

The Canberra Times

Forum

GOLDEN PATH TO VAREKAI

Cirque du Soleil to shine on Canberra

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NEW PLANS STIR UP LAKE VIEWS

Albert Hall proposal raises residents' ire

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Saturday, March 10, 2007

THE BLOCKADE the Penan had erected looked pitiful in the rain, a few bamboo poles strung together across the muddy logging road that cuts through the rainforest near Long Benalih in the upper Baram River region of Malaysian Sarawak, near the Kalimantan border in Borneo.

No one was in sight to man the blockade, nor was there any sign of the police who had knocked it down days earlier, or the men from the giant multinational logging company, Samling, on whose behalf they had acted.

Just as well. My guides were worried, frightened that Samling men or the police might catch us looking at the site or taking photos.

This flimsy structure was never going to stop Samling, with its fleets of bulldozers and trucks, from entering the region. But for almost exactly three years, since February 2004, the barricade had stood at the end of the road, symbolically blocking entry to the last remaining stand of the Penan's ancestral rainforest land. Steadily the loggers have moved east from the Sarawak coast and now they are at the last blockade.

In October 1987 the Penan, Kayan and Kelabit communities erected their first barriers, shutting down roads at over 20 sites in the Baram and Limbang river districts, about 100km to the west of the current barrier. About 2500 Penan took part in the eight-month-long protests, enduring harsh conditions and harassment from the logging industry, but maintaining a peaceful campaign.

After a Kayan man charged with obstructing a public thoroughfare was acquitted because the magistrate ruled that the road was part of customary land, the Sarawak Government made it an offence for any person to obstruct the flow of traffic along any road. Nevertheless the protests continued, with many people, mostly Penan, being arrested. Steadily the blockades have been knocked down, and loggers have ripped into the forest. In the early 1970s about 70 per cent of Sarawak's total area was covered by relatively undisturbed rainforest. Now the coastal strip is largely oil-palm plantations; the next strip inland is being prepared for oil palms or looks like wasteland; and the third is a mix of previously logged areas, choked with creeper overgrowth, recently logged areas and areas about to be logged.

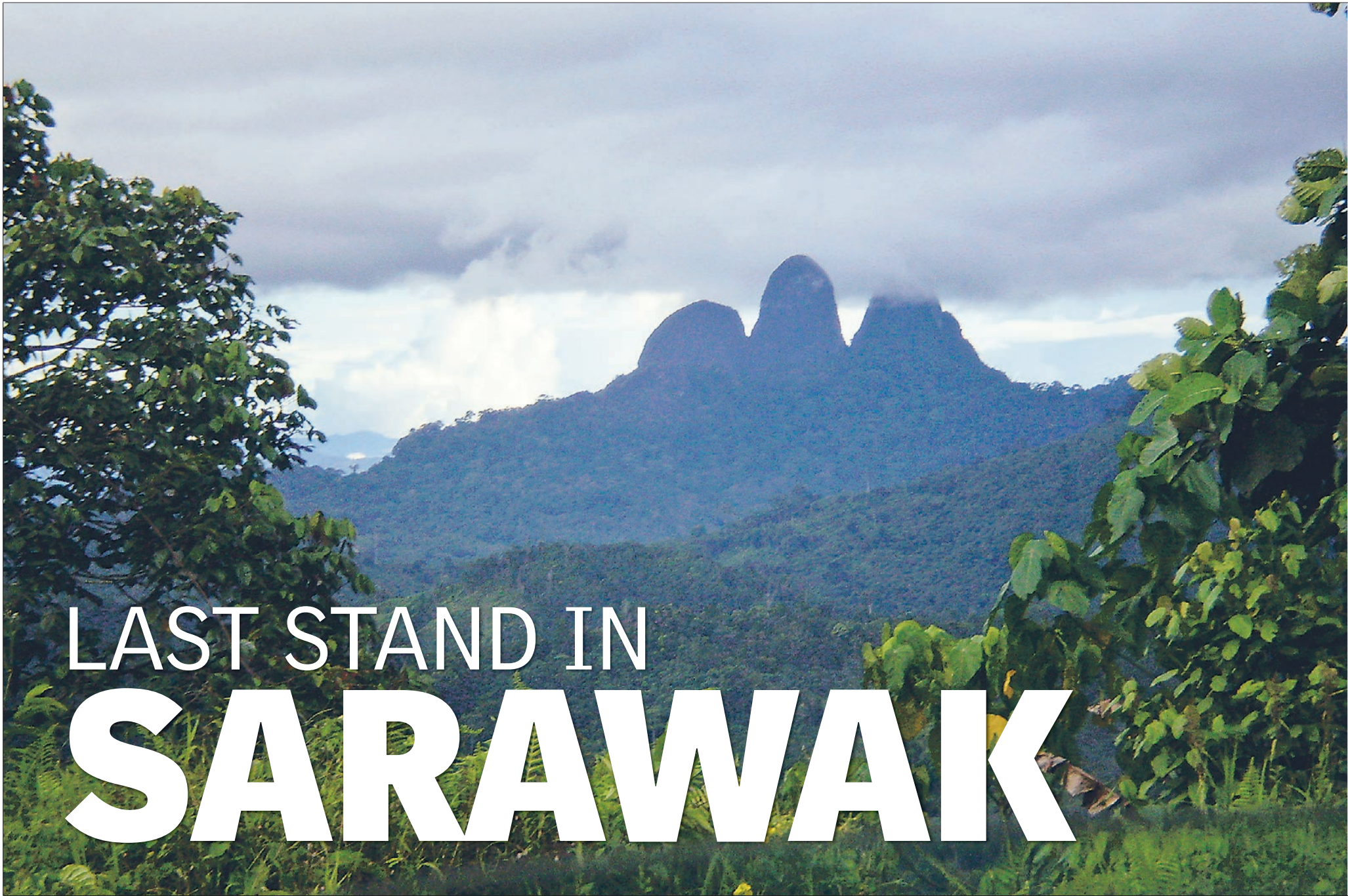
Samling controls a 70km-long road that cuts west through to the latest blockade site at Long Benalih. Loggers fan out from the road to feed the timber jinkers that run non-stop, taking huge trees to the staging post of Lapok on the Tinjar River. Bulldozers and graders try to maintain the road, which in parts is deeply rutted and periodically collapses into ravines.

