



Proceedings of the NATIONAL WORKSHOP ON ENFORCEMENT COMPLIANCE FOR TRADE IN RAMIN (*GONYSTYLUS* SPP.)

ITTO – CITES PROJECT MALAYSIA'S WORK PROGRAMME FOR 2010

**Ensuring International Trade in CITES-Listed Timber
Species is Consistent with their Sustainable
Management and Conservation**

Organised by

**Malaysian Timber Industry Board (MTIB)
Ministry of Plantation Industries and Commodities**

Venue

**Sri Chempaka Services Suites
Kuala Lumpur, Malaysia
8 - 10 December 2010**

Proceedings of the
**NATIONAL WORKSHOP ON
ENFORCEMENT COMPLIANCE FOR
TRADE IN RAMIN
(*GONYSTYLUS* SPP.)**

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Consistent with their Sustainable Management and Conservation

8 – 10 December 2010
Kuala Lumpur, Malaysia

Editors

Norchahaya Hashim, Che Jumat Ahmad, Md Yusoff Ismail,
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MALAYSIA'S WORK PROGRAMME FOR 2010



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IN RAMIN (*GONYSTYLUS* SPP.)

Ensuring International Trade in CITES-Listed Timber Species is Consistent
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**PROCEEDINGS OF THE NATIONAL WORKSHOP ON ENFORCEMENT
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**8 – 10 December 2010
Kuala Lumpur, Malaysia**

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The organizers would like to thanks the Royal Malaysian Custom (RMC), Malaysian Quarantine and Inspection Services (MAQIS), Central Regional Office of MTIB in Klang, Selangor and the Westport Sdn Bhd (Klang, Selangor) for agreeing to host the field visit to observe the inspection activities of imported and exported timber and plant materials. Special thanks also to go to Scenic Moulding Sdn Bhd for its willingness to accept a visit to their factory in Rawang, Selangor within such a short notice.

The organizers also would like to accord a special thanks to Miss Milena Sosa Schmidt for CITES Secretariat, based in Geneva, Switzerland who are willing to spend some time throughout the national workshop and making some deliberation and explanation on matters pertaining to CITES law and its implementation. Not to forget also many thanks to Miss Tong Pei Sin and Mr Thang Hooi Chiew, ITTO representative from Yokohama, Japan and provide guidance and advises during running of the workshop.

Lots of thanks are also due to the chairs, facilitators, rapporteurs, and the secretariat staff for working diligently beyond accorded time. Special thanks also to the editorial team which manage to produce the documentation.

Finally, but not least, a thank you to all participants for showing strong will power, staying in focus and actively participating throughout the three days workshop.

ACRONYMS

AEG	ASEAN Expert Group
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CoP	Conference of Parties
FDPM	Forestry Department Peninsular Malaysia
FRIM	Forest Research Institute Malaysia
HS	Harmonized Commodity Description and Coding System
INTESA	International Trade In Endangered Species Act 2008 - INTESA 2008 [Act 686]
ITTO	International Tropical Timber Organization
MA	Management Authority, CITES
MAQIS	Malaysian Quarantine and Inspection Services
MACC	Malaysian Anti-Corruption Commission
MMEA	Malaysian Maritime Enforcement Agency
MPIC	Ministry of Plantation Industry and Commodities, Malaysia
RMC	Royal Malaysian Custom
RMP	Royal Malaysian Police
MTC	Malaysian Timber Council
MTCC	Malaysian Timber Certification Council
MTIB	Malaysian Timber Industry Board
Ndf	Non-Detrimental Finding
NFI	National Forestry Inventory
NRE	Ministry of Natural Resources and Environment, Malaysia
PGA	General Operation Force, (Royal Malaysian Police)
PGM	Marine Operation Force, (Royal Malaysian Police)
SA	Scientific Authority, CITES
SFC	Sarawak Forestry Corporation
SFD	Sarawak Forestry Department
SC	Standing Authority, CITES
SFM	Sustainable Forest Management
Spp.	Species, of plant or timber
TRAFFIC	Trade Records Analysis of Fauna and Flora in Committee
WG	Working Group

