever considered forests to be a resource of overriding global interest. However, because of the sensitivity of tropical nations in general, and the anger and refusal of Malaysia in particular, all hopes for such a convention were dashed last year. In place of an actual convention, Earth Summit negotiators instead have been attempting to craft "An Authoritative Statement of Principles" for the sustainable management of the world's forests.

Unfortunately, during the recent final preparatory negotiations in New York (March), the chances for a strong set of principles have nearly collapsed, and much of the blame* can be laid at the feet of Malaysia, whose blocking and delaying tactics have infuriated most of the other governments involved (including many of the G-77 nations in whose behalf Malaysia has actually been speaking). Malaysia has also made it dramatically clear that it has no interest in ever discussing a global forest convention. In fact, it has been fighting the idea that the world at large should have any interest whatsoever in "its forests", or those of any individual nation. (Malaysia has also opposed consideration of forests as whole ecosystems, and the protection of natural forest areas).

* [It should be noted that there have been many interconnecting issues complicating these negotiations, and developed nations, particularly the United States, have also held some strong positions on many of them. The inability of Earth Summit negotiators to resolve many of these "cross-cutting" issues has also made the forest principles negotiations more difficult. Nevertheless, on many occasions the spirit of compromise has been dashed by Malaysia's intransigence.]



For Immediate Release

Contact: Chris DeCardy
202-745-0707

NATIVES BLOCKADING LOGGING ROADS TO SAVE HOMELAND

**Sarawak Rainforest Among World's Oldest, Most Diverse;
Being Destroyed at Fastest Rate Anywhere**

**Penan Last of Nomadic Hunter-Gatherers; Face Genocide Even
As Knowledge Could Unlock Rainforest for Industry, Medicine**

The indigenous Dayak peoples of Sarawak in Malaysia are passively resisting destruction of their rainforest homeland by manning barricades to block logging roads after years of unheeded appeals to the government.

The government has arrested participants without charge, new laws now make blocking logging roads punishable with two years in prison and lumber companies have employed vigilantes to threaten participants.

In a show of remarkable courage, the blockades keep going up as the cycle of arrests, blockade dismantling and renewed blockade building continues. Since the first protests began in 1987, however, the government has refused even to discuss the logging with Dayak leaders. Despite more than 400 arrests to date, more than 800 people continue to man barricades.

URGENT UPDATE:

Sarawak Police Destroying Blockades, Arresting Leaders

Anderson Mutang Urud, a native leader organizing efforts to stop logging and help the Penan was arrested February 5, 1992 and held for weeks without bail or charge. He was recently charged with operating an unlicensed organization and must wait until September 1992 to face trial.

The Sarawak government simultaneously is moving to dismantle the remaining Dayak barricades, using intimidation and arresting many.

The international press have been barred from the region to prevent coverage of this action. James Barclay, a correspondent for the British newspaper The Guardian is currently being held at Miri Prison in Sarawak for attempting to cover the story.

The barricades are simple, ratan-lashed sapling structures. Their strength comes from those who stand behind them. One group playing a leading role in the protests are the Penan, a traditionally pacifist culture

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who are now one of the last nomadic hunter-gatherers on earth.

The Penan have spent eons learning to understand and live with the rainforest. They use plants -- many previously unknown to botanists -- for tools, poison darts, shelter, boats and instruments. A cursory sampling showed they recognize over 100 fruiting trees, 50 medicinal plants, 8 dart poisons and 10 plant toxins to kill fish -- probably only a fraction of their knowledge.

The population of nomadic Penan has dwindled from more than 10,000 to less than 2,000 as the government has pushed them into permanent housing and a lifestyle which robs them of their history, knowledge and culture. They don't have the knowledge to farm and the surrounding forest no longer provides food due to the logging. Many are starving.

Their homeland on Borneo has had millions of years to evolve into the most advanced and complex rainforest on earth. Over one-third of all known plant species are endemic, and 30 birds and 39 mammals are unique to Borneo.

The knowledge of the Penan and other Dayak groups could lead to the discovery of plants with medicinal or industrial applications worth more than all logging ever could. More than one-quarter of all modern drugs are derived from plants and account for \$20 billion in annual sales. Yet, less than one percent of rainforest plants have ever been studied.

In the rainforests, there are wild trees that yield 650 pounds of oil-rich seeds a year, a fruit with more vitamin C than oranges, a palm with more vitamin A than spinach and another palm whose seeds contain 27 percent protein. There is a palm whose oil is indistinguishable from olive oil, a tree that produces a resin which can run a regular diesel engine, a shrub with a fruit 300 time sweeter than sucrose and plants which produce waxes, dyes and insecticides.

But the logging continues in Malaysia at rates which will wipe out the ancient rainforest in the next few years.

In his new book Earth in the Balance, Senator Al Gore compared the Penan to the World War II resistance fighters of the '90s: "These are the front lines of the war against nature throughout the world. These words from the Penans are hauntingly similar to the pleas of the Ethiopians invaded by Mussolini's forces in 1935 and the calls for help from Hungary when Soviet tanks rolled through its streets in 1956. The weak and powerless are the early victims, but the relentless and insatiable drive to exploit and plunder the earth will soon awaken the conscience of others who are only now beginning to interpret the alarms and muffled cries for help."

For more information see Penan: Voice of the Borneo Rainforest, Dr. Wade Davis and Thom Henley, Western Canada Wilderness Committee, 1991.

Timber Industry Transforms Sarawak, but Debate Rages on Who Gains

Continued From First Page

partners in that concession: Tan Sri Taib's sister, the Sarawak government, a private Islamic foundation, and a second influential senator.

Across Sarawak, a protracted struggle for land and power is being waged. The battleground is 9.4 million hectares of the richest forest in Southeast Asia.

The struggle is often portrayed by environmental activists as a confrontation between, on the one side, native groups attempting to preserve the forest, and, on the other, reckless loggers, who are accused of wreaking ecological havoc on plant and animal life and of bullying or buying off all who resist.

State government and timber-industry officials, in turn, protest that selective logging as practiced here is environmentally sound and essential to economic development.

The real ecological culprits, they charge, are shifting cultivators, like those at Uma Bawang, who cut and burn thousands of hectares of forest each year.

"We're still losing 60,000 hectares a year to shifting cultivation," grumbles Sarawak's environment and tourism minister, James Wong Kim Min. Like many state officials, he suggests that the anti-logging protests of native farmers are incited by outside environmental activists intent on embarrassing the Sarawak government and holding timber companies to ransom.

But it isn't just forest ecology that is at stake. Visits to Sarawak logging sites and villages, interviews with officials, lawyers, timbermen, politicians and farmers, and examinations of corporate records indicate that a more basic set of issues underlies this feud. Environmental concerns take a back seat locally to a fundamental political tussle over who gains from the exploitation of the state's forests. And Sarawakians from Kuching to remote jungle outposts along the Baram argue about rights to forest land and to the vast fortunes that flow from logging.

These debates are often framed as a contest between the privileged and wealthy — the state's political establishment and a few ethnic-Chinese timber merchants — and the have-nots, mainly the upland native groups, who have lived in or near the forest for generations.

"The real issue is who gets to participate; it's equity," says a Malaysian forestry official in Kuching, who declines to be identified. "People say, 'If you get it, why can't I?' — that's the bottom line."

That question goes to the core of Sarawak's economic and social structure and will determine its political future. Al-

though it is Malaysia's largest state, Sarawak has a small and diverse population.

Nearly half its 1.6 million residents are from about 20 upland native ethnic groups, among which Ibans, Bidayus, Kenyahs and Kayans are the largest. Many are Christians or follow traditional spiritual beliefs of their communities. Typically, they have lived by opening patches of land to plant crops in the heavily forested hills of the interior, shifting their plots within an area delineated by customary rights. A quarter of the state's population comprises Malays and Melanau, indigenous Moslems, who farm the long-cleared coastal lowlands, run small businesses and have dominated the state bureaucracy and politics since the 1960s.

The remainder of Sarawak's residents, comprising about 30% of the population, are ethnic Chinese. They control commerce and the all-important timber operations. The latter are dominated by the descendants of 19th-century Foochow-speaking immigrants who came to Sarawak in search of birds' nests and other jungle produce and branched into coastal logging. This hardworking, clanish community, centered in Sibu, boasts some of the wealthiest but least-known tycoons in Asia.

Historically, the native groups have lived with informal systems of customary land tenure, at least some of which are recognized by state laws. But land-code revisions have blurred those rights and narrowed them. The law now allows state officials to unilaterally abolish certain customary rights. Sometimes, native communities don't realize the changed status of their land until the timber barons turn up demanding access to their holdings.

"The fundamental conflict is over rights to land between the Dayaks (a commonly used term to denote all Sarawak's upland natives) and the people in Kuching," says an Iban lawyer in Miri. "Without timber, the Sarawak government wouldn't exist; it would change the flavor of state politics."

Logging Boom

It is difficult to overestimate the impact that timber has had on this chunk of Borneo. Since the 1970s, royalties from timber production have contributed about half the state's revenues. The industry employs 50,000 workers, with most of the unskilled and semi-skilled labor coming from natives.

In recent years, the logging boom has accelerated, with production doubling in the past decade to an estimated 15.4 million cubic meters this year, when exports are expected to earn about \$1 billion in foreign exchange. Of those exports, 90% are high-quality hardwood logs shipped unprocessed to Japan, South Korea, Taiwan and Hong Kong.

The timber industry is transforming Sarawak society — to the good, according to the government. "It's induced a degree of mobility of people and contributed to making inaccessible areas accessible,"

says Tan Sri Taib. The chief minister argues that logging has upgraded the skills of native Sarawakians and put money in their pockets. "It's benefited a lot of people," he says. "You can see Ibans and Kenyahs becoming truck drivers; some are earning as much as people with B.A. degrees."

Some forestry experts disagree. The International Tropical Timber Organization said in a 1988 study that timber tycoons have got most of the wealth from Sarawak's forests. (ITTO was created under the International Tropical Timber Agreement, a 43-member commodity pact of producers and consumers to which Malaysia belongs.)

"Some huge fortunes have been made by the concessionaires in Sarawak. It seems very doubtful whether the split is equitable, since (village) people appear to be on roughly the same standard of living as 20 years ago," the report said.

Moreover, the changes that logging has wrought have been wrenching for many Sarawakians. As the timber industry penetrates the interior, it plunges subsistence-oriented natives into a market economy. The process upsets concepts of customary land rights and strains social and work relationships that lent stability to a rural society. Physically, the logging often pollutes rivers with silt and chemicals, frightens away game, and damages trees and jungle plants that the natives harvest for food or other household uses.

Increasingly, the legal and economic interests of commercial loggers have conflicted with those of the local residents. Legal disputes have piled up in Sarawak's slow-moving court system, but native groups have won few of those decided.

Events in Uma Bawang illustrate how tensions sometimes crystallize into confrontation. For generations, Kayans have occupied village long houses along the Baram — farming and hunting in the surrounding forest and fishing in the river. Although the state government classified the area a "protected forest" subject to its control, the Kayans considered it theirs by customary right.

Then came logging. In 1981, a 105,000-hectare block of forest, including a portion of the village's customary land, was granted as an 18-year logging concession to Sarawak Plywood Sdn. Bhd., a company with considerable clout.

The bulk of the company's shares were held by a family concern of Harris Salleh, then-chief minister of neighboring Sabah state; Stephen Wan Ulok, now a vice president of Tan Sri Taib's party and a federal senator; and a brother-in-law of Tan Sri Taib's predecessor, Tun Abdul Rahman. In



Abdul Taib
Mahmud



Tiong Hiew King

TOKYO, WEDNESDAY, FEBRUARY 7, 1990

In Sarawak, a Clash Over Land and Power

A Few Timber Tycoons Flourish as Natives See Their Way of Life Eroded

By RAPHAEL PURA
Staff Reporter

UMA BAWANG, Malaysia - Under a hazy late-afternoon sun, two dozen ragged farmers struggle up a steep ravine littered with jagged stumps and charred logs. Faces and hands smeared with charcoal, the men use long poles to poke holes in the singed soil. The women, sheltered under wide straw hats, follow, sprinkling rice seeds into the holes.



**ASIA'S
FOREST
CRISIS**

PART OF A SERIES

The farmers are Kayans - one of half a dozen native ethnic groups that live along the 400-kilometer Baram River, which flows from the mountains of Borneo's northern interior. For months, about 40 families have camped here - Uma Bawang is in Sarawak, one of two Malay-

sian states on Borneo - carving out a 120-hectare farm on forested hills.

These Kayans appear unlikely rebels. But to resist incursions by commercial loggers, the farmers have split with their village leaders, clashed with the government, and tried to block access to a surrounding concession run by Sarawak's most powerful timber tycoon, Sen. Tiong Hiew King. Forty-two Kayans have gone to jail for their efforts.

"We thought it was our land, but all the benefits are going to outside people," Jok Jau Evong, the 38-year-old leader of the breakaway group, says by the flickering light of a kerosene lamp. "The community will break up, and we're trying to defend ourselves."

About 400 kilometers to the west in Kuching, the state capital, Chief Minister Abdul Taib Mahmud doesn't share that view. He says opposition to logging is a passing phase in the development process.

From a penthouse office equipped with a huge chandelier and a gurgling artificial waterfall, Tan Sri Taib declares: "Timber is our greatest transformer of the interior people. There's a lot of upheaval that's exposed a lot of inequality in terms of needs ... but the benefits will come later."

Who gets those benefits, and when, is a hot political and economic issue, especially as the forest already has rewarded the small number of politicians and businessmen who control Sarawak's timber industry.

One example is the silver-maned Tan Sri

Taib. Chief minister since 1981, he lives in a well-guarded palatial home in Kuching and rides in a cream-colored Rolls Royce. A dapper dresser, he is partial to double-breasted suits and sports a ring with a walnut-sized red gem surrounded by small diamonds.

In a 1987 state election campaign, his uncle, Abdul Rahman Ya'kub, a political rival and a former chief minister, disclosed that Tan Sri Taib's relatives and political allies held 1.6 million hectares, or about one-third, of the state's timber concessions.

Another example is Sen. Tiong. Appointed to office in the federal Parliament by Malaysia's king, Sen. Tiong is a prominent figure in a party that forms part of Tan Sri Taib's state coalition government. He heads a Sibu-based family that does more than \$185 million in timber business a year.

An acquaintance calls the 54-year-old politician-businessman "one of the largest private timber concessionaires in the world."

Sen. Tiong's 800,000-hectare timber empire of concessions and logging contracts includes the forest that Uma Bawang's rebel farmers are struggling to retain. His
Please Turn to Page 8, Column 1



Jok Jau Evong

1985, Tan Sri Taib's sister, Alsah Zainab Mahmud, and a private Islamic foundation bought Datuk Harris's stake, with Ms. Alsah Zainab paying just M\$1 for 2.36 million shares held by the Sabah politician.

After Tan Sri Taib's re-election as chief minister in April 1987, Sen. Tiong's family, in turn, became the dominant shareholder in Sarawak Plywood. Sen. Tiong's group currently owns 56% of the company and manages it. In early 1987, Sarawak Plywood subcontracted logging operations in the Uma Bawang area to Marabong Lumber Sdn. Bhd. - another Tiong family concern - which then built a base camp and a log-collection depot across the Baram from Uma Bawang.

That triggered a showdown. Farmers began to complain that Marabong's logging operations were infringing their rights to the forest and threatening their livelihood. Rain washed silt from logging cuts into streams and rivers, driving away fish; oil and diesel from machinery also tainted the waterways. Wild boar and other game - essential protein for natives - dwindled when fruit trees were destroyed or damaged. "You used to be able to go out for 20 minutes and get a boar," says a young Kayan totting an ancient shotgun. "Now you can spend a half a day and not see anything."

Some Uma Bawang villagers, saying the loggers didn't ask permission to enter their customary lands, sought compensation for the loss of jungle produce and contamination of the river. The company resisted, citing its state-granted right of access to the area.

Second Blockade

After appeals for official help failed, the Kayans put up barricades. The logging company initially attempted to negotiate with the village as a whole, then struck a separate settlement with the community's headman to end the blockade. When the majority of the village called for a second blockade, the headman refused to go along, dividing the community.

In October 1987, police moved in to arrest the 42 farmers who proceeded with the blockade. The men were later released and prosecutors eventually dropped all charges against them.

Marabong officials say the company has complied with the conditions of the timber license under which it operates and Uma Bawang villagers have been compensated for the use of the disputed land. But resentment against the loggers is still strong.

One grizzled farmer, who sports the Kayan's traditional pierced and stretched ear lobes, says: "This is Kayan land. Our ancestors have cut the heads off anyone coming in here." Adds the farmer, who says he spent two weeks handcuffed in jail in the 1967 protests: "Now the government says it's theirs. They say we're bad, but we're not bad - we're good."

The benefits these Kayans and other native groups hope to reap from the forest - food, water and agricultural land - stand



in stark contrast to the cash receipts flowing to the timber companies harvesting and exporting the choicest hardwood trees. This disparity is the chief cause of resentment among Baram natives.

A look at the ownership structure of 16 concession areas on the upper Baram illustrates how rights to exploit Sarawak's timber are concentrated in the hands of a few ethnic-Chinese timber merchants, sometimes in partnership with well-connected native leaders. Documents on file with Malaysia's registrar of companies show that just four ethnic-Chinese timber groups acting as concession licensees or logging subcontractors directly or indirectly harvest most of the region's timber land.

Sarawak Plywood's subcontractor, Marabong Lumber, was formed in 1985 by the Tiong family and today is owned 100% by ethnic Chinese, including more than a dozen members of the Tiong family. Company documents show that Marabong began operations in 1987 and had M\$4 million (US\$1.5 million) in profits by the end of 1988. Typically, Sen. Tiong's companies do much of their business with each other. Accounts for Sarawak Plywood show, for example, that in 1988, the company had more than M\$100 million in transactions with other Tiong family concerns.

The Tionsgs have other interests along the Baram. The family's main logging concern, Rimbunan Hijau Sdn. Bhd., operates on at least two more concessions on the river.

Records show that Rimbunan Hijau has generated more than M\$350 million a year in revenue since 1985. That revenue is augmented by that of the more than two dozen other timber subsidiary and associate companies owned by Rimbunan Hijau or the family's main investment company, Tiong Toh Siong Holdings Sdn. Bhd.

Among the Tionsgs' other business associates are Sen. Ahmad Ural Mohideen, who is speaker of the federal senate and the co-holder of two Baram concessions, and Datuk Wong, the state environment minister, who is a partner in a 180,000-hectare concession in nearby Limbang. Sen. Tiong acknowledges such ties but doesn't view them as compromising. "I consider them (his associates) worthy of doing business with, though they happen also to be in politics or have family members in politics," he says.

No. 2 Timber Merchant

Other tycoons also live off Baram timber. Companies controlled by Sarawak's second-largest timber merchant, Miri-based 51-year-old Hiew Teck Seng, are directly or indirectly involved in five concessions as licensees or contractors. Mr. Hiew's Samling Timber Sdn. Bhd., one of the state's biggest contractors, operate in several of these sites. In some concessions, Mr. Hiew teamed up with Wan Abdul Rahman Bujang, the son of an ex-Sarawak head of state. (The head of state is a ceremonial post in four Malaysian states that don't have Malay sultans as their highest public official.)