Imported Samling workers now hunt in the forests, making it more difficult for the Penan to find their keenly sought wild boar and other game. Representatives of some tribes have accepted payments for their land along the way but the Penan – the original forest nomads – have refused any offers. Their last stand is a claim on the 30km by 20km stretch of pristine forest around the Selungo River, covering such settlements such as Long Kerong, Long Benalih and Long Sait.

Samling has been accused in the past, by no less than the World Bank, of carrying out harvesting haphazardly and with unnecessary and excessive damage to the forest. Yet the company has been granted the Malaysian Timber Certification Council's sustainable-logging concessions over most of this claim, though the Penan have never given their consent to logging.

On the internet Samling proudly says that it has major interests in plantations and is involved in property development, rubber product manufacturing and quarrying. But its plantations cannot replace native rainforest.

In response to questions from *The Canberra Times*, Samling said it operated strictly within the law and subscribed to sustainable forestry management guidelines. In Malaysia



LAST STAND IN SARAWAK

The Penan of Borneo are fighting a losing battle for the last of their ancestral forests. **PAUL MALONE** meets them.

it was subject to an annual allowable volume of logs and there were also restrictions on the minimum tree diameter the company was permitted to harvest. "We selectively harvest trees, leaving the younger ones to grow for the next cutting cycle," the statement said. "We harvest our forests in Sarawak according to a 25-year cutting cycle and harvesting plans approved by the Sarawak Forest Department."

The Penan are widely regarded as having the greatest knowledge of the forest's plants and animals. They recognise more than 100 fruiting trees, 50 medicinal plants and eight blowpipe dart poisons, including one that is far more potent than anything used by any other Borneo tribe.

Despite this, they have been the most peaceful of all Dayak peoples, choosing to withdraw further into the forest when confronted with new settlers. Nevertheless, they are feared by many members of the other tribes. When a blowpipe fell from behind the sun visor in my four-wheel-drive, the Kenya driver explained that he kept it to ward off thieves in the town of Miri. "I put two darts in it so that they think I'm Penan," he said.

The Penan are known for their ability to fire three darts in quick succession down the pipe, a skill members of the other tribes have not mastered.

The Penan have sought to use legal means to gain title to their land. In 1998 they filed a land-rights case in the Malaysian High Court to claim native customary rights. The claim was led by the headman of the Long Kerong hamlet, Kelesau Naan. It has been referred back to the native courts where it is still dragging on.

So far the Sarawak provincial Government has not recognised any Penan native customary rights, arguing that the Penan, who were forced into settlements in the 1960s, had previously roamed the forests and therefore did not "use" the land.

At his home in the tiny settlement of Long Kerong, Kelesau told *The Canberra Times* through an interpreter of their fight to gain land rights. "The Penan are like mushrooms," he said. "They come from the ground."

He said they had inhabited the forest land around him before other



SYMBOL OF DEFIANCE: Penan people at the flimsy blockade before it was destroyed near Long Benalih. Pictures: PAUL MALONE

SAMLING: THE FOREST FELLERS

The website for the Samling Group of companies opens with beautiful forests, flowers and dragonflies. It belies the real nature of the company's operations – the destruction of this flora and fauna.

The Malaysian-based company, which exports timber products to more than 30 countries including Japan, the US, Europe, China and India, has been the centre of controversy since its formation in the 1960s.