EXECUTIVE SUMMARY

CITES Management Authorities personnel from Malaysian Timber Industry Board (MTIB), Sarawak Forestry Corporation (SFC), Forestry Department Peninsular Malaysia (FDPM), Sabah Forestry Department, Sarawak Forest Department and Plant Quarantine Unit require more training to understand CITES rules and regulation, especially in implementing documentation of export and import permit and re-export certificate. Meetings and briefings were required by non-Management Authorities for CITES, such as Royal Malaysian Custom, Malaysian Maritime Enforcement Agency and the Unit of Police Marine (Royal Malaysian Police) understanding proper mechanism in over-riding the illegal shipment of Ramin and other endangered species listed under CITES. At present there is non existence of a special vehicle or task force to coordinate the understanding and proper implementation of CITES regulations. Personnel from these various agencies are not equipped with the knowledge in managing CITES requirements.

The information on CITES trade and enforcement requirements were not fully addressed to enforcement personnel from the various government agencies and bodies. They have less understanding in managing international trade movement of endangered species (timber) listed under the CITES Appendices. Many thought that the action only involve the issuance of CITES export permit and CITES re-export Certificate (for Ramin, Gaharu/Agarwood and Podo (*Podocarpus* spp.)). They have less knowledge that endangered timber species listed under the Appendices of CITES originated and sourced from other countries entering Malaysia must be inspected and it involves the issuance of valid CITES documents (export and import permits, re-export certificates). It is much anticipated that this Workshop will impart precious knowledge on the issue and will generate understanding on CITES implementation by all the implementing agencies.

INTRODUCTION

The listing of Ramin in Appendix II of CITES was proposed by Indonesia during CoP13 in Thailand 2004 and was agreed by Malaysia. The substantive measure was implemented starting 1 January 2005. MTIB is the Management Authority for Ramin and Gaharu/Agarwood (*Aquilaria* spp.) listed in Appendix II of CITES for Peninsular Malaysia and Sabah, while Sarawak Forest Department (SFD) and Sarawak Forestry Corporation (SFC) is the Management Authority for Sarawak. Since establishment of CITES listing for Ramin MTIB and SFC/SFD have been responsible for the administration of CITES permits and certificates, export quota management trade controls and enforcement surveillance.

The physical enforcement control is also being managed and assisted by the Royal Malaysian Customs (RMC), Malaysian Maritime Enforcement Agency (MMEA), Marine Police (MP) through enforcement activities MTIB and SFC/SFD personnel (enforcement unit) is facing difficulties in understanding the CITES enforcement mechanism, especially in identifying timber products of Ramin and non-Ramin (due to close resemblance in colour, texture and characteristics). MTIB and SFC/SFD personnel manning the exit points (ports and border – Johor and Singapore, Perlis, Kedah, Perak, Kelantan and Thailand, Sabah and Kalimantan, and Sarawak and Kalimantan) is not well verse with the rules and regulation related to CITES, especially monitoring documents control (CITES export and import permits and re-export certificates). Although efforts have been made to educate these enforcement personnel but due to high mobility of transfer MTIB/SFC/SFD needs to train and re-train it personnel, and this incurred heavy financial cost. The same things occurred with the enforcement personnel of RMC, MMEA and RMP.

At present no efforts have been made to call all related enforcement bodies (within Malaysia) to carry out a special course or workshop on understanding CITES enforcement mechanism and to establish a special task force to co-ordination matters related to CITES enforcement. This was due to the difficulty in sourcing the appropriate fund from the Malaysian Government. Therefore, with the establishment of the fund by ITTO, MTIB as the coordinating government agency conducted the National Workshop on Enforcement Compliance for Trade in Ramin (*Gonystylus* spp.). It is hoped that through this workshop the enforcement personnel of the implementing agencies/body will be equipped with the knowledge and tools in handling matters related to CITES.