Yet another prominent logging empire, WTK Group, operates in two other concessions. WTK is controlled by the Sibuan-based family of Wong Tuong Kwang, whose son, Wong Kie Yik, is yet another federal senator. WTK's native associates include Edward Jeli Belayong, a state assemblyman for a Baram constituency. At least two other large concessions in the Baram area were held by relatives and associates of

former Sarawak chief minister Tun Abdul Rahman until early 1987 when Tan Sri Taib revoked these and other timber licenses covering 1.25 million hectares from his rival's relatives and political allies.

Sarawak businessmen say shrewd maneuvering generally has enabled the big ethnic-Chinese timber merchants to avoid losing their businesses during the political wars between Tan Sri Taib and Tun Rahman. "They go with the government of the day but put bets on both horses," says a Sarawak state assemblyman. "The Chinese use politics as economic leverage."

Ironically, outside of expenditures on salaries and local services, official records show all this logging activity doesn't leave much money in the Baram communities or generate much tax revenue.

The Tiong family's Rimbunan Hijau, for example, took in about M\$2 billion in revenue between 1976 and 1987. But the company's audited financial statements show it made a cumulative after-tax profit of just M\$2.2 million during that period. Records also show Rimbunan Hijau paid its directors and shareholders almost as much in fees and dividends (M\$3.6 million) as it paid the federal government in taxes (M\$4.8 million).

Tycoon's Defense

Sen. Tiong says criticism of him and other Sarawak timber magnates with political clout is ill-founded. In written replies to questions about his activities, he describes logging as a capital-intensive, risky business that takes financial muscle to succeed. He said that political involvement in forestry policy was unavoidable because of timber's importance to Malaysia.

"In a developing country, the emotions of the less fortunate are relatively quick to work up over the issue that the rich are making a quick buck," Sen. Tiong says, adding that critics often overlook the employment and wages generated by the timber tycoons.

Sarawak's leadership shows little sign of reforming the concession system. In theory, all forest belongs to the state. About 4.9 million hectares is licensed for logging by the state for periods of up to 25 years. Licensing decisions are made by the chief minister in his additional function as state minister of resource planning. The licenses don't involve competitive bidding.

Tan Sri Taib says he has "minimized" politicization of the concession process and points to his revocation of Tun Rahman's licenses in 1987 as proof. (He doesn't say why he took that step only after he had been in office for six years and did so when Tun Rahman threatened to unseat him.)

The chief minister also defends tacitly the concentration of timber operations in hands of wealthy ethnic-Chinese tycoons. Sarawak "must give concessions to people with capability to harvest it (timber) or to work with with those who do," he says.

"I resist the idea of having any Tom, Dick or Harry in the timber business," the chief minister adds. Such explanations don't satisfy Malaysian or foreign critics of the concession system. Last year, for example, a U.S. congressional staff delegation that visited Sarawak to study its forest policies said in a report that it found "significant concern over the political manipulation of the concession system. There is also evidence to suggest that some government officials may be profiting directly or indirectly from lucrative logging concessions."

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TO: Ms. Katie McGinty fax (202) 224-0580
Senator Al Gore's Environmental Legislative Assistant

FROM: Wayne Robertson, President

DATE: March 4, 1992 and as amended on April 2, 1992

Number of pages including cover: 1

Message: Katie, I have not heard from you yet. Please help. I am really interested in learning more about attending the Rio conference. Please give me some good news about that and your help on alerting Baucus about supporting on-site recycling in 976. Has Sen. Gore seen our video yet? Can he visit our plant soon?

Dear Katie:

Has Senator Gore seen the video about our on-site answer to the used motor oil problem yet? We really want him to visit our plant here in MetroCenter. I finished his book and saw him Sunday morning on tv at Schiller's Crystal Palace. The book is excellent and he did a great job discussing it. The magnitude of the problem is depressing. Is there anything helpful or useful a private business citizen like me could do in Rio?

Could you check with the Baucus staff about S 976? Our on-site recycling by burning cleanly for energy conservation is legally defined as "recycling" now. S976 would change that. Could you check to make sure the bill's author know about our on-site technology? Are they trying to harm our on-site "space heater" equipment that makes used oil valuable or are they just not aware of it?

Thanks again. Wayne

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Mrs.

Pl. copy these for Al & Charles JMF

U.S Senate to vote on Sarawak Rain Forests

WASHINGTON, April 2 (AFP) - U.S. Senator Al Gore Thursday introduced a bill calling on the governments of Malaysia and Japan to take immediate steps to protect endangered rainforests in Sarawak.

Gore said that the entire region, which is part of Malaysia, would be deforested within eight years if the current level of logging were allowed to go unchecked.

The Tennessee senator's resolution urges the U.S. administration to call on the Malaysian government "to act immediately in defense of Sarawak's environment by reducing the annual rate of timber cutting by at least two-thirds."

It also calls on Kuala Lumpur to formally recognize and uphold the land rights and human rights of all its indigenous peoples.

Deforestation of the rainforests in Sarawak, located in the northern sector of the island of Borneo, was brought to world attention by the plight of the Penan Indians.

With the aid of Bruno Manser, a native Swiss who spent six years living with them, the Penan have built barricades along logging routes in an effort to resist any further deforestation of their homegrounds.

The Malaysian government maintains it has a sustainable management forestry program and rejects any interference by foreign countries in its internal affairs. Several indigenous leaders have been arrested.

Gore's resolution further urges the U.S. administration to call on Japan to investigate the activities of certain private Japanese companies which he said were mainly responsible for importing the timber from Sarawak.

The senator, who ran for the Democratic presidential nomination four years ago, said the President George Bush should set an example in Rio de Janeiro in early June.

Gore said that he had also been in touch with legislators in Japan and in the European parliament in Strasbourg and that he expected them to introduce similar legislation.

Manser and other activists involved in the campaign to save the Sarawak rainforests are currently in the United States to drum up support ahead of the Rio de Janeiro summit.

Raw - take a look @ these for res. file of Sarawak Summit. JMF

Malaysia Blasts U.S. Senator for anti-logging bill.

KUALA LUMPUR, April 3 (AFP) - Malaysia Friday blasted a U.S. senator for introducing a bill calling for curbs on logging in its timber-rich eastern Sarawak state, saying the move was a way to erect new trade barriers.

Primary Industries Minister Lim Keng Yaik said the move had underlined the growing urgency for Malaysia to launch a full-scale counterattack to beat the anti-logging campaign being waged with increasing intensity worldwide.

"It is worrying but we should not panic," Lim said, adding that it had made it more imperative now for Malaysia to fight back and present "our side of the story."

Democratic Senator Al Gore's move was driven by "politically intentions," and could be considered as a way to erect more non-tariff trade barriers, Lim said in an interview.

"The question in debate is that the senator is biased because he has not bothered to find out for himself the true picture of what is happening in Sarawak before moving the bill," Lim said.

Gore introduced Thursday in Washington a bill calling on the governments of Malaysia and Japan to take immediate steps to protect endangered rainforests in Sarawak. The senator said Sarawak would be deforested within eight years if the current level of logging was allowed to go unchecked.

Lim said Malaysia would contact its embassy in Washington to take up the issue and explain that Malaysia "is actually practicing sustainable forestry policies."

In Wellington early Friday, president of New Zealand Timber Importers Association was quoted as saying that its members have decided not to buy tropical wood from areas in Southeast Asia and Latin America where forestry was unsustainable because of excess logging.

Malaysia, home to some of the world's lushest tropical rainforests, has been under increasing attack by Western environmentalists campaigning against the trade in tropical hardwoods.

Politicians and businesses are taking the Malaysian situation in the wrong context because they are being fed with one-sided stories which have been blown out of proportion the country's logging and moves to resettle the Penan tribes in Sarawak," Lim said.

Western environmentalists have accused Malaysia of driving the Penans into extinction through indiscriminate logging.

"We had previously been presenting our views in overseas forums but on an ad hoc basis constrained by finances, but now we are in a better position to do it systematically," Lim said.

Lim on Tuesday announced he had been directed by the cabinet to launch in May's special taskforce in Europe to counter the anti-tropical timber campaign. The taskforce would be financed by the private-sector Malaysian Timber Industry Council (MTIDC).

Lim would also lead a Malaysian delegation for a two-week mission from May 2 to Sweden, Germany, Belgium, Holland and Britain to meet government leaders, environmentalists and non-governmental organizations to explain Kuala Lumpur's position.

Lim said over the last three to four years, there had been multiple resolutions moved in European Parliament "but the European commissioners found fit not to impose and implement them."

Timber is Malaysia's second largest single foreign exchange earner within the primary commodity sector. The timber industry, comprising saw logs and sawn timber, earned M\$7.11 billion dollars (US\$2.7 billion) last year.

Senator Urges Japan to Take Up Tropical Rain Forest Cause

WASHINGTON, April 2 Kyodo - A U.S. senator called on Japan Thursday to investigate the involvement of private Japanese companies in the destruction of tropical rain forests in Malaysia.

Sen. Al Gore said he was introducing a resolution in the Senate urging the Japanese government to launch an investigation of the role Japanese timber importers play in the destruction of the Sarawak rain forest on the island of Borneo.

"At risk are some of the oldest and richest forest ecosystems being cut down so fast, that if current rates are maintained, the entire region will be deforested within eight years," the Tennessee Democrat said at a news conference.

The resolution also calls on the Malaysian government to reduce timber cutting by at least two-thirds and to uphold the customary land rights as well as the human rights of indigenous Malaysians. Gore said the culture of the Sarawak people is threatened with extinction by the destruction of the rain forests.

He criticized the Malaysian government, saying it was intimidating Sarawak leaders who campaign to protect the forests. He also accused the government of restricting media coverage concerning the rain forests.

Many environmental organizations have spoken out against the rate at which rain forests are being harvested and the effect the timber cutting has on local people.

Much of the recent outcry has been directed at Japan, a major importer of tropical timber.

The issue of tropical rain forests will be one of those taken up at the Earth Summit in Rio de Janeiro in June.

--Kyodo--

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United States: Senate calls for protections in Malaysian forest

Washington, Apr 2 (IPS) -- The Malaysian government should reduce by at least two-thirds the rate of timber cutting in Sarawak and uphold customary land rights of the Penan indigenous peoples there, according to a resolution introduced Thursday in the US Senate.

The resolution by Tennessee Senator Albert Gore -- one of the recognized leaders of the US environmental movement -- also calls for Japan to investigate the activities of certain Japanese companies in Sarawak, which he says promote the destruction of the rainforest there, as well as the culture of the Sarawak people.

Japan is the single largest consumer of tropical timber, one-third of which comes from Sarawak, according to Gore's office. Sarawak exports raw logs to Japan and other Asian countries for secondary processing.

Environmental groups have estimated that current logging rates in Malaysia are so high that the country will soon follow the Philippines and Thailand to become a net importer of tropical logs by the year 2000.

Sarawak is also home to the Dayaks, the name for the 25 indigenous groups that live in Sarawak's interior.

They comprise about 49 percent of the state's population, but environmental groups have charged they have no say in logging policy affecting their ancestral lands.

One of the Dayak groups, the Penan, is one of the last nomadic hunter-gatherer peoples left on earth and is particularly threatened by widespread logging of the forests, according to environmental groups.

"The Penan Indians and other tribes in Sarawak are being arrested for their efforts to protect the tropical rainforest that is their home," Gore said Thursday. "For months, they have peacefully protested the deforestation, attempting to block logging roads, facing arrests and harassment from the Malaysian government which has banned the media from covering the story."

"At risk are some of the oldest and richest forest ecosystems -- being cut down so fast that if current rates are maintained, the entire region will be deforested within eight years," said the Senator, who will head the congressional delegation to the "Earth Summit" in Rio de Janeiro in June.

"Some species of trees already have been logged to extinction," he added.

Gore was joined by Kerry Kennedy Cuomo, director of the Robert F. Kennedy memorial center for human rights. She is the daughter of Robert Kennedy and daughter-in-law of New York Governor Mario Cuomo.

"The Malaysian government tolerates the systematic violation of the human rights of the Penan and other tribal peoples of Sarawak," she told a news conference.

"When tribal peoples are stripped of their traditional land and its natural resources, they also lose their autonomy, and with it their very existence as a people," she said.

"Consequently, the world is in danger of losing a language, a culture, a history and crucial knowledge about how to manage our dwindling resources in a sustainable manner," she said.

SOS SARAWAK**Contact****Anthony Dixon: tel: (212) 909-2755 fax: (212) 355-6721**

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From: SOS Sarawak Operations Committee
Date: April 7, 1992
Subject: Some of the media coverage of the campaign to date and a one-page critique of Malaysia's role in the preparatory meetings for UNCED
Pages: 5 + 1 cover page

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THE SARAWAK CRISIS, THE EARTH SUMMIT, AND THE POTENTIAL FOR A
WORLD FOREST CONVENTION : THE CONNECTIONS

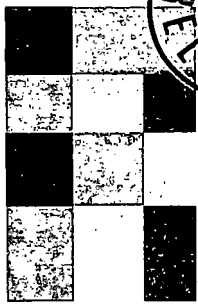
The deforestation and indigenous peoples' human rights crisis in Sarawak has generated outrage and criticism from environmental organizations and a growing number of political and human rights leaders worldwide. This criticism has made Malaysia, which claims it is unfounded and unjust, furious.

Malaysia's fury has manifested itself most visibly in the negotiation process leading up to the Earth Summit (the United Nations Conference on Environment and Development, scheduled for Rio de Janeiro June 3-14, 1992). This is the most significant environmental conference, and the most comprehensive international summit meeting, in world history. Preparatory negotiations on a variety of hoped-for accords have been underway for the last two years.

One of the primary agreements long hoped to be signed at the Earth Summit was some sort of world forest convention or treaty. This would have been the first time the world had ever considered forests to be a resource of overriding global interest. However, because of the sensitivity of tropical nations in general, and the anger and refusal of Malaysia in particular, all hopes for such a convention were dashed last year. In place of an actual convention, Earth Summit negotiators instead have been attempting to craft "An Authoritative Statement of Principles" for the sustainable management of the world's forests.

Unfortunately, during the recent final preparatory negotiations in New York (March), the chances for a strong set of principles have nearly collapsed, and much of the blame* can be laid at the feet of Malaysia, whose blocking and delaying tactics have infuriated most of the other governments involved (including many of the G-77 nations in whose behalf Malaysia has actually been speaking). Malaysia has also made it dramatically clear that it has no interest in ever discussing a global forest convention. In fact, it has been fighting the idea that the world at large should have any interest whatsoever in "its forests", or those of any individual nation. (Malaysia has also opposed consideration of forests as whole ecosystems, and the protection of natural forest areas).

* [It should be noted that there have been many interconnecting issues complicating these negotiations, and developed nations, particularly the United States, have also held some strong positions on many of them. The inability of Earth Summit negotiators to resolve many of these "cross-cutting" issues has also made the forest principles negotiations more difficult. Nevertheless, on many occasions the spirit of compromise has been dashed by Malaysia's intransigence.]



For Immediate Release

Contact: Chris DeCardy
202-745-0707

MALAYSIA'S MASSIVE LOGGING DEFORESTATION LEADS WORLD, THREATENS INDIGENOUS PEOPLE

Japan's Appetite for Throw-Away Plywood, Local Corruption in Malaysian Province Drive Unsustainable Harvest

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Standing behind painstakingly crafted sapling and rattan barricades blocking logging roads into their homeland, the indigenous people of Sarawak in Malaysia are on the front line in the battle to end unsustainable logging in the world's tropical forests.

* In 1989, Sarawak provided one-third of the world's tropical timber. At current rates, the ancient forest -- among the most diverse in the world - - will be gone by 2000. By comparison, Brazil currently accounts for only 5 percent of the tropical timber trade.

* Japan is the single largest consumer of tropical timber, 60 percent of which comes from the Malaysian states of Sabah and Sarawak. Leading importers, including Mitsubishi, use 80 percent of the teak and mahogany from Malaysia in disposable plywood forms for concrete housing construction.

* While the Malaysian government controls most industry, logging is controlled at the state level. Sarawak's chief minister personally controls 10 percent of logging land concessions, and friends and political cronies control much of the rest. The annual personal profit of these owners is enormous, and logging continues around the clock because concessions are political favors which could be reassigned with the next election.

* At current logging rates, Malaysia will follow the Philippines and Thailand to become a net importer of tropical logs by the year 2000. Logged lands are susceptible to erosive flooding and mudslides and can no longer sustain inhabitants or industry. Without international action, when Malaysia's forests are gone, those of Papua New Guinea, Brazil and others will be next.

* The Dayaks (about 25 smaller groups living in Sarawak's interior) comprise 49 percent of the population of Sarawak, but have no say in logging policy of their ancestral land. One of these groups, the Penan, is one of the last nomadic hunter-gatherers on earth and is facing genocide.

* Plants provide 25 percent of the world's medicines, yet less than one percent of rainforest species have been chemically analyzed. Native healers and herbalists hold the key to unlocking many of these secrets, yet they are being wiped out and their knowledge lost forever.

MALAYSIA'S LOCAL GOVT. CORRUPTION FUELS UNCHECKED LOGGING, RAINFOREST DESTRUCTION

**"We get too much rain in Sarawak, it stops me playing golf."
-- Environment Minister of Sarawak (Malaysian Province)**

Native Groups Demand Preservation, Equitable Distribution of Concessions, Sustainable Harvest

Because Malaysian logging concessions are controlled by state governments, the opportunity for corruption and the incentive to reap quick profit at the expense of rainforest preservation is great. Nowhere is it greater than the state of Sarawak.

The Malaysian government granted all profits from logging concessions to the state when enticing the Sarawak and Sabah regions of Borneo to join the Malaysian confederation in 1963. With a single hectare of virgin forest worth from \$15-to-37,000 in gross receipts for the contractor alone, the big winners have been Sarawak's chief ministers, relatives and cronies. Logging continues by spotlight even at night because winners in the next election could reassign concessions.

The 1987 election provided rare insight into the extent of the corruption. Each candidate revealed that the other controlled more than one million hectares in logging concessions worth billions in potential profits. The two candidates were uncle and nephew.

Sarawak's Environment Minister Datuk James Wong owns Limbang Trading Co., one of the largest logging firms in Sarawak, and has been one of the most outspoken advocates of massive logging.

Wong says the industry only practices sustainable harvesting which restores logged forest in five years to growth levels indistinguishable from primary forest. The International Tropical Timber Organization (set up by the governments of nations trading tropical timber including Malaysia) disagreed saying in 1988 that Sarawak's forests would be gone by 1995 at current rates. Instead of cutting production to ITTO's recommended 9 million cubic meters that year, Malaysia exported twice that amount.

Thailand and the Philippines also serve as warning beacons -- both nations took measures to restrict logging only after becoming net wood importers.

Wong also says that no one has the right to prevent the Dayak from becoming part of industrialized society. While native leaders do not argue this point, they also say no one should have the right to force them to do so by destroying their homeland.

They argue concessions should be distributed equitably, logging should be truly sustainable and that large regions should be permanently protected from logging. While logging is vital to Sarawak's economy,

very little of the revenue has trickled down in opportunities or services to its indigenous people.

