

Foreign NGOs and Malaysia's Logging Scandal

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In Malaysian Borneo, home to some of the world's oldest rainforests and an array of biodiverse plant and animal species, logging will always be a sensitive issue. Controversy has recently surrounded Sabah's Chief Minister Musa Aman over allegations of embezzling \$90 million (RM 279 million) from years of illegal logging operations in the state. The *Bruno Manser Fund (BMF)*, a Swiss-based rainforest advocacy group, has filed a criminal complaint against UBS Bank over ties with Aman through a number of bank accounts he holds with UBS in Hong Kong and Zurich. [1] *BMF* claims that Michael Chia, an associate of Aman, organized large cash payments from timber companies with logging interests in Sabah to UBS bank accounts in Hong Kong, which were used to send money to Aman's sons in Australia and a senior official in Sabah. The funds are alleged to be kickbacks from Malaysian timber operators paid to the Chief Minister in return for being allowed to exploit tropical hardwood logging concessions.

Sarawak Report, a London-based whistleblower website, published bank statements and other documents implicating Chief Minister Aman and his brother, Malaysia's Foreign Minister Anifah Aman, with corruption and money laundering. [2] The report, which cites anonymous sources, leaked documents, and "insider claims," accuses Attorney General Abdul Gani Patail of blocking further investigation by the Malaysian Anti-Corruption Commission (MACC) and highlights the close family connections between Gani and Aman. Swiss authorities have declared their readiness to freeze the illicit assets of both Musa Aman and Sarawak Chief Minister Taib Mahmud (also accused of embezzlement and misconduct) if Malaysia requests legal-assistance in investigating the case. [3] Amid calls for Aman to resign from his post, the Sabah Forestry Department has called allegations of widespread illegal logging in the state "wild and baseless," adding that the dissemination of such allegations would cause a drop in timber sales and cause Sabah's forests to lose economic value:

"We have reason to believe the unfounded allegations are politically motivated and not driven by any love for the environment. The allegations are therefore baseless and made with bad intention to discredit the sacrifices made by the state government to achieve good forest governance and sustainable forest management in the shortest time possible, despite the economic, financial and social challenges. Short-term licenses that cause tremendous damage to the environment are being drastically phased out and Sabah's forest management credibility is at its highest — an open-book philosophy whereby logging and forest management areas are all open to third-party and NGO scrutiny." [4] [5]

While the Sabah Forestry Department has come to the defense of Aman, it has acknowledged small-scale cases of illegal logging within its forests, which are in no way near the scale and extent as allegedly reported. Press statements issued by the Sabah Forestry

Department claim that if allegations by the *Bruno Manser Fund* and *Sarawak Report* were indeed accurate, it would imply that at least 1 million cubic meters of timber were illegally felled, representing a land mass of 50,000 acres, or 50 percent of the timber produced from Sabah's forests in 2011. [6] Given the enormity of the illegal felling allegedly taking place in Sabah, it is bewildering that satellites images have failed to corroborate these claims. One would assume that local environmental groups and NGOs would surely take notice of plunder on such a massive scale. Interestingly enough, Sabah-based NGOs have supported the Sabah Forestry Department in its moves to increase the amount of protected areas in its territory, namely the northern section of the Gunung Rara Forest Reserve to safeguard a secure habitat for Malaysia's largest orangutan population. *Bernama's* August 2012 article "[Sabah NGOs Support Protection Forest Move](#)" states:

Founder of LEAP (Land Empowerment Animals People) Cynthia Ong added that "nationally and regionally, Sabah was emerging as a leader in pushing the boundaries in management of natural ecosystem services, and for treating forests as stores of water, carbon and biodiversity rather than just as timber sources." She added that there are still a number of issues that the NGOs want to address with the Department, "but this is the sort of change that we do want to see." [7]

Sabah's Forestry Department argues that since Reduced Impact Logging (RIL) has been introduced, third party auditors who have overseen the issuance of long-term logging licenses since 2010 would have detected such large scale illegal felling. The department points out that Musa Aman led Sabah's participation in the Great Apes Succeed Project (GRASP) in accordance to UNESCO, which halted logging to protect the natural habitat of several thousand orangutans at the loss of approximately RM 4 billion in potential revenue. Sabah also boasts 1.3 million hectares of Totally Protected Area Reserves (TPAS), accounting for approximately 20 percent of the state's total landmass. Under the administration of Musa Aman, the issuance of short-term logging licenses have begun being phased out in accordance with a deliberate drop in forest revenue to ensure that ecosystems are given a chance to recuperate from industrial felling. The Press Statement issued by Sabah's Forestry Department additionally states:

At least 800,000 hectares of Sabah's forests are partially or fully certified under various internationally recognized systems such as the Forest Stewardship Council (FSC), Malaysian Timber Certification Scheme (MTCS), or the Pan European Forest Scheme (PEFC). This also covers the Sabah Foundation with at least 250,000 hectares of fully certified and 150,000 hectares partially certified forest. Many more forest areas are being earmarked for certification as Sabah has set 2014 as the year for all long term licensed areas to be fully certified. The process of certification means independent third party auditing on the ground. If such an allegation was true, why does Sabah continue to attract the attention of certifying bodies and NGOs, who want to be our partners and to assist us in obtaining verifiable and certifiable good governance? It is not lost to the world that Sabah is the first tropical region in the whole world to have a tract of rainforest certified under the Gold Standard of the FSC in 1997 i.e. Dermakot Forest Reserve. This is a model area not just for Malaysia but the tropical world. [8]