The group started with three Malaysian concessions. It now has a logging empire which controls 3.4 million hectares of forest and 470,000ha of plantations. The group, founded in the small Sarawak town of Miri, is controlled by the Yaw family.

Critics say the company has a poor

environmental and social record in its countries of operation, including Malaysia, Guyana, China and New Zealand. It is said to have left a trail of destruction in the forests of Cambodia and Papua New Guinea.

A group of non-government organisations launched a campaign this week against Samling's efforts to arrange a global share offering. Among those companies assisting Samling in this float is the Australian-based Macquarie Securities.

Samling has close relations with the Sarawak state Government and has also found support from the Malaysian Government.

In 1998 the Cambodian Government increased the timber royalty rate that the 21 companies which controlled the

bulk of Cambodia's forests were paying. Samling, the most important member of the Cambodian Timber Association, reacted by halting operations and refusing to pay the \$US4 million due on its stockpile. The Malaysian Primary Industries Minister flew to Cambodia to push the company's case.

The British-based NGO Global Witness observed that it was ironic that the concessionaires which had presided over unprecedented forest destruction, complained the minute the Government tried to put the forest in order. Many NGOs urge governments to reject the Malaysian Timber

Certification Scheme as a guarantee of sustainable or legal forest management because it doesn't respect indigenous rights.

ongoing dispute between the Government and "certain natives". The company had voluntarily ceased harvesting activities in the areas under dispute, pending the outcome of proceedings.

Because of where they work, some Penan cannot speak on the record but one said that if they did not stop the loggers now all the remaining forest in the Upper Baram area would be gone within two years.

One young man who spoke good

English said they wanted the area to be saved from the loggers. They did not want it to be turned into a national park managed by the Government. They wanted it to be their land, which they would manage and where people could come and see the Penan's real way of life. Tourists would be able to see much wildlife and many beautiful waterfalls.

My first evening interview with Kelesau was not a great success. The local translators had limited English and my questions were too complex, or required details he could not recall. Kelesau recognised this as much as I did and the next morning decided to take me to meet another old man, Kelasih Payah, who had had long been involved in protests to save the forest and had been jailed in the past for his efforts.

Kelasih would add to the answers of the previous night, provide details on the history of the campaign and explain why the Penan were still trying to blockade the road near Long Benalih. After an hour-long trek through the rainforest we arrived at Kelasih's lean-too to find that he was not home. Whooping calls did not raise him.

After we had eaten, Kelesau cut a sapling down and slashed it in a number of places and stuck it in the ground. He placed a stick at the base, four small twigs in one slash, a folded sago leaf in another and various other items along the pole, topping it with a partly stripped fern leaf pointing like an arrow.

The stick read, "Don't be afraid. We are your friends. We came to visit you. We were hungry. We cooked your sago. We have gone off in the direction of the arrow."

On the way back, Kelesau, who must be in his 70s, quickly left me and my guide well behind. When we caught up with him he was high in a rambutan tree. I could not see how he had managed to get up there. There were no branches, or anything to grip on to for well over 15m. My guide explained that he had gone up a smaller tree – also with no branches lower than 15m – and had crossed at the canopy. Fruit-laden rambutan branches rained down on us.

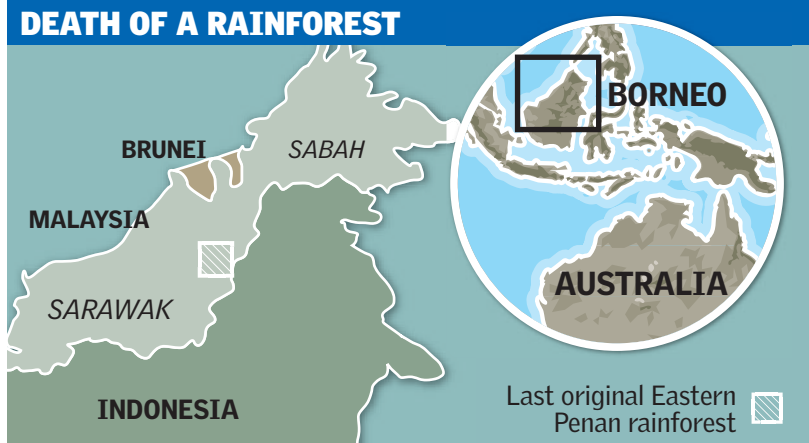
In the evening Kelasih Payah arrived, and a long boat which had been sent down the river returned



SCENIC BEAUTY: Tekiwit waterfall on the upper Sela'an River, near the blockade.



ELDERS: The headman of Long Kerong, Kelesau Naan, left, Kelasih Payah and Tunjuang Mela.



NON-STOP TRAFFIC: A heavily loaded logging truck on its way to Lapok.



ALMOST DENUDED: A hill almost cleared of trees the Penan are trying to save.