Other nations have found alternatives. Costa Rica is working with companies to protect forests for medical research with a share of profits going to the government. And Brazil recently set aside tens of thousands of acres of tropical forest as a biosphere reserve.

The issue is a truly global dilemma because current logging practices are bankrupting Sarawak's and Malaysia's future -- and the world will eventually have to pick up the tab.

JAPAN DOMINATES TROPICAL TIMBER TRADE

Protecting Own Forests, 30 Year Policy Leaves Other Nation's Forests, Economies Ruined as Japan Looks to New Sources

First Philippines, Then Indonesia, Now Malaysia, Next ???

Japan accounts for half of the world's tropical hardwood timber trade and is the largest trader among industrialized nations. For the last 30 years, Japan has worked to import cheap supplies of timber from other nations because labor costs, lack of space and rough terrain inflate the cost of home grown timber. In preserving its own forests, however, Japan has been fostering the destruction of other nations' forests.

Japan's most recent target has been Malaysia. In 1987, Japan imported 89 percent (or 12.3 million cubic meters) of its tropical logs from Sarawak and Sabah in Malaysia. In contrast, Japan imported only 1.2 million from the rest of South East Asia that year.

Japanese companies use much of this beautiful teak and mahogany (ancient dipterocarps) for kopane, a plywood used for concrete forms in housing which are then ripped off and burned. Japan has 2.5 percent of the world's population, but consumed 52 percent of the world tropical timber trade in 1989.

Many of the Japanese companies involved in the Malaysian timber trade are familiar to American consumers. In 1990 Mitsubishi Corporation and Meiwa Trading, both belonging to the Mitsubishi group, were Japan's second largest importers of tropical timber -- 325,000 cubic meters of which 248,000 came from Sarawak. This could cover all of London in one inch thick plywood.

Mitsubishi said it would cut back to 210,000 cubic meters in 1991, but by June 1991 had already brought in 192,000 cubic meters from Malaysia.

Malaysia Only Latest in Long Line of Japanese Timber Suppliers

In the 1960s, Japan first tapped the Philippines as its main source of tropical hardwoods. As that nation's forests disappeared in the 1970s, Japan moved to Indonesia. Facing destruction of its forests, the Indonesian government suspended export of unprocessed timber and Japan moved its attention to Malaysia -- specifically the two states on Borneo, Sabah and Sarawak.

Sabah's timber exports have peaked, and Sarawak's are now on the rise. Without intervention, Japan will use up these supplies and move to other sources including Papua New Guinea, the Solomon Islands and other South-East Asian nations and Brazil and Central African nations.

Ironically, with the Philippines and Thailand now net importers of lumber and the supply of tropical hardwoods dwindling, Japan could soon be competing for lumber with the very nations it helped deforest.

EXPERTS ON SARAWAK RAINFOREST AND DAYAK BLOCKADES AVAILABLE FOR MEETINGS, INTERVIEWS

In United States from March 30 - April 3, 1992

A Sarawak lawyer who represents many of the Dayaks arrested at the blockades, a noted ethnobotanist who has years of experience studying tropical rainforests and has written a book on the situation in Sarawak, and a remarkable Swiss artist who spent six years living with one Dayak group -- the Penan -- will travel to the United States in late March and be available to discuss the increasingly grave situation created by unsustainable logging in Sarawak, including human rights abuses.

Wade Davis

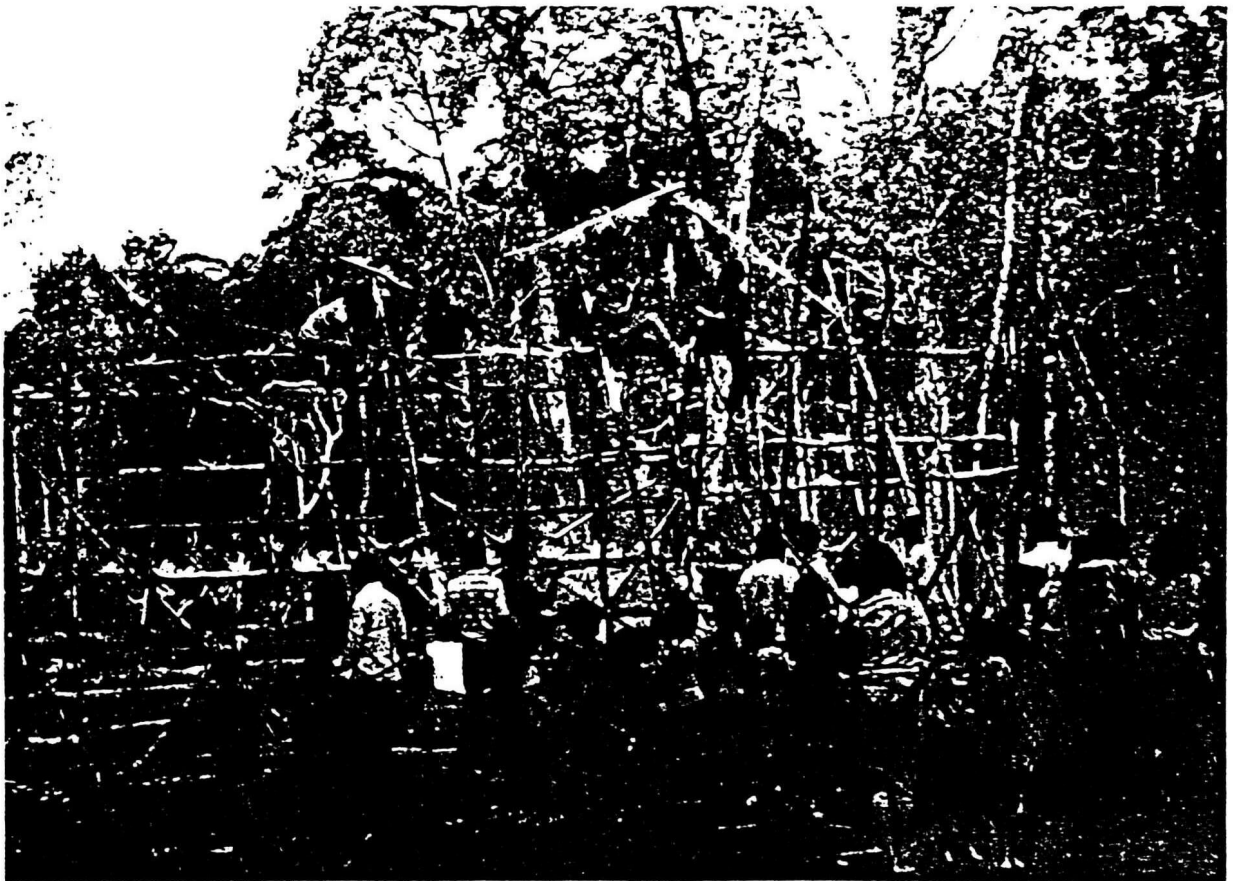
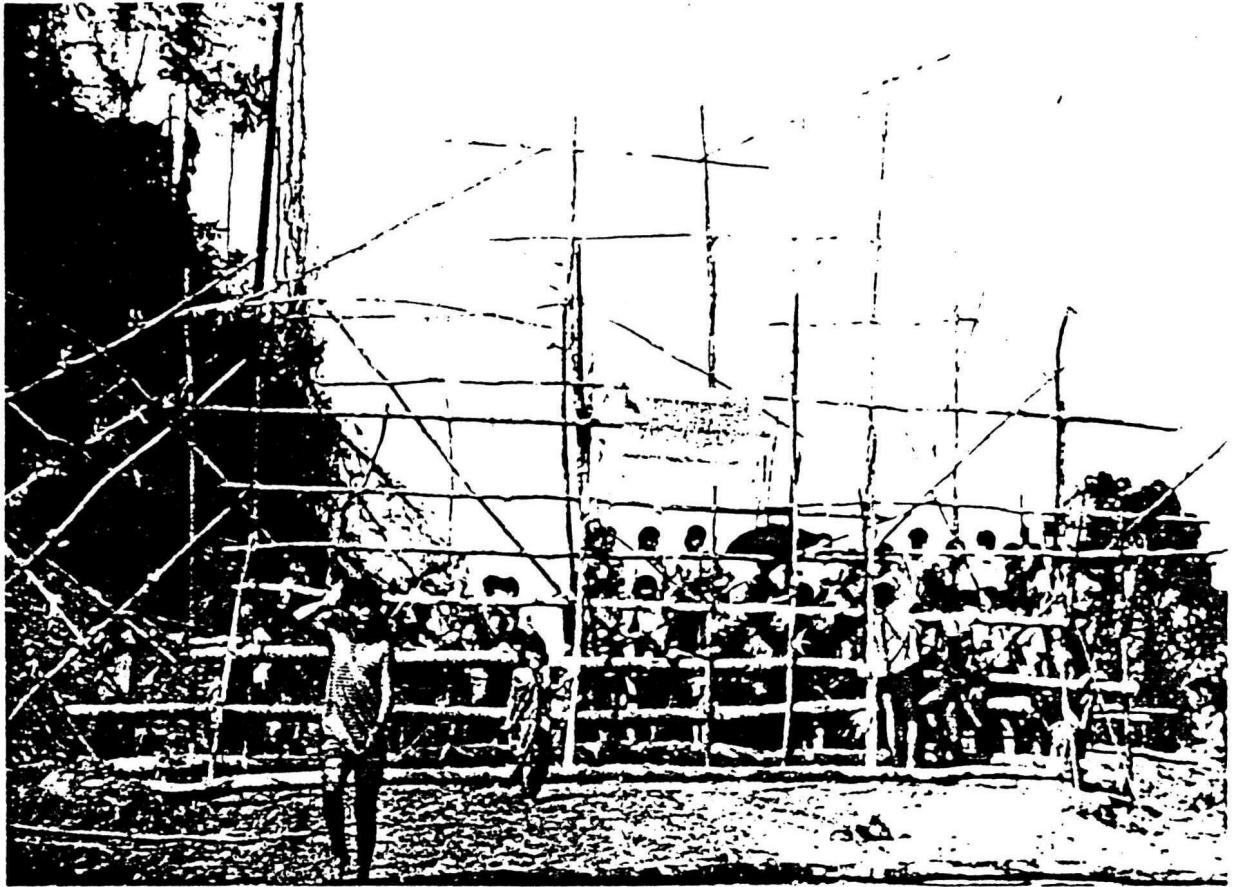
Wade Davis is a noted ethnobotanist, photographer and plant explorer who holds degrees in anthropology and biology and received his Ph.D. in ethnobotany from Harvard University. He has investigated nearly two dozen tribal groups in ten nations and is author of Penan: Voice of the Borneo Rainforest, The Serpent and the Rainbow and other books. A native of British Columbia, Dr. Davis has worked as a park ranger, forestry engineer, logger and big game hunting guide. His magazine articles have appeared in Newsweek, Premiere, Outside, Omni, Harper's and many other publications. He is currently serving as a scientific consultant to Warner Bros. for an upcoming feature film based on the struggle of the Penan and Bruno Manser's story.

Bruno Manser

Bruno Manser is a Swiss artist and spelunker who travelled to Sarawak in 1984 to explore the extensive caves of the region. He also hoped to meet members of the Penan, one of the last nomadic hunter-gatherers on earth. He spent nearly seven years living with and learning from the Penan. He even compiled a dictionary of their language. As the logging increasingly encroached on their homeland, Manser helped the Penan organize their opposition. The Malaysian government put a bounty on his head, and for five years he eluded capture in the forests. In 1990, Manser left to begin work outside Malaysia drawing attention to the plight of the Penan. He has travelled the world speaking about his experiences. He has written a book and a movie based on his life will be released by Warner Bros. next year.

Raymond Szetu Mei Thong

Raymond Szetu is a native of Sarawak and leading lawyer representing native rights in Sarawak and Sabah for nearly 20 years. He currently is representing Dayak leader Anderson Mutang Urud who was arrested without charge on February 5, 1992. He also represented eight foreign nationals who were arrested after chaining themselves to logging equipment in 1991 including American Deborah Witkin. Szetu served one term in the Malaysian Parliament from 1978 to 1982. He has travelled extensively in Dayak regions, meeting with leaders and representing many who have been arrested in protests against the government.



SOS SARAWAK

Summary of Recent Developments - March 1992

- February 24 Despite a court order authorizing police to dismantle the Long Ajeng blockade, the blockade remains intact.
- The offices of SAM and SIPA are effectively closed down by police who confiscate files and fax machines.
- 18 people are arrested in the Lawas district for blockading logging roads.
- March 3 Anderson Mutang was charged under section 42 of the Societies Act 1966 for managing an unregistered society (the Sawarak Indigenous People's Alliance "SIPA"). He was released on bail of \$M2,000.
- 10 of the 42 Kenyah arrested for blockade activities in the Belaga area were charged under the Police Act with refusing to obey instructions and fined \$M3,000. All were released on bail and the trial of the remaining 32 set for August 28, 1992.
- March 10 26 tribal people appeared in court on blockade related charges. The trial was deferred because the prosecutor was absent.
- March 18 Reliable sources report that the Long Ajeng blockade was dismantled by 1,000 armed riot squad personnel. No arrests occurred.
- March 23 33 Penan from Long Napir were brought to trial in Limbang under section 90B of the Forest Ordinance. 6 were convicted and sentenced to 2 weeks imprisonment. 18 were acquitted. The case of the remaining 9 was deferred.
- 2 of the 42 people arrested for blockading in Long Geng were convicted under 90B of the Forest Ordinance. One, a 65 year old man was sentenced to 5 months imprisonment plus \$M1,000 fine and the other to a \$M3,000 fine or 3 months imprisonment.
- March 30 New blockades are reported to have been erected in the Long Ajeng area. The resistance of local people in Long Ajeng area has now successfully prevented logging in the area since June 1991.
- Reports that Anderson Mutang is wanted again by the police in connection with the new blockades at Long Ajeng. His whereabouts are unknown. Reports of police harassment and intimidation of local NGOs.
- A tribal warriors celebration is planned for mid April at Long Geng, Belaga.

SOS SARAWAK - Goals and Objectives

1. Human Rights. We call upon the State Government of Sarawak to

- (a) immediately release all Dayak peoples arrested and currently detained for blockade and other anti-logging related activities;
- (b) immediately dismiss all charges pending against Dayak peoples in connection with blockade and other anti-logging activities to protect their customary lands.

2. Logging. We call upon the State Government of Sarawak to

- (a) immediately suspend all existing licenses which permit logging in Penan areas and areas under dispute for Native Customary Rights (NCR) as recognized under the Malaysian Constitution;
- (b) immediately cease to issue new licenses in NCR-disputed areas;
- (c) ban the export of unprocessed tropical logs from Sarawak.

3. Land Rights. We call upon the State Government of Sarawak to

- (a) establish urgently, and in consultation with representatives of the indigenous peoples of Sarawak, a Biosphere Reserve in traditional under local control and management, for the protection of Sarawak's remaining primary forest, its indigenous peoples and its biodiversity.

4. Consumption, Trade and Development Aid.

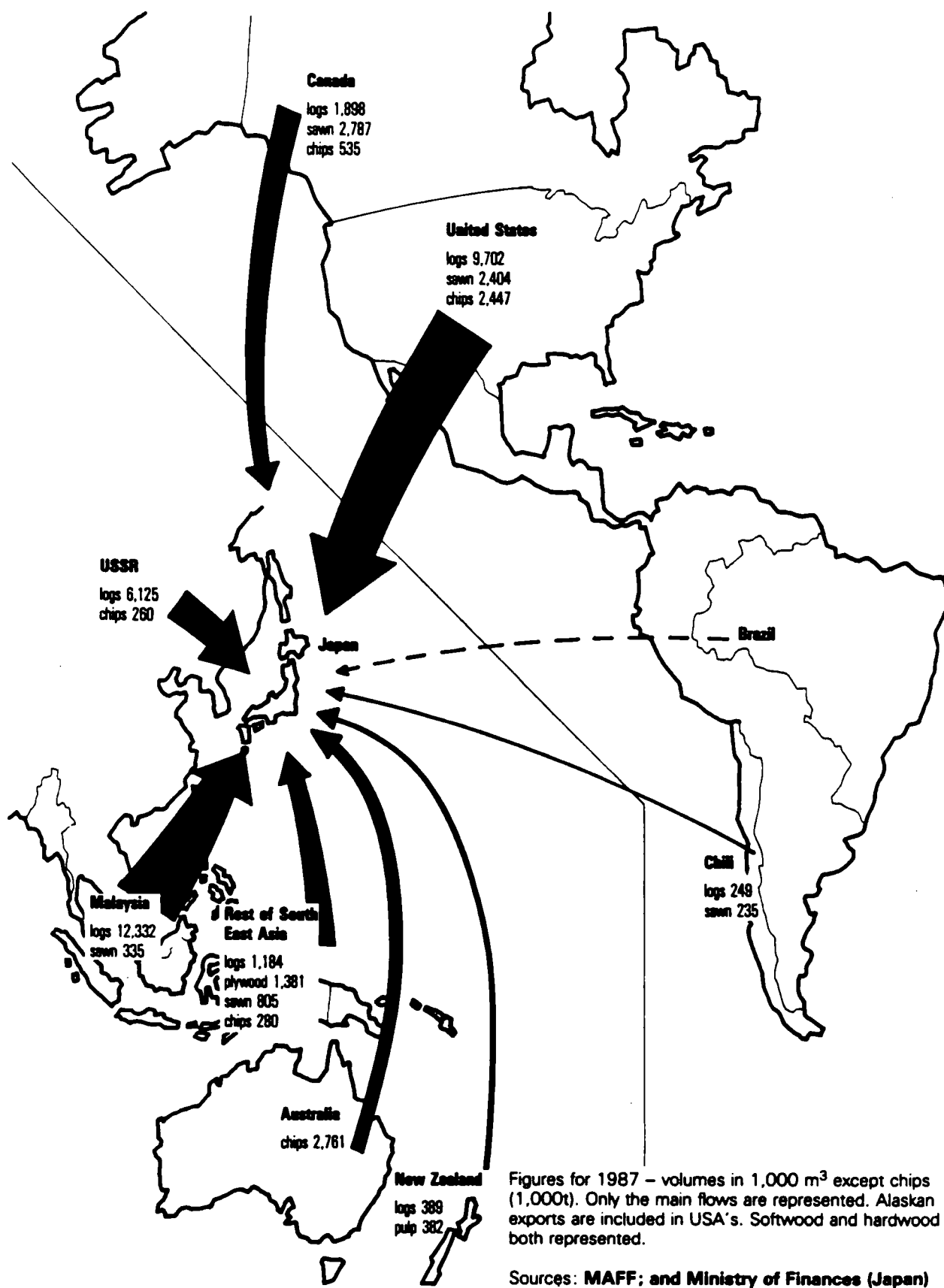
- (a) We call upon the Governments of Japan, Korea and Taiwan, who collectively import more than 80% of Sarawak's tropical log exports, to reduce immediately their consumption of tropical logs from Sarawak.
- (b) We call upon the citizens of the US to boycott products manufactured by companies affiliated with the following major Japanese exporters of tropical logs from Sarawak: Sanwa, Mitsubishi, Mitsui, and Fuji.
- (c) We call upon the World Bank to abandon its proposed \$50 million loan to fund the initial phase of a road project linking Sarawak with Sabah.