If these statements prove to be accurate, then it would mean Chief Minister Musa Aman has actually overseen an overall increase in areas of Totally Protected Area Reserves (TPAS). Logically, if these allegations are baseless, then the alleged \$90 million in embezzled funds

have either not originated from the illegal felling of timber, or are simply non-existent. Other confirmed cases of corruption and embezzlement have led to many Malaysians being quite susceptible to disinformation, however it is irresponsible to deny the possibility. Chief Minister Aman would regain public trust by making every effort to be transparent and cooperative with any investigations to prove his innocence, any attempts to deflect inquiry will likely be publically interpreted as suspicious. Indeed, cases of illegal felling of timber do exist and corruption is one of the main drivers of deforestation in Sarawak, which directly threatens the fragile ecosystem and delicate way of life in indigenous tribal communities.

The claims and statistics provided by Sabah's Forestry Department indeed prove that the state's leaders recognize their responsibility to maintain the necessary balance between economic development and ecological preservation. In the increasingly globalized world, development has often come at the expense of uprooting indigenous communities with little respect for biodiversity and the spiritual significance of designated land areas held by indigenous tribes. In this respect, Malaysia is not without its shortcomings, but it is important to recognize that state leadership has begun taking steps in the right direction. The impressionability of the Malaysian middle class has become self-evident by the conduct of those seeking a change in government, who are keen to display their willingness to condemn the political establishment in Putrajaya without scrutinizing the (often foreign) sources of their claims.

Upon visiting the website of Swiss-based NGO, the *Bruno Manser Fund*, one finds it quite curious that the organization has not provided its financial statements or a list of its sponsors, which it states are "private individuals, foundations and selected businesses" - ironic for an organization set on exposing environmental institutions that lack transparency. Upon visiting the website's news portal, the organization's status as a "rainforest advocacy group" is most curious, as it clearly endorses non-environmental campaigns such as Ambiga Sreenevasan's Bersih Movement - in addition to "condemning" the trial of political opposition leader Anwar Ibrahim. Additionally, the site links to *Malaysiakini*, the nation's most pro-opposition political news website, an annual recipient of \$100,000 (RM 317,260) from the US-based National Endowment for Democracy, funded by the United States Government. [9] As Malaysia approaches an upcoming general election, political mud slinging has become a component in every issue, with each side attempting to use any opportunity to discredit each other.

Sarawak Report and its affiliate *Radio Free Sarawak* are dissident media outlets based in the United Kingdom founded by British investigative journalist Clare Rewcastle Brown, and are openly hostile to the Barisan Nasional-led state governments of Sabah & Sarawak. Brown has demonstrated a clear bias by negligently exaggerating various claims, alluding to isolated incidents of timber workers raping tribal women, which Brown outrageously insinuates is the systematic policy of Prime Minister Najib Razak's government. [10] It is some measure of folly that while Clare Rewcastle Brown and her organization focus on discrediting leadership in Malaysia, her own brother-in-law, former British Prime Minister Gordon Brown, partnered with the United States' to invade and occupy Iraq at the expense of over a million of civilian lives.

In conclusion, the Malaysian officials accused of laundering money must make all efforts to be transparent and to continue to deliver the kind of environmental policy that respects ecosystems, biodiversity, and indigenous people. Barisan Nasional have long regarded Sabah & Sarawak as their loyal political stronghold, and it would appear that members of the opposition and their affiliates are attempting to use all means to discredit the ruling

governments of those states prior to the highly anticipated general elections. While the political component behind allegations of corruption and resource grabbing must not be ignored, authentic corruption does exist and diligent efforts must be taken to investigate accused individuals - if these individuals are innocent, then their exoneration is a preordained conclusion.

Notes

- [1] [UBS faces criminal complaint over Malaysia ties](#), Swiss Info, June 12, 2012
- [2] [Malaysian Foreign Minister Named In Macc Investigation Into Sabah Timber Corruption](#), Sarawak Report, April 05, 2012
- [3] [Swiss govt ready to freeze Musa's accounts](#), Free Malaysia Today, September 07, 2012
- [4] [Illegal logging claims 'exaggerated', says Sabah as Swiss probe UBS](#), The Malaysian Insider, September 07, 2012
- [5] ['More forest reserves under Musa rule.'](#) Free Malaysia Today, September 07, 2012
- [6] [Illegal felling claims will harm conservation efforts](#), Malaysiakini, September 07, 2012
- [7] [Sabah NGOs Support Protection Forest Move](#), Bernama, August 24, 2012
- [8] [Illegal felling claims will harm conservation efforts](#), Malaysiakini, September 07, 2012
- [9] [Malaysiakini Blog: Donors](#), 2011
- [10] [Clare Rewcastle Brown : Malaysians say their country is corrupt](#), Malaysia Chronicle, March 01, 2011

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