

**February 2023**



## **Why we need stronger UK laws to halt deforestation abroad**

Sarawak communities are fighting logging companies to protect their homes, livelihoods and forests. Find out how a new UK law could clean up timber supply chains.

## Indigenous People call for global solidarity to protect their forest home

Imagine waking up one morning and finding that the forest where you live, that you depend on for gathering food and fishing, where your family has lived for centuries, has been certified as a logging concession without anyone asking you. Not only that – but you're denied the right to speak out.

This is why Indigenous activists from Borneo joined UK supporters at [Cecilia Vicuña's Brain Forest Quipu](#) – the eerie and moving tribute to the world's lost rainforests and their inhabitants in the vast turbine hall of Tate Modern – to hold a solidarity ritual ceremony and ash blessing to mourn the destruction of their forest home and to call on the power of collective global action.



Commemorating the lost forests of Borneo at Tate Modern  
© Credit: Kelly Hill/Friends of the Earth

They chose this symbolic space to highlight the threat to their communities from logging and the role of UK companies in driving this deforestation through the import of timber, misleadingly certified as sustainable.



Ash blessing at Tate Modern, Celine Lim and Masharof Ahmed  
© Credit: Kelly Hill/Friends of the Earth

Wearing funeral shawls, bearing "bone branches" and accompanied by the mournful beat of a gong, the procession of mourners made its way through central London, ending at the gates of Buckingham Palace. The activists bore letters to the UK government and King Charles as head of the Commonwealth. The letters called for an end to UK timber imports from Malaysia, where the sustainability certification process is deeply flawed and inadequate, to help save their communities.



Malaysian and UK activists demand Clean Up the timber trade outside the FCDO © Credit: Kelly Hill/Friends of the Earth

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“We’re grieving the death of our Bornean rainforests.”

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– Celine Lim

## What's happening in Sarawak?

In their letter to King Charles, the community leaders wrote:

"We depend on the forest for hunting, fishing and gathering. The logging drives out the animals, there is no more space or food for the game... Logging activities pollute our rivers and streams which we use for drinking water. The logging erodes the land and the rivers... the rivers rise after heavy rain and flood our villages like never before."

Celine Lim, a leader from the Kayan community and head of the NGO [SAVE Rivers](#), and Komeok Joe, a leader and elder from the Penan community and the grassroots organisation [Keruan](#), had made the long trip from the Malaysian state of Sarawak in the north of the island of Borneo to draw attention to the plight of their territory under threat from logging. Sarawak has witnessed devastating levels of deforestation in recent years, [losing 27% of its tree cover between 2000 and 2021](#).



Celine Lim and Komeok Joe taking part in commemorative action for Borneo forests at Cecilia Vicuna's installation Brain Forest Quipu, Tate Modern, London © **Credit: Kelly Hill/Friends of the Earth**

Celine and Komeok work side by side with the communities in the Upper Baram area, which hosts some of Malaysia's last intact primary rainforest. The Baram River Basin is a biodiversity hotspot, home to gibbons, hornbills and sun bears as well as many [endangered species](#). But for several decades this forest has also been under threat from timber extraction by Malaysian timber and palm oil conglomerate Samling, with a huge impact on wildlife and local people.

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**“Our forest is our bank, our supermarket, our hospital. Without a forest the Penan people cannot survive.”**

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– Komeok Joe

## Logging threatens an internationally recognised forest reserve

In an effort to protect their forests and traditional ways of life, local communities proposed a conservation project for the Upper Baram Forest Area (UBFA), the [Baram Peace Park](#). This has been formally supported by both the Malaysian government and the International Tropical Timber Organisation (ITTO) and is in receipt of international funding.



Orangutan swinging through jungle in Sarawak, Malaysia  
© Unsplash

Despite this, [Samling has continued logging in this territory](#) – even encroaching on the Batu Siman mountain, an area of great spiritual and historic importance to surrounding communities. In a worrying recent development, 200,000 hectares of territory traditionally occupied by indigenous communities have been licenced by the Malaysian government to Samling, with over 50,000 hectares designated for conversion to palm oil plantations.

Not only has this taken place without recognition of the communities' ownership of the land and their dependence on it for their livelihoods, but the company has also failed to properly engage in information sharing and consultation with local communities.

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**“Communities will wake up one day. Their trees are fallen, their farms are being bulldozed, because they were never consulted to begin with.”**

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– *Celine Lim*

## Why's deforestation of this primary rainforest still happening?

In Malaysia, the Malaysian Timber Certification Scheme (MTCS) was established to set environmental and ethical standards for the industry – and it's endorsed by the widely recognised international sustainability scheme Programme for the Endorsement of Forest Certification (PEFC).