5. US Policy. We call upon the US Senate to endorse the resolution of Senator Gore concerning Sarawak's rainforests.

6. Dialogue, Participation and Development. We call upon the United Nations to

- (a) initiate dialogue between the governments of Sarawak and Malaysia and the indigenous peoples of Sarawak towards a mutually acceptable resolution of the conflict;
- (b) establish an international task force with local, indigenous, and international representation, to propose and implement alternative economic uses of the forest in Sarawak.

Figure 4 The Pacific Rim: main timber supply source for Japan



102D CONGRESS
2D SESSION

S. RES. 280

IN THE SENATE OF THE UNITED STATES

Mr. GORE submitted the following resolution; which was

RESOLUTION

To express the sense of the Senate concerning the tropical
rain forests of Malaysia.

Whereas the tropical rain forests of the East Malaysian State
of Sarawak, some of the most biologically and culturally
diverse rain forests, are being logged at the fastest rate
in the world;

Whereas despite the recommendation of the International
Tropical Timber Organization that this logging rate be
significantly reduced to ensure long-term sustainability,
the rate has instead risen dramatically;

Whereas this rate of logging will lead to the disappearance
of virtually all primary tropical rain forests in Sarawak
within a decade;

Whereas the effects of this logging on the indigenous peoples
of Sarawak are causing hunger and suffering, and will

lead to the destruction of their traditional cultures if it is not stopped immediately;

Whereas many of these populations face severe discrimination, denial of human rights, loss of cultural and religious freedoms, and in the worst case, cultural or physical destruction;

Whereas one of the most severely impacted tribal groups in Sarawak is the Penan, the last intact nomadic hunting and gathering culture in Southeast Asia;

Whereas commercial logging backed by foreign capital is the driving force behind deforestation in Sarawak;

Whereas most of the logging concessions in Sarawak are distributed in a politically motivated and arbitrary manner, without regard to the socioecological consequences;

Whereas most of the timber logged in Sarawak is exported in raw form to Japan and other Asian countries for secondary processing, concentrating wealth from the exports in the hands of a few individuals, and providing no additional income or employment for the people of Sarawak; and

Whereas it is incumbent upon the world community to create an environment favorable to the survival of the rain forests and the cultures dependent upon them: Now, therefore, be it

1 *Resolved*, That it is the sense of the Senate that—

2 (1) it should be the policy of the United States

3 to call upon the Government of Malaysia to act im-

4 mediately in defense of the environment of Sarawak

5 by ending the uncontrolled exploitation of the rain

1 forests of Sarawak, by reducing the annual rate of
2 timber cutting by at least two-thirds, and by for-
3 mally recognizing and upholding the customary land
4 rights and the internationally established human
5 rights of all indigenous peoples of such Government;
6 and

7 (2) it should be the policy of the United States
8 to call upon the Government of Japan to investigate
9 the activities of certain private companies of Japan
10 in contributing to the destruction of the Sarawak
11 rain forest, and therefore to the destruction of the
12 culture of the indigenous people of Sarawak.

United States Senate

WASHINGTON, DC 20510-4202

March 27, 1992

Dear Colleague:

On Thursday, April 2, I plan to introduce the attached resolution concerning the tropical rain forests and the indigenous tribal peoples of Sarawak, Malaysia, and I am writing to invite you to join me as an original cosponsor.

The Penan Indians of Sarawak are waging a battle for their survival. Their homes and their culture are in grave jeopardy as logging companies rapaciously tear down the forest on which they depend.

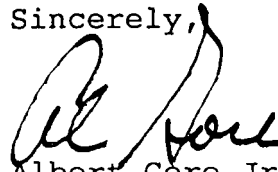
For the last several months, hundreds of Penan have peacefully protested the continued deforestation. Gathering on the logging roads, they have desperately tried to hold off the bulldozers and chainsaws. The Malaysian government is now acting aggressively to stop their opposition. Recently, the leaders of the Penan have been jailed and their call for help is being silenced as the government has barred journalists from the area.

The rainforests of Sarawak are among the world's oldest and richest forest ecosystems. The forests are being cut down so fast however, that, if current rates are maintained, the entire region will be deforested within **eight years**. Some of the estimated 2,500 species of trees have already been logged to extinction.

Sadly, the struggle of the Penan is not an isolated event. All around the world cultures that have developed and thrived over the millenia are being destroyed by the relentless onslaught of timber, mining and commercial agricultural interests. Their loss is a tragedy to us all; and I believe that we must speak out against the human rights and environmental abuses they endure.

I hope that you will join me in this initiative. If you have any questions please don't hesitate to call me personally or have your staff contact Katie McGinty or Ram Uppuluri of my staff.

Sincerely,



Albert Gore Jr.
United States Senator

M E M O R A N D U M
FOR NEWS CONFERENCE THURSDAY APRIL 2 AT NOON

TO: AGJ

FROM: MER

SUBJECT: News Conference: Penan Indians/Rainforest
Noon Thurs April 2
Room 385 Russell

WHO: This news conference is being sponsored by SOS Sarawak -- a coalition that includes the RFK Center for Human Rights (explaining Kerry Kennedy Cuomo's role).

At the news conference:

- o Kerry Kennedy Cuomo, Director of RFK Center
- o Dr. Wade Davis, Harvard ethnobotanist who's an expert on the Penan and the medicines and foods found in the Malaysian rainforests
- o Bruno Manser, Swiss native who spent six years living with the Penan, helped organize the blockades, eluded capture by Malaysians who stalked him in the forest.

NOTE: Raymond Szetu, a lawyer from Sarawak was supposed to be at this news conference but will not attend. They're not sure what's happened or why he won't be there. Anderson Mutang Urud just left Malaysia and the news conference organizers were hoping he would be here for the news conference but he will not. Urud is en route to Canada and still does not have a U.S. visa. Earlier, there were questions about whether he was violating bail in leaving Malaysia. Now, apparently, they are telling us there is no violation and we are trying to help get him a visa. Leon is handling details.

Order of speakers at news conference:

- o Gore
 - o Kennedy-Cuomo
 - o Davis
 - o Manser
- (** I suggest you take the lead and act as MC)

Extras:

They also have a videotape and some slides they want to show but at this writing it wasn't clear if they wanted to do it during the news conference or after, if at all. They hadn't decided.

MESSAGE:

- o **"THESE ARE THE FRONT LINES OF THE WAR AGAINST NATURE"**
They use this quote from your book in their materials -
- prominently. You ought to reinforce your ownership of it
and the idea it represents.
- o **YOUR RESOLUTION**
This is your piece of news today: introduction of the
resolution (follows here with Dear Colleague) to protect
the rainforest.
- o **COMPASSION**
There's a really compelling argument to be made here
about human struggle and you should make it. Personalize
this story. Humanize it. Make people understand this is
about more than protecting wiggly-jigs in the jungle from
becoming extinct -- this is about people and the survival of
their very way of life, their culture -- all those things
that make life rich for all of us. And, that this is about a
government that's moving in an oppressive way. There's
nothing that sells a story quite as well as the sense that
someone is stopping it from being told.
- o **YOUR BACKYARD?**
I would be prepared for the question -- if one of the
TN reporters attends it may be as specific as Marion County
or TVA chip mills. I'd be prepared.
- o **SUBSTANCE:** check memo from Katie. She expressed some
concern about their call for a boycott of products
manufactured by companies affiliated with major Japanese
exporters of tropical logs from Sarawak (i.e. Sanwa,
Mitsubishi, Mitsui, and Fiji). This boycott is included in
their "Statement of Goals and Objectives" which follows
here.

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For example, there are a number of medical personnel who are under retired recall orders who chose to retire in a lower grade because they chose not to serve the 3 years in grade required to retire in their serving grade. I think that as a matter of fairness, we should provide the flexibility to the Department of Defense to recall these personnel in the highest grade they served in satisfactorily while on active duty. Because some of these personnel are already under recall orders, my bill would make this authority retroactive to the beginning of Operation Desert Shield.

Finally, the fourth bill would equalize the unemployment compensation between separated military personnel who are unemployed and civilian personnel who are unemployed. Under current law, military personnel are entitled to 13 weeks of unemployment compensation if they are unemployed 1 month after separating from service. On the other hand, civilian personnel are entitled to 26 weeks of unemployment compensation if they are unemployed 1 week after job separation. My bill would make the military entitlement the same as the civilian entitlement. The provisions of this bill were included in the Defense authorization bill for fiscal year 1991 that the Senate passed last year. The provision was part of a transition package to aid military personnel who would be separating because of active duty military strength reductions by the military service over the next 5 years.

Because of jurisdictional concerns raised by the House Ways and Means Committee in our conference on the Defense Authorization Act for fiscal year 1991 last year, this particular provision was not adopted. I believe we have a commitment from our Finance Committee to consider this matter early on in this session and I hope we can get this passed.

This provision is needed even more now because many military personnel who had intended to separate at the end of their service obligation have been involuntarily extended under the stop loss authority implemented by the Department of Defense. I expect that once the stop loss is lifted, there will be a relatively large exodus from the military. Many of these people have lost their prospective employment and will be entering the job market at ground zero. So I think we need to keep this in mind as we consider this proposal.

Mr. President, that summarizes the content of the four bills I am introducing today. I believe these bills provide for their fair and responsible treatment of our men and women in uniform deployed to the Persian Gulf in Operation Desert Shield. I think it is fair to say that all of them are certainly in harm's way and that we should support them fully.

Mr. President, I hope we can bring a just settlement in the Persian Gulf without going to war. That is my fer-

vent hope. But, if we have to go to war, then I think we must do everything we can to make sure our forces prevail at the lowest cost in casualties. I have the highest confidence that our men and women in uniform will prevail if we go to war, and I think they deserve our full support as they stand prepared to do so. ●

By Mr. GORE (for himself and Mr. WIRTH):

S. 201. A bill to respond to the global environmental degradation brought on by human activities by reversing the trends that are presently altering or destroying vast portions of the biosphere, and to ensure that U.S. policies provide for the protection of the world environment from future degradation, and for other purposes; to the Committee on the Environment and Public Works.

WORLD ENVIRONMENT POLICY ACT

Mr. GORE. Mr. President, I rise today to introduce for myself and for my distinguished colleague from Colorado, Senator WIRTH, the World Environment Policy Act of 1991.

I will be pleased to cosponsor another measure which my colleague will describe at another opportunity here. But I would like to talk about the World Environment Policy Act of 1991 and urge my colleagues to cosponsor it, consider adopting its provisions, and place it high on the list of priorities during this session of Congress.

The bill I am introducing today builds upon legislation, S. 201, that I presented to my colleagues in the first legislative session of the 101st Congress.

In the 2 years that have passed since that time we have made important progress. Several provisions of that bill, for example, the provisions calling for a phaseout of chlorofluorocarbons, and other substances destroying our protective ozone shield; provisions regulating toxic and smog-forming emissions from utilities and cars and factories were incorporated into the historic clean air legislation this body passed last year.

I would like to commend the majority leader, Senator MITCHELL; the chairman of the Environmental Protection Subcommittee, Senator BAUCUS; Senator CHAFEE; Senator DURENBERGER; and many others who labored long and hard to secure passage of that landmark law. Through their efforts we will indeed have a cleaner and healthier America.

I was proud to have been able to make a small contribution to the work which took place under their leadership.

Other provisions of S. 201 have also helped to form the basis of action in the last Congress. But, obviously, we still have a great deal to do. We and the rest of the world have barely begun even to consider what will be involved in order to really confront not only the problem of global warming but the deeper, underlying crisis in the

relationship between our civilization and the global environment.

On February 4, historic negotiations on climate change will begin here in the United States as the world starts to move in the direction of confronting the issue of global warming. With regard to that issue, which I believe is the single most serious manifestation of the global environmental crisis and represents the single greatest environmental threat that our planet has ever faced, the agenda being pursued by President Bush, who described himself as the environmental President, I have to say is long on rhetoric but woefully short on substance and on commitment.

Many of us have noted the President's resolve—whether or not we agree with the way in which he has made decisions in foreign policy—in standing up to threats that may not have been readily apparent without leadership pointing out what is involved. I wish there were the same kind of resolve in the White House to confront this threat to the global environment.

We here in Congress, in numerous subcommittees and committees, have explored the nature of this problem. I have worked on it before with the Subcommittee on Science, Space, and Technology as well as at international meetings with counterparts from around the world who are extremely concerned about the consequences of global warming.

I have heard that, at many of those meetings, spokesmen of the administration have made statements that have left other participants incredulous. The excuses offered by the administration for their inaction on global warming were really empty and hollow.

Just last week we saw the release of the new figures showing that world temperatures in 1990 made 1990 the hottest year since records have been kept. The present occupant of the chair was one of 15 Senators who joined me in sending a letter to the President, noting that fact and asking for a bolder response to this problem.

Of course scientists for a long time have been telling us about the relationship between increased emissions of greenhouse gases and rising world temperatures. It was in 1979 that the National Academy of Sciences reported that, "if CO₂ continues to rise, there is no reason to believe that these changes will be negligible." And the academy warned that "A wait and see policy may mean waiting until it is too late."

This legislation that I introduce today—and I ask unanimous consent to put a summary of the legislation in the Record following my remarks is intended to confront this problem.

I might say also, Madam President, that in November, the Second World Climate Conference took place in Geneva. The administration's position

became unquestionably apparent there. Reviewing a decade of work done under the auspices of the World Climate Program, the First Assessment Report of the Intergovernmental Panel on Climate Change, and the early stages of the International Geosphere-Biosphere Program, the scientists—some 750 from more than 100 countries—issued an unequivocal and unanimous warning. They said, "If the increase of greenhouse gas concentrations is not limited, the predicted climate change would place stresses on natural and social systems unprecedented in the past 10,000 years." We simply cannot afford to ignore warnings any longer.

And it seems that the administration knows that it can no longer doubt the science. But, it is not yet out of excuses. As described in a recent New York Times article, the administration is now relying on an EPA study to show that the United States, in fact, is acting to counter global warming. But, let us read the fine print.

What their so-called stabilization plan actually provides for is an increase of carbon dioxide emissions of some 15 percent.

So much for an aggressive strategy of response. The legislation I am introducing today calls on the administration to quit its obstructionist delay tactics. Very shortly, with the beginning of the climate negotiations in February, we will have a opportunity to begin developing solutions to this problem. I think that it is incumbent upon the administration to come to the table at those negotiations fully prepared to help devise effective solutions because the truth is that the United States, created and exacerbated many of the environmental problems the world faces.

Moreover, because we, in comparison with many of the countries of the world, are blessed with impressive scientific and technical resources, the effectiveness of any strategy will depend not only upon our cooperation but also upon our leadership. This bill I am introducing today calls on the White House, in full recognition of our responsibilities, to work with the world community to ensure that the worst consequences of global warming—drought, massive crop failure, severe storm systems, chronic famine and flooding—are not realized.

While the intensified greenhouse effect is a global problem that demands a global solution, it is imperative that each nation get its own house in order. In that regard, the bill I am introducing today prescribes several measures that I believe can effectively contribute to our efforts to combat global warming. Among the policies described in the bill is a system to curb greenhouse emissions by creating a tradeable emissions scheme. I will talk more about that in a moment.

The bill also requires methane emissions to be controlled, especially from landfills, and sets up a scheme to make

recycling a No. 1 priority for the Federal Government, especially in Federal procurement activities. The bill also places a penalty on gas guzzlers and offers a rebate on so-called gas sippers.

Madam President, in light of recent disturbing reports that the administration will not fulfill its promise with regard to energy policy—and why not, incidentally, open up a brand new energy policy as part of the responses to the dangerous events in the Persian Gulf—the proposal calls on the White House to present such a policy. Aggressive measures to develop and implement renewable energy and conservation technologies, such as those put forward by my friend from Colorado, Senator WIRTH, in the last Congress, are absolutely essential if we are, in the President's own words, to "bequeath a legacy to the next century of a cleaner, more prosperous, and, yes, more secure America."

To elaborate further on the carbon dioxide emissions trading scheme—this proposal builds on the market concept that we first incorporated into environmental legislation last year in the Clean Air Act. The sources of greenhouse gas emissions are many—utilities, automobiles, appliances, land use practices—all contribute to the problem. The beauty of the marketable permit scheme, I believe, is that it allows us to control emissions from the worst contributors, while giving other sectors a strong incentive voluntarily to improve their performance.

Simply put, the proposal described in my bill does just that. New utilities, or those expanding their capacity, are required to offset their carbon dioxide emissions. At the same time, those manufacturers who, for example, outperform Federal appliance efficiency standards or current Federal fuel efficiency requirements, will receive emissions permits that they can sell to the new or expanding utility. A particularly attractive aspect of this system is that, because it does not prescribe methods or compliance—that is, it is not following the "command-and-control" concept—it allows the market to determine the most cost-effective way for the bill's requirements to be met. I understand that the distinguished Senator From Connecticut [Mr. LIEBERMAN] is working on a similar proposal, and I look forward to his contribution and working with him. In addition, I would like to acknowledge the work of my good friend and colleague from the other body, Representative JIM COOPER of Tennessee, who is working to secure passage of the measure in the House.

I would like to acknowledge that he introduced a similar measure on the last day of last year's session and has been a leader in promoting this concept.

As I mentioned, the bill also amends the Solid Waste Disposal Act to require the States to design and operate landfills and sewage treatment facilities to minimize emissions of methane

and other pollutants. Molecule for molecule, methane is some 20 times more effective than carbon dioxide at trapping radiation near the earth's surface. And the adverse effect of methane is even greater than its global warming potential suggests. In indirect ways, too, methane intensifies the greenhouse problem. When in the atmosphere, methane reacts with oxygen to produce still more carbon dioxide and water vapor; methane also helps form tropospheric ozone (smog) which—in addition to causing severe respiratory problems—is also a powerful greenhouse gas; and finally, methane enhances the heating effect of other gases because it disrupts the primary mechanism nature uses to wash them from the atmosphere. I look forward to working with the Environment and Public Works Committee on this important issue when it turns its attention to the reauthorization of the Resource Recovery and Conservation Act.

The bill also incorporates a strong recycling provision. The benefits of recycling are, of course, many. In directing secondary materials toward productive uses, landfill space is spared and our air and water are relieved of the toxic emissions produced by degraded waste; using recycled materials is also often much less energy-intensive than processing new materials, so by recycling we simultaneously improve both our environment and the competitiveness of the products we produce. We at the Federal level have ignored these benefits, however. The Environmental Protection Agency, charged with leading our campaign, has—to put it mildly—fallen down on the job. State and local governments have been active however, and their experience provides us valuable insight and guidance. It is clear from their efforts that the availability of vital markets for recycled materials is the key to the success of recycling initiatives. The primary objective of my proposal, therefore, is to create markets for recycled commodities. This objective is achieved by requiring the Federal Government, in all of its massive procurements, to buy recycled products in preference to those products produced from raw materials. Last year, my colleagues on the Commerce Committee joined me in support of this initiative. I thank them for their support and look forward to working with them again to bring the measure to the full Senate for consideration.

Briefly, Mr. President, it is my hope that this bill will help us develop national and international policy responses to world environmental problems. The provisions of the bill are many. In addition to those I have described, there are measures calling for the protection and preservation of the world's rain forests as well as for the better protection of the many species that inhabit our own land. There are

provisions to facilitate the export of environmentally sound technologies produced in this country, and there is a title in support of the activities of international family planning organizations.

