

**Immediate release 15 April, 2010**

Press Release on JOANGOHutan's report on Logging in Sarawak and the Rights of Indigenous Communities

***The Malaysia-EU negotiations on the VPA –FLEGT are still far from delivering commitments in full respect of peoples' rights and protection of Malaysian rainforest***

The on-going negotiations between Malaysia and the European Union (EU) to enter into a Voluntary Partnership Agreement (VPA) on the Forest Law Enforcement, Governance and Trade (FLEGT) has virtually no respect for indigenous peoples' rights, as defined in law and upheld by the Malaysian courts, according to a report released by the Network of Indigenous Peoples and Non-Governmental Organisations on Forest Issues (JOANGOHutan).

JOANGOHutan's report is based on a study on logging in Sarawak through specific case studies and the Eastern Penan situation in the Upper and Middle Baram.

JOANGOHutan is calling on the Malaysian Government and the European Union to ensure that any decision leading up to the process when Malaysia and the EU are expected to sign the agreement must be based on procedures in accordance with existing national and international human rights laws and instruments recognising the rights of indigenous peoples, including the right to native customary lands, the right to development and the right to conservation of indigenous cultural heritage, based on native customs and laws.

JOANGOHutan affirms that the EU cannot sign a legitimate FLEGT-VPA with Malaysia without ensuring it includes a mechanism that forces the Malaysian Government to recognise the rights of indigenous peoples by the recognition of Native Customary Right (NCR) and a mechanism to ensure the Government must uphold and implement all recent court judgements, as the EU itself has committed to ensure that a VPA leads to recognition of land tenure and increased participation of civil society actors.

We wish to express our dissatisfaction on the repeated and unresolved problems concerning logging and the right of indigenous communities particularly in Sarawak, Malaysia. We also denounce the lack of a transparent and open process of Environmental and Social Impact Assessments on logging and other projects carried out in Sarawak. We therefore urge the Malaysian and Sarawak Governments to ensure full and effective participation of indigenous peoples at all levels of negotiations and discussions on issues related to their land, forest resources and territories and to their rights as recognised by international and national laws and instruments and court decisions and jurisprudence. With regard to the VPA-FLEGT, JOANGOHutan continues to work with other national NGOs and indigenous peoples networks to ensure that any decision on the VPA must fully recognise and respect NCR.

We thank you for your attention,

A handwritten signature in black ink, appearing to be a stylized name or set of initials, located at the bottom left of the page.

Meng-chuo Wong(Mr.)  
Director of IDEAL, Sibul, Sarawak

For and on behalf of

Jaringan Orang Asal dan NGO Tentang Isu-Isu Hutan (JOANGOHutan)

*The Network of Indigenous Peoples and Non-Governmental Organisations on Forest Issues*

Borneo Resources Institute of Malaysia (Brimas), Sarawak

Center for Orang Asli Concerns (COAC), Selangor

Institute for Development of Alternative Living (IDEAL), Sarawak

Keruan Association (Penan), Sarawak

Partners of Community Organisations (PACOS Trust), Sabah

Peninsular Malaysia Oragn Asli Association (POASM)

Sarawak Access (SACCESS), Sarawak

Sabat Alam Malaysia (Friends of the Earth Malaysia)

Save Our Sungai Selangor (SOS Selangor), Selangor

Sinui Pai Nanek Sngik (SPNS/'New Life One Heart'), Perak-based Orang Asli community group

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NOTE:

Some of the background documents can be found at: <http://www.loggingoff.info>,  
<http://www.rengah.c2o.org>.

and regular updates will also be posted on the websites: <http://www.loggingoff.info>,  
<http://www.rengah.c2o.org>, <http://www.fern.org> and [www.bmf.ch](http://www.bmf.ch)