However, the MTCS has failed to protect local communities and forests. In Sarawak, indigenous land is owned by a traditional system of “native customary rights”. In theory these are recognised by the state, but in practice they're routinely ignored. At the same time, national government allocates land concessions to big corporations. These corporations are meant to be transparent about their proposals, share maps and plans and widely consult the communities – but often fail to meet any or all of these commitments. They don't recognise the community land, or that communities need the forest to sustain themselves through hunting and fishing, and they don't inform and properly consult on their proposals. And [in Sarawak, companies exploit a weaker governance system](#) that does not even require such transparency and consultation. As a result, MTCS certification is an exercise in greenwashing.

## – and how's the UK involved?

UK timber regulations (UKTR) clearly lay out the rules that apply to timber entering the country. Timber importers must engage in “due diligence” to ensure imports comply with legal obligations – including land tenure and genuine consultation with communities. However, this is very much a paper exercise, relies on certification and often doesn't reflect or recognise the situation on the ground where legislation is weak and power prevails.



Forest clearance in Sarawak, Malaysia © **Credit: Keruan**

This matters because the UK, as the third largest MTCS timber importer globally, is a key market and because, despite blatant breaches, MTCS timber enters the UK as sustainable.



## Intimidation and abuse of power

There have been widespread protests against the loggers over many years by communities, even staging roadblocks to protect their precious sites. At the forefront has been local NGO SAVE Rivers, speaking as the voice of indigenous and local people calling for protection of the land through campaigns and media.

But in 2021, in what appears to be a cynical move to silence protest, Samling filed a legal action against SAVE Rivers for publishing what it called “defamatory statements”. The logging company is demanding an apology, an injunction that stops SAVE Rivers from reporting community claims and 5 million Malaysian ringgits (around £1 million) for damages to its reputation – around 45 times SAVE Rivers' annual budget.

## UN concerned about Samling's use of legal action to silence communities

This action by Samling has prompted the UN to raise serious concerns. In an [official statement](#) last November, the UN Special Rapporteur on Human Rights Defenders suggested the legal action by Samling may amount to “strategic litigation against public participation” (SLAPP). “Businesses exploit the power imbalances that exist between companies and human rights defenders,” stated the UN, which described SLAPPs as “manifestly unfounded lawsuits [...] to silence criticism and deter future opposition to a company’s projects through intimidation”.

The SLAPP has resulted in the suspension of the investigation into SAVE Rivers’ grievances against Samling by the Malaysian Timber Certification Council, which implements the MTCS certification process. Additional grievances by other communities have also been stalled.

Samling timber continues to be MTCS certified, despite lack of consent from communities and proper impact assessments, and MTCS continues to be endorsed by PEFC.

## Why we need a new UK law

MTCS timber – some of which may even be illegal under UK legislation – continues to be imported into the UK. This isn't an isolated incident relating only to timber, and it reflects how corporations continue to act with impunity. Around the world, precious habitats and communities are being destroyed to satisfy our demand for imported commodities like timber, beef, soy and palm oil.

Many big companies trample on the rights of indigenous people and use their vastly unequal access to resources in taking legal action to threaten and prevent local opposition to damaging schemes.

The UK government must enact a tough new law to ensure corporations are held to account, respect the rights of local communities and are made liable for the damage they cause to people and planet. Such a law would oblige UK companies to halt environmental damage and human rights abuses in their supply chains.

As Celine stated so forcefully:

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**“We demand our rightful place to decide what is done on our land. We demand full inclusion in all governance and administration of our resources.”**

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We face a climate and biodiversity crisis. Action to save the world's forests and wild places, and the people that live in them, is urgent and essential. Working with indigenous communities and their intimate connection with the natural world is a powerful reminder of humanity's spiritual connection to nature. At the close of the ritual, the procession repeated Celine's powerful oratory and reminder to us all, shouting in unison: "One with the Earth. One with each other. What we do to the Earth, we do to each other."



Celine Lim and Komeok Joe at Cecilia Vicuna's installation Brain Forest Quipu, Tate Modern, London © Credit: Kelly Hill/Friends of the Earth

Friends of the Earth is a member of [CUT \(Clean Up the Tropical Timber Trade\)](#), alongside coalition members [SAVE Rivers](#), [Keruan](#), [Bruno Manser Fonds](#), and [The Borneo Project](#).

[The Rainforest Solidarity](#) Ritual at Tate Modern and the funeral procession was a coalition action devised and produced by [activist and artist Gaby Solly](#), to launch the international CUT Campaign partnership.