Many of my distinguished colleagues—my cosponsor Senator WIRTH, Senator MITCHELL, Senator CHAFEE, Senator HEINZ, and others—have contributed to the ideas expressed in this bill. I would like to thank them for their leadership and express my admiration for their commitment to these issues. I look forward to working with them and my other distinguished colleagues in this Congress and I hope that, together, we can take important steps toward the preservation of the planet's delicate resources.

Before leaving the floor, I would like to mention one other related matter because I see the majority leader on the floor and I want to take this opportunity to congratulate him on the recent publication of a book entitled "World on Fire."

I had an opportunity to read this recently. Senator MITCHELL's work presents a powerful and insightful discussion of precisely the issues that I have been discussing in this legislation, a discussion of the environmental tragedies that increasingly put our planet at risk. For example, the discussion of rain forest destruction, ozone depletion, and global warming is accessible and engaging. I commend it to all of our colleagues and to the public generally. It also offers a discussion of the battles waged to shepherd the Clean Air Act amendments into law, a battle which I referred to earlier in my statement.

I hope this publication will receive very wide attention so that more people will be informed about exactly how serious these problems are and exactly how they can be solved.

Mr. MITCHELL. Madam President, I thank my colleague for his kind comments. They are very deeply appreciated.

By Mr. COCHRAN:

S. 202. A bill to amend the Fair Labor Standards Act of 1938 to exempt from such act certain individuals involved in model garment programs, and for other purposes; to the Committee on Labor and Human Resources.

EXEMPTION OF SEWING OF MODEL GARMENTS

● Mr. COCHRAN. Mr. President, today I am introducing a bill to allow retail fabric stores to reinstate their model garment programs under the Fair Labor Standards Act.

As I pointed out when I introduced similar legislation in the last Congress, the Department of Labor's definition of "model garments" as "women's apparel" under its rules that prohibit certain types of industrial homework, has effectively eliminated model garment programs from retail fabric stores.

Prior to the current industrial homework rules, employees of retail fabric stores voluntarily sewed model garments at home for display in the stores. After a brief display period, the employee was allowed to keep the garment. Employees considered this practice to be an employee benefit, as the fabric, notions, and patterns used in the construction of the model garments were provided to the employee without charge.

Mr. President, for several years I have attempted to find an administrative remedy to this problem through the Wage and Hour Division of the Department of Labor. Given the complexity of the industrial homework regulations and the Department's reluctance to open them up, it appears the only means to correct this regulatory mistake, is to exempt the voluntary sewing of model garments by fabric store employees from the Fair Labor Standards Act. The legislation I am introducing today will provide that exemption and restore the benefits of model garment programs to employees of retail fabric stores.●

By Mr. LEAHY (for himself, Mr. LUGAR, Mr. KERREY, Mr. BOND, Mr. DODD, and Mr. HEINZ):

S. 207. A bill to amend the Commodity Exchange Act to authorize appropriations for and enhance the effectiveness of the Commodity Futures Trading Commission, to curb abuses in the making of trades and the execution of orders at designated contract markets, to provide greater representation of the public interest in the governance of such contract markets, to enhance the integrity of the U.S. financial markets by providing for Federal oversight of margins on stock index futures, clarifying jurisdiction over innovative financial products and providing mechanisms for addressing intermarket issues, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

COMMODITY EXCHANGE ACT AMENDMENT

● Mr. LEAHY. Mr. President, I am pleased to join my colleagues, Senator LUGAR, Senator KERREY, Senator DODD, and Senator HEINZ, in introducing the Futures Trading Practices Act of 1991.

Last week, a Federal jury in Chicago convicted 10 soybean futures traders of criminal fraud in the handling of customer orders on the floor of the largest Chicago futures exchange. Eight were also convicted on racketeering charges. Nine other soybean traders in this case had already pled guilty. Of the 48 traders indicted in the 1989 FBI sting of the Chicago trading pits, 33 have now been convicted or pled guilty, or no contest. Twelve more are currently on trial in the Japanese yen case.

The problem of trading abuse in the futures markets is real. Even if these abuses are limited to a small number, they cast a long, dark shadow over the entire industry and raise serious public

concern over the integrity of the markets.

The time for action is now.

The Futures Trading Practices Act contains three elements:

First, a major strengthening of the Commodity Futures Trading Commission, including a 5-year funding reauthorization and authority to impose industry service fees;

Second, the trading abuse reforms approved unanimously by the Committee on Agriculture, Nutrition, and Forestry in November 1989; and

Third, "Intermarket Coordination Act of 1991," a compromise on jurisdictional issues reached by leaders of the Committee on Agriculture and the Committee on Banking, Housing, and Urban Affairs in October 1990.

The American public—producers, consumers, farmers, investors, and market professionals—all suffered a major set-back last year when Congress failed to pass a meaningful futures trading practices bill.

The case for tighter regulation had been made most dramatically by the 1989 Chicago indictments, but this case did not stand alone. A May 1989 CFTC-led sting on the New York City futures markets has led so far to formal disciplinary charges against eight traders and two firms. That same summer, an emergency and possible corner of the Chicago soybean market raised a storm of concern among farm producers.

The solutions are well-known: tighter regulatory enforcement by a toughened CFTC; better audit trails; stricter policing by the exchanges and more public involvement in exchange decisionmaking. The Senate was well on its way toward passing such reforms in late 1989 in the Futures Trading Practices Act of 1989 (S.1729). This legislation was backed by a broad consensus in Congress, the public, and much of the futures industry itself.

Final action on the 1989 legislation was blocked by last year's intense conflict over whether to shift jurisdiction for stock-index futures contracts from the CFTC to the Securities and Exchange Commission—a debate stemming from the stock market crashes of 1987 and 1989. Treasury Secretary Nicholas Brady had asked that this divisive issue be resolved at the same time as futures trading practice legislation. The result was a parliamentary deadlock.

I opposed the jurisdiction transfer proposal because I felt that it would weaken the CFTC at a time when we most needed to strengthen it and because it would have placed stock-index futures under an agency without the resources or program in place to oversee them effectively. The ongoing battle created a dangerous element of instability in our financial regulatory structure. We needed to put this jurisdictional war behind us and get on with doing business.

101st CONGRESS
2nd SESSION

S.J. RES. 387

Calling on the Government of Malaysia to preserve the tropical rainforests and the indigenous tribal culture of Sarawak, Malaysia; and for other purposes.

IN THE SENATE OF THE UNITED STATES

October 26 (legislative day, _____), 1990

Mr. GORE introduced the following joint resolution; which was read twice and referred to the Committee on Foreign Relations.

JOINT RESOLUTION

Calling on the Government of Malaysia to preserve the tropical rainforests and the indigenous tribal culture of Sarawak, Malaysia; and for other purposes.

Whereas tropical rainforests are disappearing at a rate of 40 to 50 million acres per year;

Whereas the tropical rainforests of the East Malaysian state of Sarawak, some of the most biologically and culturally diverse rainforests, are being logged at the fastest rate in the world;

Whereas this rate of logging will lead to the disappearance of virtually all primary tropical rainforests in Sarawak within a decade;

Whereas the effects of this logging on the indigenous peoples of Sarawak are causing hunger and suffering, and will lead to the destruction of their traditional cultures if it is not stopped immediately;

Whereas many of these populations face severe discrimination, denial of human rights, loss of cultural and religious freedoms, and the in worst case, cultural or physical destruction;

Whereas one of the most severely impacted tribal groups in Sarawak are the Penan, the last intact nomadic hunting and gathering culture in Southeast Asia;

Whereas commercial logging backed by foreign capital is the driving force behind deforestation in Sarawak;

Whereas most of the logging concessions in Sarawak are distributed in a politically motivated and arbitrary manner, without regard to the socio-ecological consequences;

Whereas most of the timber logged in Sarawak is exported in raw form to Japan and other Asian countries for secondary processing, concentrating wealth from the exports in the hands of a few individuals, and providing no additional income or employment for the people of Sarawak; and

Whereas it is incumbent upon the world community to create an environment favorable to the survival of the rainforests and the cultures dependent upon them. Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

That it should be the policy of the United States to call upon the government of Malaysia to act immediately in defense of the environment of Sarawak by ending the uncontrolled exploitation of the rainforests of Sarawak, and to formally recognize and uphold the customary land rights and the internationally established human rights of all its indigenous peoples; and

That it should be the policy of the United States to call upon the government of Japan to investigate the activities of certain of that country's private corporations in causing the destruction of the last remaining primary rainforests, and therefore in bringing to an end the culture and ultimately threatening the physical survival of the indigenous peoples of Sarawak.

(e) TREATMENT OF OTHER HOUSE'S RESOLUTION.—(1) Except as provided in paragraph (b), if, before the passage by one House of a joint resolution of that House, that House receives from the other House a joint resolution, then the following procedures shall apply:

(A) The joint resolution of the other House shall not be referred to a committee.

(B) With respect to a joint resolution of the House receiving the joint resolution—

(i) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

(ii) the joint resolution of the other House shall be considered to have been received on the third time; and

(C) Upon disposition of the joint resolution received from the other House, it shall no longer be in order to consider the joint resolution originated in the receiving House.

(2) If one House receives from the other House a joint resolution before any such joint resolution is introduced in the first House, then the joint resolution received shall be referred, in the case of the House of Representatives, to the Committee on Foreign Affairs and, in the case of the Senate, to the Committee on Foreign Relations, and the procedures in that House with respect to that joint resolution shall be the same as if the joint resolution had been introduced in that House.

(f) TREATMENT OF IDENTICAL RESOLUTIONS.—If one House receives from the other House a joint resolution after the first House has disposed of an identical joint resolution, it shall be in order to proceed by debatable motion to consideration of the joint resolution received by the first House, and that received joint resolution shall be disposed of without debate and without amendment.

(g) RESOLVING DIFFERENCES BETWEEN HOUSES OF CONGRESS.—(1)(A) The time for debate in a House of Congress on all motions required for the disposition of amendments between the Houses shall not exceed 3 hours, equally divided between, and controlled by, the mover of the motion and the manager of the joint resolution at each stage of the proceedings between the two Houses, except that in the event the manager is in favor of any such motion, the time for debate thereto shall be controlled by the Minority Leader or his designee. In the event of any disagreement between the two Houses of Congress with respect to a joint resolution which is not resolved, any member of Congress may make any motion referred to in this subparagraph within 2 session days after action by the first House or before the appointment of conferees, whichever comes first. In the event the conferees are unable to agree within 72 hours after the second House is notified that the first House has agreed to conference, they shall report back to their respective House in disagreement.

(2) Notwithstanding any rule in either House of Congress concerning the printing of conference reports in the Congressional Record or concerning any delay in the consideration of such reports, such report, including a report filed or returned in disagreement, shall be acted on in the House of Representatives and the Senate not later than 2 session days after the first House

files the report or, in the case of the Senate acting first, the report is first made available on the desks of the Senators. Debate in a House of Congress on a conference report or a report filed or returned in disagreement on any such joint resolution shall be limited to 3 hours, equally divided between, and controlled by, the Majority Leader and the Minority Leader, and their designees.

(2) If a joint resolution is vetoed by the President, the time for debate in consideration of the veto message on such measure shall be limited to 20 hours in each House of Congress, equally divided between, and controlled by, the Majority Leader and the Minority Leader, and their designees.

(h) EXERCISE OF CONGRESSIONAL RULEMAKING POWERS.—This section is enacted by the Congress—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

(i) SUPERSEDING EXISTING LAW.—The congressional priority procedures of this section shall apply, in lieu of section 1013 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (50 U.S.C. 1546a), with respect to the removal of United States Armed forces from hostilities in the Persian Gulf region.

SEC. 2. DEFINITION.

For purposes of this joint resolution, the term "Persian Gulf region" shall be considered to include areas in or around the Arabian Peninsula.

By Mr. GORE:

S.J. Res. 387. Joint resolution calling on the Government of Malaysia to preserve the tropical rainforests and the indigenous tribal culture of Sarawak, Malaysia, and for other purposes; to the Committee on Foreign Relations.

PRESERVATION OF RAINFORESTS AND TRIBAL CULTURE OF MALAYSIA

Mr. GORE. Mr. President, on the first day of the 101st Congress, I introduced the World Environment Policy Act of 1989, a comprehensive legislative package to protect the world's environment. Earlier this year, the U.S. Senate sponsored the first Interparliamentary Conference on the Global Environment, attended by parliamentarians from 42 nations, which I was proud to Chair.

Today, on what is one of the final days of the 101st Congress, I would like to draw the Senate's attention to a struggle that is going on in the East Malaysian State of Sarawak. It is a struggle that is symbolic of the struggles all around the world, which are being waged to preserve the Earth's environment for the generations to come.

The Penan people of Sarawak, Malaysia, are nomadic hunter-gatherers who have been living self-sufficiently

within the Malaysian rainforests for tens of thousands of years.

According to experts, the deforestation rate in Malaysia is perhaps the most rapid in the world—as much as 2 million acres per year. Malaysia currently supplies over 60 percent of the world's raw tropical logs, most of which are exported to Japan.

The heaviest logging is in Sarawak, and the neighboring East Malaysian State of Sabah. Sarawak alone currently supplies about 35 percent of the entire world's raw log exports. Timber companies have been working so fast that they have logged in heavy rains, and in some cases have even used floodlights to conduct logging operations 24 hours-a-day.

The impact of selective logging on the natives and their land is catastrophic, causing a depletion of the resources from which the Penan depend, including wild game, fish, and clean water. In many cases, logging companies have shown great disrespect to these people by bulldozing land used as sacred burial sites.

Despite these and other gross violations, the Penan have responded peacefully by physically blocking bulldozers from entering into their settlement lands. Many have been arrested for their peaceful protests.

They have succeeded in bringing the plight of Sarawak's rainforests and indigenous peoples to world attention.

In recognition of their heroic efforts, the Congressional Human Rights Caucus in cooperation with the Sierra Club and the Congressional Human Rights Foundation this week has honored them with the Sierra Club's Chico Mendes Award. Like Chico Mendes, who gave his life in an effort to protect the Brazilian rainforests, these individuals have exhibited courage and leadership in the struggle to protect the environment.

The rainforests which are home to the Penan, and which are considered some of the most biologically diverse terrestrial ecosystems on the planet, include remnants of ecosystems which have been continuously evolving over 180 million years.

I commend the bravery of the Penan people in protecting this natural treasure, and I am introducing today a resolution, calling on the Government of Malaysia to preserve the tropical rainforests and the indigenous tribal cultural of Sarawak, Malaysia.

Mr. President, I ask that the full text of the resolution be printed in the RECORD.

S.J. RES. 387

Whereas tropical rainforests are disappearing at a rate of 40-50 million acres per year;

Whereas the tropical rainforests of the East Malaysian state of Sarawak, some of the most biologically and culturally diverse rainforests, are being logged at the fastest rate in the world;

Whereas this rate of logging will lead to the disappearance of virtually all primary

tropical decade;

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tropical rainforests in Sarawak within a decade;

Whereas the effects of this logging on the indigenous peoples of Sarawak are causing hunger and suffering, and will lead to the destruction of their traditional cultures if it is not stopped immediately;

Whereas many of these populations face severe discrimination, denial of human rights, loss of cultural and religious freedoms, and in the worst case, cultural or physical destruction;

Whereas one of the most severely impacted tribal groups in Sarawak are the Penan, the last intact nomadic hunting and gathering culture in Southeast Asia;

Whereas commercial logging backed by foreign capital is the driving force behind deforestation in Sarawak;

Whereas most of the logging concessions in Sarawak are distributed in a politically motivated and arbitrary manner, without regard to the socio-ecological consequences;

Whereas most of the timber logged in Sarawak is exported in raw form to Japan and other Asian countries for secondary processing, concentrating wealth from the exports in the hands of a few individuals, and providing no additional income or employment for the people of Sarawak; and

Whereas it is incumbent upon the world community to create an environment favorable to the survival of the rainforests and the cultures dependent upon them. Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

That it should be the policy of the United States to call upon the government of Malaysia to act immediately in defense of the environment of Sarawak by ending the uncontrolled exploitation of the rainforests of Sarawak, and to formally recognize and uphold the customary land rights and the internationally established human rights of all its indigenous peoples; and

That it should be the policy of the United States to call upon the government of Japan to investigate the activities of certain of that country's private corporations in causing the destruction of the last remaining primary rainforests, and therefore in bringing to an end the culture and ultimately threatening the physical survival of the indigenous peoples of Sarawak.

ADDITIONAL COSPONSORS

S. 1140

At the request of Mr. MITCHELL, the name of the Senator from North Carolina [Mr. SANFORD] was added as a cosponsor of S. 1140, a bill to provide that Federal facilities meet Federal and State environmental laws and requirements and to clarify that such facilities must comply with such environmental laws and requirements.

S. 1355

At the request of Mr. BUMPERS, the name of the Senator from North Carolina [Mr. SANFORD] was added as a cosponsor of S. 1355, a bill to assist private industry in establishing a uniform residential energy efficiency rating system, and for other purposes.

S. 2112

At the request of Mr. METZENBAUM, the name of the Senator from Tennessee [Mr. GORE] was added as a cosponsor of S. 2112, a bill to amend the National Labor Relations Act to prevent

discrimination based on participation in labor disputes.

S. 2114

At the request of Mr. KENNEDY, the name of the Senator from Maine [Mr. COHEN] was added as a cosponsor of S. 2114, a bill to promote excellence in American mathematics, science, and engineering education; enhance the scientific and technical literacy of the American public; stimulate the professional development of scientists and engineers; provide for education, training, and retraining of the Nation's technologists; increase the participation of women and minorities in careers in mathematics, science, and engineering; and for other purposes.

S. 2128

At the request of Mr. KERRY, the name of the Senator from Rhode Island [Mr. PELL] was added as a cosponsor of S. 2128, a bill to direct the Secretary of Veterans Affairs to establish and maintain a comprehensive services program for homeless veterans.

S. 2729

At the request of Mr. CHAFEE, the name of the Senator from North Carolina [Mr. SANFORD] was added as a cosponsor of S. 2729, a bill to amend the Coastal Barrier Resources Act, and for other purposes.

S. 2885

At the request of Mr. LAUTENBERG, his name was added as a cosponsor of S. 2885, a bill to amend the Federal Deposit Insurance Act to require States in which the failure of State chartered savings associations has involved a disproportionately large share of the thrift resolution costs to pay a State thrift deposit insurance premium as a condition of future Federal deposit insurance.

S. 2904

At the request of Mr. INOUE, the name of the Senator from South Carolina [Mr. HOLLINGS] was added as a cosponsor of S. 2904, a bill to require the Secretary of Commerce to make additional frequencies available for commercial assignment in order to promote the development and use of new telecommunications technologies, and for other purposes.

S. 2979

At the request of Mr. MITCHELL, the name of the Senator from North Carolina [Mr. SANFORD] was added as a cosponsor of S. 2979, a bill to protect the public from health risks from radiation exposure from low-level radioactive waste, and for other purposes.

S. 3114

At the request of Mr. MACK, the names of the Senator from Montana [Mr. BURNS], and the Senator from New York [Mr. D'AMATO] were added as cosponsors of S. 3114, a bill to amend the Internal Revenue Code of 1986 to provide a refundable credit for qualified cancer screening tests.

S. 3150

At the request of Mr. CHAFEE, his name was added as a cosponsor of S. 3150, a bill to amend the Merchant Marine Act, 1936.

S. 3161

At the request of Mr. BOREN, the name of the Senator from South Dakota [Mr. DASCHLE] was added as a cosponsor of S. 3161, a bill to amend the Internal Revenue Code of 1986 to prohibit the retroactive application of Treasury Department regulations and rulings.

S. 3179

At the request of Mr. SHELBY, the names of the Senator from Alabama [Mr. HEFLIN], the Senator from Montana [Mr. BURNS], and the Senator from South Carolina [Mr. THURMOND] were added as cosponsors of S. 3179, a bill to amend title 4, United States Code, to declare English as the official language of the Government of the United States.

S. 3223

At the request of Mr. BUMPERS, the name of the Senator from North Carolina [Mr. SANFORD] was added as a cosponsor of S. 3223, a bill to provide for the payment of certain mass transit costs of employees under contracts with the Federal Government, and for other purposes.

SENATE JOINT RESOLUTION 366

At the request of Mr. COCHRAN, the names of the Senator from Hawaii [Mr. INOUE] and the Senator from South Dakota [Mr. DASCHLE] were added as cosponsors of Senate Joint Resolution 366, a joint resolution to designate March 30, 1991, as "National Doctors Day".

SENATE JOINT RESOLUTION 381

At the request of Mr. BURNS, the names of the Senator from Tennessee [Mr. SASSER] and the Senator from Vermont [Mr. JEFFORDS] were added as cosponsors of Senate Joint Resolution 381, a joint resolution to designate November 2, 1990, as a national day of prayer for members of American military forces and American citizens stationed or held hostage in the Middle East, and for their families.

SENATE CONCURRENT RESOLUTION 154

At the request of Mr. CRANSTON, the name of the Senator from Ohio [Mr. METZENBAUM] was added as a cosponsor of Senate Concurrent Resolution 154, a concurrent resolution expressing the sense of the Congress that the crisis created by Iraq's invasion and occupation of Kuwait must be addressed and resolved on its own terms separately from other conflicts in the region.

SENATE RESOLUTION 296

At the request of Mr. ROTH, the names of the Senator from Arkansas [Mr. PRYOR], the Senator from Arkansas [Mr. BUMPERS], and the Senator from North Dakota [Mr. CONRAD] were added as cosponsors of Senate Resolution 296, a resolution to express the sense of the Senate the support of Tai-

United States Senate

WASHINGTON, DC 20510-4202

March 27, 1992

Dear Colleague:

On Thursday, April 2, I plan to introduce the attached resolution concerning the tropical rain forests and the indigenous tribal peoples of Sarawak, Malaysia, and I am writing to invite you to join me as an original cosponsor.

The Penan Indians of Sarawak are waging a battle for their survival. Their homes and their culture are in grave jeopardy as logging companies rapaciously tear down the forest on which they depend.

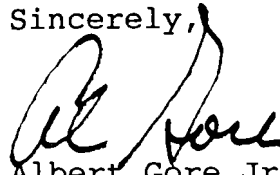
For the last several months, hundreds of Penan have peacefully protested the continued deforestation. Gathering on the logging roads, they have desperately tried to hold off the bulldozers and chainsaws. The Malaysian government is now acting aggressively to stop their opposition. Recently, the leaders of the Penan have been jailed and their call for help is being silenced as the government has barred journalists from the area.

The rainforests of Sarawak are among the world's oldest and richest forest ecosystems. The forests are being cut down so fast however, that, if current rates are maintained, the entire region will be deforested within **eight years**. Some of the estimated 2,500 species of trees have already been logged to extinction.

Sadly, the struggle of the Penan is not an isolated event. All around the world cultures that have developed and thrived over the millenia are being destroyed by the relentless onslaught of timber, mining and commercial agricultural interests. Their loss is a tragedy to us all; and I believe that we must speak out against the human rights and environmental abuses they endure.

I hope that you will join me in this initiative. If you have any questions please don't hesitate to call me personally or have your staff contact Katie McGinty or Ram Uppuluri of my staff.

Sincerely,



Albert Gore Jr.
United States Senator

102^D CONGRESS
2^D SESSION

S. RES. _____

IN THE SENATE OF THE UNITED STATES

Mr. GORE submitted the following resolution; which was _____

RESOLUTION

To express the sense of the Senate concerning the tropical
rain forests of Malaysia.

Whereas the tropical rain forests of the East Malaysian State
of Sarawak, some of the most biologically and culturally
diverse rain forests, are being logged at the fastest rate
in the world;

Whereas despite the recommendation of the International
Tropical Timber Organization that this logging rate be
significantly reduced to ensure long-term sustainability,
the rate has instead risen dramatically;

Whereas this rate of logging will lead to the disappearance
of virtually all primary tropical rain forests in Sarawak
within a decade;

Whereas the effects of this logging on the indigenous peoples
of Sarawak are causing hunger and suffering, and will

lead to the destruction of their traditional cultures if it is not stopped immediately;

Whereas many of these populations face severe discrimination, denial of human rights, loss of cultural and religious freedoms, and in the worst case, cultural or physical destruction;

Whereas one of the most severely impacted tribal groups in Sarawak is the Penan, the last intact nomadic hunting and gathering culture in Southeast Asia;

Whereas commercial logging backed by foreign capital is the driving force behind deforestation in Sarawak;

Whereas most of the logging concessions in Sarawak are distributed in a politically motivated and arbitrary manner, without regard to the socioecological consequences;

Whereas most of the timber logged in Sarawak is exported in raw form to Japan and other Asian countries for secondary processing, concentrating wealth from the exports in the hands of a few individuals, and providing no additional income or employment for the people of Sarawak; and

Whereas it is incumbent upon the world community to create an environment favorable to the survival of the rain forests and the cultures dependent upon them: Now, therefore, be it

1 *Resolved*, That it is the sense of the Senate that—

2 (1) it should be the policy of the United States

3 to call upon the Government of Malaysia to act im-

4 mediately in defense of the environment of Sarawak

5 by ending the uncontrolled exploitation of the rain

1 forests of Sarawak, by reducing the annual rate of
2 timber cutting by at least two-thirds, and by formally recognizing and upholding the customary land
3 rights and the internationally established human
4 rights of all indigenous peoples of such Government;
5 and
6

7 (2) it should be the policy of the United States
8 to call upon the Government of Japan to investigate
9 the activities of certain private companies of Japan
10 in contributing to the destruction of the Sarawak
11 rain forest, and therefore to the destruction of the
12 culture of the indigenous people of Sarawak.

Kater

~~SOS SARAWAK~~

Contacts

Nirbhao Khalsa: tel:(505) 989-9158 fax:(505) 988-1642

Anthony Dixon: tel:(212) 909-2755 fax:(212) 355-6721

is this okay?
Kater

TO: Marla Romash

(202) 224-0580

FROM: Anthony Dixon

SUBJECT: Sarawak Campaign — Thursday's Press Conference.

DATE: Monday March 30

NO. PAGES: 1 + Cover.

Attached please find statement of SOS Sarawak
campaign goals and objectives.

SOS SARAWAK**Statement of Campaign Goals and Objectives****1. Human Rights.** We call upon the State Government of Sarawak to

- (a) immediately release all Dayak peoples arrested and currently detained for blockade and other anti-logging related activities;
- (b) immediately dismiss all charges pending against Dayak peoples in connection with blockade and other anti-logging activities to protect their customary lands.

2. Logging. We call upon the State Government of Sarawak to

- (a) immediately suspend all existing licenses which permit logging in Penan areas and areas under dispute for Native Customary Rights (NCR) as recognized under the Malaysian Constitution;
- (b) immediately cease to issue new licenses in NCR-disputed areas;
- (c) ban the export of unprocessed tropical logs from Sarawak.

3. Land Rights. We call upon the State Government of Sarawak to

- (a) establish urgently, and in consultation with representatives of the indigenous peoples of Sarawak, a Biosphere Reserve under local control and management, for the protection of Sarawak's remaining primary forest, its indigenous peoples and its biodiversity.

4. Consumption and Trade.

- (a) We call upon the Governments of Japan, Korea and Taiwan, who collectively import more than 80% of Sarawak's tropical log exports, to reduce immediately their consumption of tropical logs from Sarawak.
- (b) We call upon the citizens of the US to boycott products manufactured by companies affiliated with the following major Japanese exporters of tropical logs from Sarawak: Sanwa, Mitsubishi, Mitsui, and Fuji.

5. US Policy. We call upon the US Senate to

- (a) endorse the resolution of Senator Gore concerning Sarawak's rainforests.

6. Dialogue, Participation and Development. We call upon the United Nations to

- (a) initiate dialogue between the governments of Sarawak and Malaysia and the indigenous peoples of Sarawak towards a mutually acceptable resolution of the conflict;
- (b) establish an international task force with local, indigenous, and international representation, to propose and implement alternative economic uses of the forest in Sarawak.

SOS SARAWAK**Contacts**

Nirbhao Khalsa: tel:(505) 989-9158 fax:(505) 988-1642

Anthony Dixon: tel:(212) 909-2755 fax:(212) 355-6721

TO: Katie McGinty / Senator Gore fax 202 224 0580**FROM:** ANTHONY DIXON**SUBJECT:** SOS SARAWAK MEDIA CAMPAIGN
+ Recent proclamation from Cathedral of St John, NY.**DATE:** 2/25/92**NO. PAGES:**

Nirbhao has spoken with you about this campaign.
We are about to engage Fenton Communications
in D.C. to handle publicity and Bruno Manser
and Raymond Szeeto arrive in the U.S. ~~the~~ very
soon.

We look forward to contact with you office in
the coming week.

2/25/92 Andy being moved to another jail &
lawyers not able to see him.
Spend Anderson - Canadian MP - translated speech > requested.

**The
Cathedral
Church
of St. John
the Divine**

*Cathedral Heights
1047 Amsterdam Avenue
at 112th Street
New York, New York 10025
Office of the Dean
(212) 316-7493*

**PROCLAMATION AND AWARD
FOR
ENVIRONMENTAL HEROISM**

The time has come for action now. Therefore, today 23 February 1992, we call upon the Sarawak state government, and the Malaysian national government to cease logging immediately in the Sarawak forest of Borneo and to preserve in peace the homeland of its people, the Penan tribe.

Unless we save this most ancient rainforest as a homeland for the Penan, one of the two remaining hunter-gatherer tribes of the world, there is little hope for any of the other endangered rainforests and their peoples, or for any of us. "Whatever we let happen to Sarawak's forests will be symbolic of our values and actions for the next millenium."

In the words of Andy Mutang Urud, the indigenous Sarawak leader we honor today: "We indigenous people have lived in the forests of the world sustainably since time immemorial. Under our management these forests have remained intact, providing not only their inhabitants but also the wider world with the benefits of the local, regional, and global services of the forests, as a carbon sink, modulator of climate, and home of the richest sources of biological diversity. Indigenous peoples are the guardians and sustainable managers of forests, the custodians of so much of the evolutionary experience of our species and some of the earth's most precious and vulnerable ecosystems."

These were Andy's words to the third preparatory meeting leading to the UNCED Summit in Rio this coming June. Andy has for the last year travelled to 15 countries to alert the governments of the world to our common crisis. He has spoken at this Cathedral twice -- last on St. Francis Day. On October 9th he laid the plight of his people and their homeland before the highest level of the United Nations. Today he is in jail, without-charge, arrested on February 5th, two weeks ago, as he stood with his fellow tribesmen, women and children peacefully defending the blockade that keeps the logging trucks out of their forest homeland. We have appealed to the Prime Minister of Malaysia for Anderson Mutang Urud to be released from prison and to come to New York to receive this award from our hands. Our letter to the Prime Minister is attached. In the absence of a reply, we make this proclamation and award:

ANDERSON MUTANG URUD

We salute you as a leader of your people and as Director of the Sarawak Indigenous People's Alliance (SIPA). You are a Christian man whose faith in action glorifies God and ennobles your fellow brothers and sisters. You are also an environmental hero whose example we are honored to follow. We pledge our solidarity to you and your colleagues. May God's will prevail in our common cause in Sarawak and with the endangered rainforests and with their peoples throughout the world.



The Rt. Rev. Richard F. Grein
Bishop of New York

The Rt. Rev. Sir Paul Reeves
Anglican Observer at the U.N.

The Very Rev. James Parks Morton
Dean of the Cathedral

**The
Cathedral
Church
of St. John
the Divine**

*Cathedral Heights
1047 Amsterdam Avenue
at 112th Street
New York, New York 10025*

*Office of the Dean
(212) 316-7493*

18 February 1992

YAB Dato Sri Mahathir Mohammed
The Prime Minister of Malaysia
Jalan Dato Onn
50502 Kuala Lumpur, Malaysia

Dear Prime Minister Mohammed:

I write with deepest concern for the situation of Anderson Mutang Urud and his fellow Penan people and for the complexities you face in resolving the painful confrontation in which your government is involved.

We at The Cathedral of St. John the Divine have long been engaged in dialogue with religious and governmental leaders from around the world to promote a clearer sense of our collective responsibility for the delicately balanced gifts bestowed upon the Earth by our common Creator. In 1987 these dialogues took us to Assisi, Italy, and then to England in 1988 for the Oxford Conference at which Mother Teresa, the Dalai Lama, the Archbishop of Canterbury, and Cardinal Konig spoke eloquently of our shared mission. I met with President Gorbachev in Moscow in 1990 when he addressed our international, interfaith, multidisciplinary meeting of national parliamentarians and international religious leaders and scientists. Out of that meeting grew "Preserving and Cherishing the Earth: A Joint Appeal in Religion and Science" to call forth responsible action in the face of our shared global environmental crisis. In this country, the Joint Appeal is being carried forward by, among many others, the eminent astronomer Dr. Carl Sagan and has reached our governmental leadership through the efforts of United States Senators Albert Gore, Jr. and Timothy E. Wirth. We will continue to explore and expand our environmental concerns through my participation at the United Nations Conference on Environment and Development (UNCED) in Brazil in June of this year. We are deeply troubled by the distress of the Penan and other Dayak peoples as their ecological home faces extinction and the planet faces continued loss of its delicate equilibrium. Anderson Mutang Urud carried news of their predicament here when he was here at the Cathedral in October 1990. He returned in October of 1991, and I accompanied him to the United Nations when he presented his plea there.

We pray that a lasting settlement can be worked out whereby the Penan are able to maintain their homeland, logging will cease, and the bioregion will be protected and sustained. Toward this end, a special proclamation will be issued at our worship service this Sunday, 23 February 1992. The proclamation will be made by the official representative of the Archbishop of Canterbury to the United Nations The Right Reverend Sir Paul Reeves, former Governor General of New Zealand, who is himself an indigenous Maori. Bishop Reeves will also make a special Award for Environmental Heroism to Anderson Mutang Urud, on behalf of his fellow members of the Penan people. We request that Anderson Mutang Urud be released from prison so that he can be here to receive the award directly from our hands. We will see that transportation is provided for Anderson Mutang Urud upon receipt of affirmative word from you.

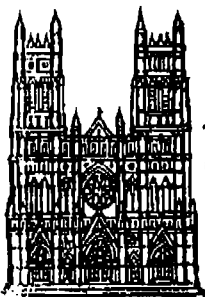
News of the award will be broadcast to the world, as will the contents of this letter.

We pray for your peaceful response.

Sincerely yours,

James Parks Morton

The Very Reverend James Parks Morton
Dean



SOS Sarawak

Plan for a Nationwide Publicity Campaign to Highlight Human Rights and Environmental Concerns and to End Logging on Native Lands in Sarawak, Malaysia

Draft Framework - version 4

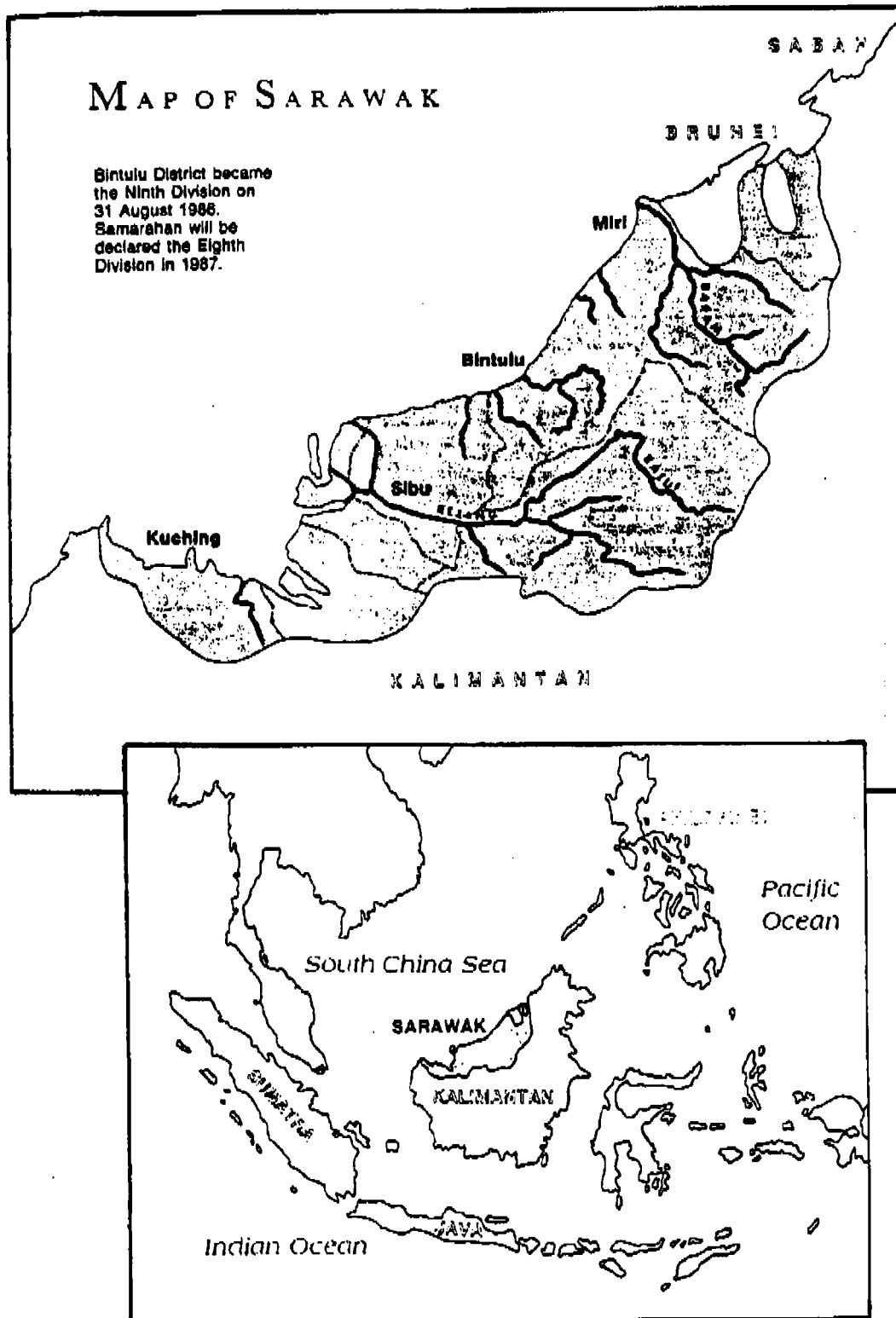
February 19, 1992

DRAFT

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1. Penan Declaration of Resistance
2. Context
3. Vision Statement for Campaign
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7. Spokespeople
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- App. Background Information

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1. Penan Declaration of Resistance.

"We the Penan people of the Tutoh, Limbang and Patah Rivers regions declare: Stop destroying the forest [or we will be forced to protect it.] The forest is our livelihood. We have lived here before any of you outsiders came. We fished in clean rivers and hunted in the jungle. We made our sago meat and ate the fruit of trees. Our life was not easy but we lived it contentedly. Now the logging companies turn rivers into muddy streams and the jungle into devastation. Fish cannot survive in dirty rivers and wild animals will not live in devastated forest. [You took advantage of our trusting nature and cheated us into unfair deals.] By your doings you take away our livelihood and threaten our very lives. You make our people discontent. We want our ancestral land, the land we live off, back. We can use it in a wiser way. When you come to us come as guests and respect."

(S)
"We the representatives of the Penan people, urge you: stop the destruction now. Stop all logging activities in the Limbang, Tutoh and Patah. Give back to us what is properly ours. Save our lives, have respect for our culture. If you decide not to heed our request, we will protect our livelihood. We are a peace loving people, [but when our lives are in danger, we will fight back.] This is our message."

February 13, 1987.

2. Context.

Since 1987 when the above statement of resistance was issued, indigenous peoples of many ethnic groups from around Sarawak have blockaded logging roads in an attempt to halt the logging of their customary native land. The Governments of Malaysia and Sarawak have responded by attempting to dismantle the blockades and arresting those responsible under the Malaysia's Internal Security Act (ISA) and Emergency Public Ordinance. The ISA permits arbitrary and indefinite detention without trial of persons the Government considers to be a threat.

In 1987 over 100 people were arrested under the ISA including opposition MPs (and the Leader of the Opposition), lawyers, trade unionists, women active in women's issues, religious workers, and environmentalists. Hundreds of other Dayaks have since been arrested and detained for participating in blockades all over Sarawak.

But as blockades ^{have been} dismantled, new blockades ^{have} arise. Three new blockades were mounted in June 20, 1991. One, by 150 families of the Kenyah community of Long Geng, Belaga, another by 500 people (mostly Penan) at Long Ajeng, Baram, which is still in place, and a third in the Tatau district. These blockades are testimony to the determination of the Dayaks to pursue their struggle until their grievances are settled or until their forests are gone.

In recent months, following the Sarawak state election in September 1991, which the government won convincingly, arrests and detention of blockaders by local police in Sarawak have intensified.

On January 15, 1992, 42 Dayaks from the Long Geng blockade, aged from 15 to 55, were arrested at gunpoint and without warrant. The 42 were held without charge for 13 days in poor conditions in a single cell in the Kapit police station. At their hearing on January 25, 1992, six were released on bail of M\$1,000 and the remainder remanded. The trial was set for February 24, 1992. This arrest is the third since the Long Geng blockade began. Trials of those arrested have been continually postponed.

Also on January 25, 1992 in Kanowit, over 350 people from different parts of Sarawak carrying banners and dressed in traditional costume marched to the local Magistrate's court in support of the members of the Ulu Machan community arrested in a similar blockade. They were met by 20 riot squad police armed with teargas and batons. No violence ensued.

On February 5, 1992, Anderson Mutang, a Kelabit leader was arrested. Anderson who is a member of the Sarawak Indigenous People's Alliance (SIPA), took part in a 1990 world tour to highlight the situation in Sarawak concerning deforestation, land rights and local communities reactions and resistance.

3. Campaign Draft Vision Statement.

1. the protection of the biodiversity of Sarawak's forests through adherence on the part of the governments of Malaysia and Sarawak to ITTO guidelines and the Convention on International Trade in Endangered in Endangered Species (CITES) (which should be expanded to include the dipterocarp family of trees, unique to Southeast Asia);
2. the implementation by local people of sustainable, locally controlled, income generating forest management schemes by means of financial support from timber consuming countries as well as Malaysia;
3. the recognition in practice of the basic human rights of the native peoples of Sarawak, their rights to land and their traditional lifestyles - and the respect of these rights - by the Malaysian and Sarawak governments and by all countries and corporations involved in the timber trade with them of the following local laws and International Conventions of which they are in breach:
 - Native Customary Rights (NCR) as provided for in the Sarawak Land Code;
 - Universal Declaration of Human Rights (articles 12,17,25,27);
 - World Heritage Convention 1979 (article 6.3);
 - Environmental Modification Convention 1979 (article 1);
 - ILO Convention on Indigenous Peoples 1989 (article 4).
4. an enhanced responsibility among the people in western countries in taking action to address the serious environmental and human rights abuses that are taking place in our own backyard.

4. Campaign Aims and Objectives.

Aim: To mount an focussed campaign of publicity and political intervention in the US, UK, Europe, Japan, and Australia through Fenton Communications in the US, aimed at achieving the following objectives:

Short Term Objectives

1. the immediate release of the 43 Dayak people recently arrested and detained in connection with blockading activities;
2. the immediate dismissal of all charges pending against Dayak peoples in connection with their endeavours to protect their customary lands;

3. an immediate cessation of issuance of logging licenses in all areas which are under dispute for Native Customary Rights (NCR) as recognized in Malaysian Law and the revocation of all licenses which permit logging in these disputed areas;
4. an immediate moratorium on the trade of tropical timber from ~~primary~~ *Sarawak* forests until the issue of native land rights has been adequately addressed;
5. the commencement of an international boycott of selected products manufactured by companies involved in the logging of ~~Malaysia's~~ *Sarawak* forests;

Long Term Objectives:

1. To raise public awareness worldwide about the destruction of the rainforests in Sarawak and the ongoing struggle of the indigenous peoples in Sarawak to preserve their traditional lifestyle and habitat in the face of its destruction through logging, ~~mining~~ and other environmental assaults, and in the face of continuing human rights abuses;
2. To inspire increased responsible action in ~~the West~~ *industrialized countries* to address the serious environmental and human rights abuses that are taking place in our own backyard;
3. To raise \$5,000,000 to support the indigenous peoples of ~~Malaysia~~ *Sarawak* in their resistance against the destruction of their native habitat by logging companies and Government negligence, and to provide seed capital to establish community forest reserves and other alternative forest management schemes;
4. To investigation and documentation of the extent of destruction and damage caused to indigenous communities and legal action to seek appropriate compensation and assistance in reestablishing their traditional way of life;
5. To bring political and public pressure to bear at every possible level on the Government of Malaysia and on all timber consuming countries to ban the import of timber from primary forests;
6. To focus and intensify the process of ongoing negotiations on an international and supranational level between indigenous groups in Malaysia, the Governments of Malaysia and Sarawak, governments of the major timber consuming countries (in particular the US, Japan, and the EC), the United Nations, the International Tropical Timber Organization (ITTO) and international environmental and human rights groups, to work towards long term structural solutions to the economic, social, environmental and human rights problems which the situation in Sarawak entails including

- review of international tropical hardwood trade;
- review of GATT and its provisions;
- review of international debt and aid policies;

5. Campaign Strategy.

Who: SOS Sarawak acting in solidarity with the Sarawak Indigenous Peoples Alliance (SIPA), Institut Pengarajan Komuniti (IPK), and with the support of Western Canadian Wilderness Committee (Canada), Friends of the Earth (UK), the Singaporean and Malaysian British Association (SIMBA/EICMAS) (UK), Survival International (UK), Friends of the Earth (Netherlands), Robin Wood (Germany), Robin Wood (France), The Society for Threatened Peoples (Switzerland), Earth First! (USA), the Rainforest Defense Fund (USA), Rainforest Information Center (Australia).

What: A worldwide campaign of publicity and intervention ~~and~~ aimed at achieving the above objectives.

When: Commencing March 16, 1992.

Where: Throughout the U.S., Canada, Japan, Australia, Europe and the UK.

How: Fenton Communications will orchestrate the media aspects of the campaign which will include the following:

Print Media Events: Op ed pieces, feature length articles and interviews in National dailies (New York Times Washington Post, The Times etc) weekly news magazines (eg Time, Newsweek etc) environmental circulars, popular magazines (People etc);

Press Conferences:

Radio Events: Interviews and features on National Public Radio, New Dimensions Radio, BBC etc;

Television Events: interviews and features on Good Morning America, Oprah Winfrey, Donahue, Nightline etc;

Celebrity Events: High profile screenings of the films Tongtana and Blowpipes and Bulldozers; Music Celebrities concert or recording to donate benefits to the campaign;

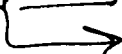
Direct Action: demonstrations outside the headquarters of Mitsubishi et al.; a consumer boycott of selected products manufactured by the corporations involved in logging of Malaysian timber; Boycott of Tourism

to Malaysia; Vigils outside Malaysian Embassies and Consulates around the world; Letter writing campaign to US, UK, EC, Australian, Japanese and Malaysian Governments; letter writing campaign to the Officers of the major corporations involved in logging in Malaysia; petitions to those corporation and governments;

Political Intervention: Intensification of high level long term intervention initiated by SAM, SIPA, IPK and other indigenous groups through the UN (Commission on Human Rights, June 1992 UNCED etc); Amnesty International; GATT talks etc.

6. Follow Up and Ongoing Action.

It is intended that the following ongoing activities be established:

1. immediately, a legal defense fund with the sole aim of providing legal assistance to the tribal people in their defense of Native Customary Land rights and in the implementation of the appropriate laws to guarantee their protection in the future;
2. immediately and for as long as is necessary, a sustained boycott of selected products of companies involved in logging in primary forest in Sarawak (eg Toshiba, Mitsubishi, Kirin Breweries, Nikon, NEC, Sapporo, Isuzu, Sumitomo, Sharp, Daihatsu, Canon, Sharp, Nissan, Hitachi) until such time as logging in native customary lands ceases;  !!
3. immediately, commence intervention through the United Nations aimed at achieving dialogue between the Governments of Malaysia and Sarawak and indigenous peoples towards an acceptable solution to the conflict;
4. within 3 months, a task force of local and international people to develop alternative economic uses of the forests in Sarawak, as an initiative and model example to other tropical forest countries around the world.

7. People.

Robin Hanbury-Tennison, British. Director of Survival International.

Bruno Manser, Swiss. Founder of the Society for Threatened Peoples. Artist who lived amongst the Penan for 6 years.

Wade Davis, Canadian. Biologist anthropologist, ethnobotanist and explorer. Author of "Penan - Voice for the Borneo Rainforest".

Raymond Szetu, Malaysia. Attorney and former member of parliament. Active in the defense of Native Customary rights and in challenging the ISA in Malaysia.

Nirbhao Kalsa, American. Imprisoned in Malaysia in June 1991 for her participation in international civil disobedience action on logging barges on the Baram River.

Anthony Dixon, Australian. Harvard MBA. Co-author of "From Forest to Market", a study of the market potential of Borneo's non-timber forest products.

8. Recent History of Dayak Resistance to Logging in Sarawak

1987

February 13	Penan issue their declaration of resistance.
March 31	First blockade erected in Tutoh River Basin.
April	Kayan erect a blockade at Uma Bawang.
June	Delegation of 12 indigenous peoples to Malaysian Federal Government in Kuala Lumpur.
October	Blockades result in total shutdown of 23 logging sites in Baram and Limbang districts. 2,500 Penan from 26 settlements take part in protests over 8 months.
October	Malaysian Prime Minister Mahathir invokes the Internal Security Act and imprisons 91 critics of the government's forestry practices. 42 Kayans from Uma Bawang arrested and accused of, among other things, unlawful occupation of State lands. Blockades temporarily cease.
November	State government adds to Forest Ordinance S90B making it an offense to obstruct logging roads, and giving forestry officials the power to enlist the assistance of agents of the logging concessionaire in dismantling any barrier or human obstruction. Penalties include 2 years imprisonment and fines of over US\$ 2,000.

1988

May	Blockade raised near Long Napir.
September	2 more blockades in the Upper Baram.

- October 4 more blockades rise in Upper Limbang and Lawas. Sahabat Alam (Friends of the Earth) Malaysia (SAM) receives Right Livelihood Award.
- November - January Blockades occur at 7 sites and government arrests 128 Dayaks, mostly Penan. Dayak resistance appears broken. Subsequent sporadic blockades by Iban in Bintulu and Penan in Baram quickly dismantled by the government.
- 1989**
- September 10 19 indigenous communities in Upper Limbang and Baram erect 12 new barricades. The action spreads to Belaga on September 15.
- October 5 1989. 11 Iban longhouse communities blockade roads in Bintulu District. By the end of the year an estimated 4,000 Dayaks have joined the protest successfully shutting down logging in nearly half of Sarawak.
- Mid-October Logging companies commence intimidation tactics, confiscating identity cards and threatening protestors. A further 177 Dayaks arrested and subjected to human rights abuses. 86 men were held in Lambir prison with inadequate food and water in overcrowded cells.
- November 6 Dawat Lupang, Penan, receives Reebok Human Rights Award.
- November 20 Following an appeal to the chief Justice the men are released.
- 1990**
- June Harrison Ngau receives Goldman Award.
- October Penan Association of Sarawak receives Sierra Club's Chico Mendes Award.
- 1991**
- Mid June Meeting amongst Penans in Marudi. Statement from the government "The government is like the doctor who treats diseases, the foreigners are like flies who bring diseases." Planning for the blockade at Long Ajeng.
- June 25 200 people from 18 settlements form a human barricade at Ulu Segah near Long Ajeng in the Baram District. They ordered the logging company, Samling Timber Sdn. Bhd. out of their land and gave them 24 hours to stop all logging operations. 60 men from the company were taken out by

convoy.

- July 1** A child dies of a stomach ailment. The people say that it is because the water supply has been contaminated, perhaps from trees which supply poison for the poison darts used in hunting, which the loggers fell and which contaminate rivers.
- July 19** An order of arrest is issued by the Forestry Department and the Police for arrest of those on the blockade, but no action is taken. The blockade grows to 530 people.
- Mid July** Over a radio broadcast, the state government says that those involved in organizing the blockade would have their basic facilities, including health care, stopped. Anyone found helping them would be subject to 2 months imprisonment and 10 years if the offence is repeated. 6 trucks of armed forces from Miri are stationed at the Samling Timber Company's camp.
- July 22** VIPs from Kuching promise to come to the blockade site. They arrive in Miri but return to Kuching.
- July 24** The first blockade is dismantled by the timber company, but the Penan and others have moved to a second blockade site which is 1/2 mile down the road.
- Mid August** The Police Commissioner, Datuk Mohd. Ghazali Yacub visits the blockade. He scolds them and tells them that the forest belongs to the government and they must dismantle the blockade.
- September 31** The company calls for a meeting between the leaders of the Penan community for peaceful negotiations. No one goes to the meeting, thinking it to be nothing but a waste of time. All earlier attempts at negotiations had failed.
- October** The company organize a meeting where they promise the communities rice mills, chain saws, garden tools, compensation for the land, and even a proposed salary of M\$600 a month for each headman provided the logging is allowed to continue. (It is reported that in Long Seridan, four headmen receive a monthly allowance of some M\$1600 in payment for their cooperation with logging companies). Failing agreement, the company issue an ultimatum for the dismantling of the blockade receive a monthly allowance of some M\$1600 in payment for their cooperation with logging companies). Failing agreement,

the company issue an ultimatum for the dismantling of the blockade but again nothing happens.

November 18

About 550 people wait for the government officials who have promised to meet them but do not turn up.

December 17

The company erects a barricade further down the road to stop provisions reaching the Penan blockade and to stop people from visiting the blockade or reaching the forest area. Locals who want to use the forest have to get a permit from the logging company.

1992

January 12

A meeting takes place between the Executive Committee of Penan Affairs (Sarawak State government) and people from the blockade. No agreement is reached.

January 29

42 arrests of blockaders at Long Geng. An ultimatum is given by the Sarawak state authorities that the blockade must be dismantled within two weeks.

February 5

Anderson Mutang Urud of the Sarawak Indigenous People's Alliance (SIPA) is detained under Emergency Ordinance in Miri and is held at Miri Police Station. The SIPA office is raided.

SOS SARAWAK**Contacts**

Nirbhao Khalsa: tel:(505) 989-9158 fax:(505) 988-1642

Anthony Dixon: tel:(212) 909-2755 fax:(212) 355-6721

TO: Katie McGinty / Senator Gore fax 202 224 0580**FROM:** ANTHONY DIXON**SUBJECT:** SOS SARAWAK MEDIA CAMPAIGN
+ Recent proclamation from Cathedral of St John, NY.**DATE:** 2/25/92**NO. PAGES:**

Nirbhao has spoken with you about this campaign.
We are about to engage Fenton Communications
in D.C. to handle publicity and Bruno Manser
and Raymond SREto arrive in the U.S. ~~the~~ very
soon.

We look forward to contact with your office in
the coming week.

NOTE: This is part 2
of fax - part 1
sent separately

BACKGROUND INFORMATION

One of the world's richest remaining rainforests, in Sarawak, Malaysia, is being cut down so fast that it will be logged out within eight years. At the same time, the local people who live and depend on the forest for their way of life are being denied their land rights and their very existence is being threatened. These pages describe in greater detail why this is happening and what the local people see as necessary to halt this wanton destruction of their land.

Sarawak's Geography.

- It is the largest of the thirteen states of Malaysia.
- It is situated on the island of Borneo; part of East Malaysia.
- It has a land area of 12.33 million hectares (724,450 sq. km.):
38% of Malaysia's total land area
- 9.42 million hectares has been gazetted as Forest Estate.

Sarawak's Population.

- 1.7 million people (around 10% of Malaysia's total population).
- Malays and Melanaus (coastal people) comprise 19.7% of total. Chinese comprise 29.5%.
- Dayaks (living in the interior) make up 49.5% of total. These are most directly affected by the logging.
- The Dayaks comprise a number of smaller ethnic groups, including the Iban, Kayan, Kelabit, Penan and Bukitan. Many of these are dependent on the forest, which supplies the basic necessities of food, fuel, land, medicines, and materials for housing and tools. For some of the groups, including the 9,000 Penans, their traditional lifestyle is as hunters and gatherers in the forest, whose whole culture incorporates the forest. For instance, tracts of lands in the forest are set aside as burial grounds for their ancestors, a critical part of their culture. They claim that much of the forest being logged belongs to them under Native Customary Law.

The Forest.

- The rainforests of Borneo are considered to be the oldest in the world.
- They include remnants of ecosystems which have been continually evolving over at least 100 million years.
- They contain some of the most diverse terrestrial ecosystems on earth, very few of which have been properly studied.
- An estimated 2,500-2,900 tree species are native to Borneo. Some already have been logged to extinction.

- The forests are home to the hornbill, barking deer, argus pheasant, gibbon orang-utan, flying fox, and other animal species which are threatened by the logging.

It is worth noting that about 25% of the world's medicines come from plants growing in rainforests, and this despite the fact that less than 1% of such plants have been properly assessed for their medicinal potential. The rapid destruction of the Sarawak rainforest means that a hugely rich natural laboratory with vast potential for the health of humankind will be destroyed FOREVER.

Rates of Logging and Its Effects

Consequences of logging include disruption of climatic equilibrium and the acceleration of global warming, a loss of biological diversity on an unprecedented scale, the destruction of forest-based societies, increasing droughts, floods, soil erosion and desertification, and the dispossession and displacement of peasants and forest peoples through floods and other ecological effects of deforestation. All these are pertinent to Malaysia, but the Malaysian government has been impervious to suggestions that they address these issues as a matter of urgency. They are logging themselves to extinction: short-term benefits (including the making of millions by local politicians and friends) have been chosen over the longer-term. Thousands of local people have had their land rights ignored and are presently engaged in a last ditch struggle to try to salvage something of their traditional culture for their future.

Rates of Logging

- At current rates of logging, the rainforest in Sarawak will be effectively logged out within eight years.
- Logging continues twenty-four hours a day, seven days a week. Floodlights are in use at night.
- Malaysia will be a net importer of timber by the year 2000. (ITTO estimate).
- Between 1963 and 1985, 30% of the gazetted Forest estate was logged.
- In 1985 itself, 10.6 million cubic metres of logs were cut from the forest. (270,000 hectares). The estimate for this year is currently 18 million cubic metres, over 400,000 hectares. (An increase of 70%).
- Over 60% of remaining areas already have been given out in concessions.
- Environmental groups around the world have been calling for an immediate stop to the logging.
- The more conservative (and criticised) International Tropical Organisation (ITTO) Mission of 1990 called for an immediate reduction in logging to a maximum of 9.2 million cubic metres a year. The ITTO is made up of representatives from the major tropical timber consuming and producing nations, including the UK. The fact that Malaysia has actually increased the logging rate made Lord Cranbrook, leader of the ITTO Mission, express his

deep dissatisfaction that 'Malaysia is showing total disregard if not disrespect for the work of the ITTO.'

Cutting and Sustainability

- In many areas in Sarawak, clear cutting is permitted.
- Even where some precautions are taken, the best estimate is that 46% of natural cover is destroyed through logging.
- The use of bulldozers, tractors and other heavy machinery churns up the topsoil to such an extent that natural regeneration becomes impossible.
- The Malaysian government works on the principle that there will be a natural cycle of regeneration of 25 years. Most experts would consider this to be a gross underestimate; the US Congressional Mission, for instance, reported that a cycle of 70 years would be a minimum period.
- Less than one-tenth of 1% of total production of tropical timber can be confidently assessed as sustainable. (ITTO Report 1988).
- Of 33 countries which were net exporters of tropical timber in 1987, only 10 will have any left to export by year 2000. (World Resources Institute 'Tropical Call to Action', 1985). (Logging rates have increased since then).
- The rapid depletion of the Malaysian rainforest will only lead to further pressure on other rainforests to supply tropical timber to importing countries unless policies and practices are changed. The example of Thailand stands as an instructive case study; it is now increasingly an Importer of tropical wood from Malaysia, and faces serious environmental consequences from its own depletion of its forests.

Environment Impact

- 65% of Sarawak's rivers are seriously affected (polluted and/or affected by siltation) by logging; many are permanently turbid.
- Nutritional levels for local people have been seriously affected. Logging has affected fish catches, wild life, access to land for planting, and fruit and other tree plantations. A 1979 Government study indicated that at least 8.4% of rural Dayak children were seriously undernourished, a figure that will be much higher today.
- A World Wildlife Fund study of 1986 estimated that the indigenous people could rely on 54 kg. of fish and game per person per annum from the forest. In areas which have been excessively logged, this falls to a mere 2 kg. per person per annum.
- Local climate cycles are known to be affected by deforestation, leading to flood/drought cycles and possibly to desertification. (P. Hurst, 1990).
- It is well-established that deforestation also affects the global climate.

The Logging Industry.

- The industry employs some 55,000 people, of which over 30% are immigrant workers from the Philippines or Indonesia.
- Accident rates in Sarawak's logging industry are very high. In the first four months of this year, 33 people were killed. The accident rate is twenty times higher than for the Canadian logging industry, for instance.
- In 1983, logging deaths accounted for 67% of all fatal occupational accidents in the state.
- Under the local social security scheme, accident compensation is very low, and workers cannot take their employer to court.
- Claims that the industry is vital because of the employment it provides are suspect not just because of the immigrant labour situation, but also because it is a short-term employment at current rates. In eight years, thousands of people will have no jobs. Meanwhile, thousands of the local people have been denied their rights to land and livelihoods.

Many commentators have noted that perhaps the major obstacle to a proper assessment and resolution of the issues at stake in the logging of the Sarawak rainforest lies in the fact that it is the politicians who control the logging concessions and in many cases actually own them. Political manipulation and corruption means that supervision and planning within logged areas have fallen far short of what is necessary; there is little control of how much is logged and how quickly. Many reports have noted that the number of on-the-ground Forestry Department staff falls well short of what would be needed to properly monitor the logging.

The Concession Holders

Timber is one of the few natural resources in Malaysia which the Federal Government has allowed to remain in the hands of the State government. As a result, it has become the major area in Sarawak of political patronage, nepotism and largesse. This is self-acknowledged. In the Sarawak state election campaign of 1987, the competing political parties published lists of each other's timber concessions, and the Chief Minister froze concessions owned by his opponents which covered 1.25 million hectares and which were worth between M\$9 billion and M\$22.5 billion, (at current rates of exchange, between approximately £2 billion and £4.8 billion). The Chief Minister through his family controls a number of logging concessions, the State Minister of Environment (James Wong) owns 300,000 hectares, and other prominent State government politicians and their friends, including the influential Datuk Linggi and Iban representatives like Kenneth Kanyan, have become millionaires.

Far from seeing this as corrupt practice, the Chief Minister calmly states that 'granting concessions to politicians is a good thing as it frees them from their sponsors' (New Straits

Times, 10/4/87). James Wong says that he was 'in logging before I was in politics.' The Federal government have done nothing to intervene, despite the fact that in neighbouring Sabah, the Chief Minister Joseph Palrin was charged with corruption earlier this year, one of the counts being the corrupt granting of timber concessions. (The fact that Palrin took his party into the opposition camp helps to explain this).

Over 60% of the remaining forests have been conceded for logging to the local political elite. This brings them directly into conflict with the local indigenous people, who claim that their rights to their traditional lands enshrined in Native Customary Law have been completely ignored.

The Dayak Response

Background to Land Rights

Dayak culture practices a system of egalitarian customary law ('adat'), in which land cannot be bought and sold but is held by the community and used by individuals as befits their needs. Brooke's administration (1841-1945) attempted to introduce private property relations through the registering of land and the granting of land titles, but this was always ad hoc and unsatisfactory.

Under the Sarawak Land Code of 1957, Native Customary Land was recognized as land not held under title but which exists as Native Customary Land prior to 1st January 1958. However, arbitrary powers vested in the Minister have confused the situation: he has the power to declare an area of state land as a Native Communal Reserve (Part 11, s6(1)), but equally can issue an order for a Native Reserve to cease to be such. It is worth noting that by 1986, nearly thirty years after the introduction of the Land Code, the area of land for which titles had actually been issued amounted to less than 4% of Sarawak's total land area. The area of customary Native Land theoretically amounted to over 25%. But for the latter and for the rest, the arbitrary power vested in the Minister has failed to protect the Dayak land rights, has been used to deprive the Dayaks of Customary Land, and has encouraged the loggers to trespass on and log land which the Dayaks maintain belongs to them.

Attempts to Negotiate

The Dayaks have vainly been trying to negotiate with the State government to settle their land disputes. As Jalong, a Dayak later arrested on a blockade, stated last year. *'We have written so many letters and had so many meetings with our leaders and our Government on our problems. All of them promised to do this and that for us. But till today nothing has been done....they simply treat us as though we do not exist and have no rights at all.'*

In June 1987, a delegation of 12 indigenous people took their complaints to the Federal

Government in Kuala Lumpur. They met with a number of politicians. Anwar Ibrahim, now Minister of Finance, stated that it is *'the government's policy to defend the rights of people... especially the rural poor.'* Leo Moggie, President of the Sarawak political party PBDS, stated that he had every sympathy and *'personally would like to see less logging taking place.'* The Sarawak National Party (SNAP) Vice-President, Luhah Wan, said that he *'would urge logging should stop and timber licences should be cancelled.'* The Inspector-General of Police, Tan Sri Haniff Omar, stated that he would set up a task force to investigate complaints against police behaviour and use of force at blockades. None of these promises have translated into action; the situation has instead greatly deteriorated.

Since land is the key to the whole Dayak culture, the fight to preserve their land rights is a fight to preserve their way of life. In this respect, Articles in the Universal Declaration of Human Rights are applicable, including:

- Article 12: *No one shall be subjected to arbitrary interference with his privacy, family, home...Everyone has the right to the protection of the law against such interferences or attacks.*
- Article 17: *No one shall be arbitrarily deprived of his property.*
- Article 25: *Everyone has a right to a standard of living adequate for the health and well-being of themselves and their family.*
- Article 27: *Everyone has the right to freely participate in the cultural life of the community.*

Other international conventions breached include:

- Article 6.3: *outlaws 'deliberate measures which might damage directly or indirectly the cultural and natural heritage' (World Heritage Convention 1972)*
- Article 1: *outlaws the hostile use of environmental modification techniques having widespread, long-lasting or severe effects. (Environmental Modification Convention 1979)*
- Article 4: *Special measures shall be adopted...for safeguarding the...cultures and environment of (tribal) peoples.' (ILO Convention on Indigenous Peoples 1989)*

Blockades and Arrests:

As the situation gets more and more critical, the Dayaks have sought more direct ways to protect their homelands. In many areas, this has amounted to forming human blockades to stop logging

companies operating. Since 1987, when 23 blockades in areas in Baram and Limbang districts were mounted, there have been many such blockades all over Sarawak. In certain isolated cases, bridges have been burned and machinery destroyed.

The immediate reaction of the authorities to the blockades was to amend the Forest Ordinance in 1987 to make any obstruction of logging activities a criminal offence. Under Section 90, this offence is subject to a maximum of a two-year jail sentence and a M\$6,000 fine.

To date, many hundreds of Dayaks have been arrested and detained for participating in such actions. There have been many complaints about the unreasonableness of force used at the blockades by the Police, as well as beatings and harassment of the local people once they have been arrested.

The mounting of three blockades in Limbang, Belega and Tatau on June 20th 1991 is further testimony to the determination of the Dayaks to pursue their struggle until their grievances are settled or their forests are gone. A blockade at Long Ajeng has been going for seven months. They are calling for international support.

What the Dayaks have said

"We are now like fish in the pool of a drying-out riverbed. If the logging does not stop immediately, we Penans will not survive. We suffer from hunger because with our forests the companies are also destroying our sago-palms, wild fruit trees and plantains, and cause a depletion of our fish and game and all that we need in our daily lives."

(Mutang Tuo, Voices of Borneo World Tour, London 1990)

"The forest is our livelihood. We lived here long before any outsiders came. We fished in clean rivers, and hunted in the jungle. Now the logging companies turn rivers into muddy streams and the jungle is devastated. The fish cannot survive in dirty streams and wild animals will not live in devastated forests."

(Part of 'Stop the Logging' statement signed by 61 tribal leaders).

"How can we respect the law when the law does not respect us?" (Kayan activist).

"My people are slowly dying." (Leader from the Baram district)

"We are not saying that not a single tree should be cut down, only that the logging should be managed in a way that benefits the local people."

(Harrison Ngau, Dayak activist arrested under the Internal Security Act of 1987)

"We want development, but how can we accept the kind of development which demands us to

forsake and forgo our rights to our land?"

(Tama Lawai, Kelabit Leader).

"Development does not mean stealing our land and forest away from us, this is not development but theft of our land, our rights and our cultural identity. Development means to us a) recognising our land rights in practice, b) putting a stop to logging in our lands and forests so that we can continue to live and c) introducing clean water supply, proper health facilities and better schools for our children."

(Resolution 5 from First Natives Workshop, 15 July 1987)

"For us the natives, whether settled or semi-settled, and particularly the nomadic Penan, the rainforest is the source of all food, medicine, tools, building materials, spiritual connection and burial sites of our ancestors. The government policy of forced relocation and assimilation...is a violation of our rights to self-determination and dignity as human beings."

(from Statement to the UN Commission for Human Rights, Geneva, March 1991).

"If we don't fight now to protect our land, we will die soon. We have formed blockades because all of us are affected by the logging. We come...not in joy but in desperation."

(Jangan Tambliong, Kelabit leader).

"We have appealed many times to our Sarawak government to be fair and respect our customary land. Our government has continually taken the side of the logging companies and our protests have gone unheeded. Instead, the government calls on the police to arrest and prosecute us, treating us like criminals. The police and the forest department often get timber workers to help them in arresting our people...While we all work in Sarawak to convince our government to stop logging our forest, we also wish to make an appeal to the international community, especially to Japan which is the biggest buyer of Sarawak logs."

(from Statement of Sarawak's Womens' Committee to Japanese Citizens, May 1991).

Claims and Counter-Claims

Many books, reports, articles, and studies of one sort or another have been written on the situation in Sarawak. Missions have been sent by a wide variety of organisations. From these, a number of recommendations have been made, and the Malaysian Government has come under increasing criticism for their apparent lack of concern at the logging of their forests. As a result it has sought to refute the accusations levelled against them by a variety of counter-arguments.

Malaysian Government Arguments:

1. *"The Deforestation is caused by the Dayaks themselves through shifting cultivation."*

The evidence is clearly contrary to this claim. An estimated 36,000 families in Sarawak practice shifting cultivation. Each household (average 6 people) rarely use more than 2.5 hectares of land. This represents a total of 73,000 hectares of shifting cultivation land, a figure which in fact concurs with information of the Sarawak Agriculture Department. Less than half of this land is located in primary forests; in other words, hardly a significant amount compared to the more than 400,000 hectares logged by logging companies last year.

2. *"We have an effective Forestry Policy and the logging is sustainable."*

Although Malaysia does have a national forestry policy, it is hardly implemented and its efficacy in Sarawak and Sabah is limited, due to the fact that the latter States have their own Land Codes. We have discussed above the increase in rates of logging even despite the ITTO Report (which the Malaysian Government claimed was favourable) and the subsequent reaction of Lord Cranbrook. We have also mention the estimates of 'sustainability.' It is worth noting that a ban on log exports exists in West Malaysia, but not in Sarawak or Sabah.

3. *"The campaigners are out to sabotage our industry; they are sponsored by our softwood competitors."*

Not one iota of evidence has ever been produced to back up this rather absurd claim. However, the control of the local Malaysian news media by the Malaysian government means that this sort of disinformation gets wide circulation within the country and there are few channels through which it can be challenged there.

4. *"Why should the Dayaks be left out of development?"*

The Malaysian government claims that they want to move the Penans and other groups 'into the twentieth century,' and have questioned the motivation of Western conservationists, who, the Malaysian government has claimed, only want to preserve the nomadic tribal lifestyles of groups like the Penan for their own exotic and voyeuristic pleasure as tourists or anthropologists, for instance.

The fact is that most Western campaigners support the Dayaks' own demand to be full participants in decisions about their own future. The issue is one of self-determination, asked for by the Dayaks themselves but refused by the Malaysian government. We refer you to the quotations of the Dayaks on the sheet "The Dayak Response."

Some International Reactions and Recommendations

The European Parliament calls for a ban on all tropical hardwood imports from Sarawak *'until it can be established that logging does not cause unnecessary environmental damage and does not threaten the way of life of the indigenous people.'* (Resolution, 8th July 1988).

It also voices serious concern *'at the imprisonment of more than 100 natives because of their peaceful protests against the large-scale timber felling within their traditional areas in Sarawak'* and calls on its members to protest to the Malaysian authorities about these arrests and to encourage the Sarawak and Malaysian government to initiate genuine negotiations with representatives of the indigenous people *'to seek a peaceful and socially acceptable solution.'* (Resolution, November 1989)

The Report of US House of Representatives Committee on Foreign Affairs Mission to Sarawak (September 1989) documents in detail the land rights disputes and the lack of sustainability of logging practices. The Report states that *'although the Sarawak State government is confident that its current forestry management practices are environmentally sound and sustainable, there is considerable evidence indicating such is not the case.'* On land rights, it states that *'without a resolution, native people are likely to face increasing hardships as they defend their customary lands from encroachment by logging companies.'* In its recommendations, it urges the Malaysian government to address these issues, and also sets out how the international community has a role to play in providing technical support and in reducing their own demand for raw timber.

The Report of the International Tropical Timber Organization's Mission to Sarawak (May 1990) called for an immediate reduction in logging rates to 9.2 million cubic metres per year, and recommended that forestry management practices be subject to complete review. The Mission was widely criticised for not including as part of its mandate the situation of the indigenous people, but even despite this, the Report suggested an immediate moratorium in areas where land disputes exist. The disquiet of the ITTO following the Malaysian increase in the rate of logging has been quoted above (Rates of Logging).

The LAWASIA Observer Mission Report (April 1990) (entitled 'The Human Cost of Sarawak's Timber Revenue') documents the land rights dispute and states that *'Official recognition of the land rights claims needs immediate attention. To continue to ignore the grievances of the indigenous people perpetuates injustice.'* It concludes *'further pressure and action will be necessary to encourage Malaysia and Sarawak to effect a just resolution.'*

Prince Charles at the Rainforest Lecture, 6th February 1990, said *'it seems to me that any discussion about the tropical forests should start by looking at the people who depend directly on them for their livelihood....The main focus of concern must be on the remaining tribal people...Their story is one of which we must all be profoundly ashamed.'*

Of course environmental groups around the world have also been putting out regular reports and recommendations concerning the situation in Sarawak.

RECOMMENDATIONS

Many of the recommendations proposed by different organisations would fall into the following: a call to the United Nations, appropriate agencies and the Malaysian and other national governments to:

1. Respect the rights to land of the forest peoples and those who depend upon the forest for their livelihood, achieving land security, rejecting policies and practices which discriminate against them, and ensuring that their right to self-determination is fully respected.
2. Halt all practices and projects which would contribute directly or indirectly to further forest loss. This would include a review of any government or agency policy which contributes to that, both where projects are financed which cause deforestation and where trade practices encourage deforestation. They should:
 - a) take immediate steps to curb wastage, misuse and over-consumption of timber products;
 - b) ban all imports of tropical timber from natural forests and tropical wood products.

Many would also argue that there needs to be a restructuring of the present global economic system which is dominated by the 'developed' countries at the expense of the poor in the Third World. The disproportionately high control and use of the world's resources by the former needs to be addressed if the world's rainforests, including that in Malaysia, are to be saved and regenerated.

The Role of Consumers

Clearly the rapid depletion of the Sarawak rainforest and the denial of land rights to its people is contingent upon the demand generated for tropical hardwood in importing countries. Only 20% of the wood is used locally. Unless there is a serious review of consumption practices and a determined effort to implement alternatives to tropical hardwood use already well documented (for instance from Friends of the Earth), not only will the pressure to destroy Sarawak's forest remain, but further rainforests will then be cut in the same way, until there are none left in the world.