OBJECTIVES

1. To understand CITES Convention, mechanism, permits and annotations.
2. To understand Ramin (*Gonystylus* spp.) implementation under CITES law and Act 686.
3. To deliberate on issues and problem of different enforcement mechanism by various agencies in handling Ramin (and other timber listed species).
4. To understand Malaysia's International Trade on Endangered Species Act 2008 - INTESA 2008 [Act 686].
5. To create and coordinate proper enforcement mechanism for matters related to CITES (among agencies and on regional basis).
6. To deliberate on establishment of a Malaysian Coordinating Unit for enforcement matters under CITES.

**SPEECH BY THE DIRECTOR GENERAL MTIB
FOR WELCOMING REMARK OF “NATIONAL WORKSHOP ON ENFORCEMENT
COMPLIANCE FOR TRADE IN RAMIN (*GONYSTYLUS* SPP.)”**

Thank you Miss MC (Master of Ceremony).

The Honourable Dato' Wira Ismail Salleh, The Secretary General, Ministry of Plantation Industries and Commodities;

Madam Zurina Pawanteh, The Under Secretary, Biodiversity And Forestry Management Division, Ministry of Natural Resources and Environment;

Miss Milena Sosa Schmidt, Scientific Officer, CITES Secretariat, Geneva, Switzerland;

Miss Tong Pei Sin, Senior Officer, International Tropical Timber Organization (ITTO), Yokohama, Japan;

Dato'–Dato', Datin, Head of Malaysian Enforcement Departments and Agencies, Senior Officers of MTIB, Distinguish Guests, Ladies and Gentlemen.

Assalamualaikum wbt. and very Good Morning.

The Malaysian Timber Industry Board (MTIB) and the Ministry of Plantation Industries and Commodities is very happy to receive all of you this morning.

We gather here in this hall today with the purpose to establish common goal and understanding of CITES (convention of the international trade on endangered species of wild fauna and flora). It will then followed by discussion and a way forward to establish proper action plan and mechanism in implementing the CITES objectives (related to control of timber trade) by various enforcement authorities in Malaysia.

MTIB is very happy to welcome members of the Malaysian enforcement fraternity to share and learn about CITES implementation in the country. The process of understanding the CITES laws had been making clearer and simpler by the gazettment and implementation of our very own law - Malaysian International Trade In Endangered Species Act 2008 (INTESA). The law became into force on 1 July 2010. All this while there is no reference law to be address by various enforcement authorities that manage endangered species listed under appendices of CITES in Malaysia. Previously relevant

CITES related authorities in Malaysia such as Department of Wildlife And National Parks, Sabah Wildlife Department, Malaysian Timber Industry Board, Sarawak Forestry Department, Sarawak Forestry Corporation, Department of Agriculture, Fisheries Department Peninsular Malaysia, Sabah Fisheries Department and Malaysian Inspection and Quarantine Services are exercising their jurisdiction based on their own laws that was weak, loose and ineffective. Many of the regulation statement and penalties are weak and will be subjected to losing battle in court of justice. Some of the penalty imposition is very minimal and will not hindrance the criminal party from stop carrying the activities. It did not successfully condone activities detrimental to the survival of the endangered species of wild animals and plants/trees in Malaysia. By having the correct and proper laws that imposed higher penalties including imprisonment through – Act 686 (INTESA 2008), those involved in the illicit international trade of endangered species will stop from continuing such activities.

The departments and agencies stated above had been appointed by the Ministry of Natural Resources and Environment (NRE) as The CITES Lead Management Authority (the LMA). They are authorised to regulate and manage control of CITES listed endangered species by issuing CITES permits (export, re-export and import) and certificates and to certain extend imposing yearly quota export control to overcome extinction of the listed endangered species under their jurisdiction. For MTIB, at present there are 19 species of trees listed under appendices of CITES and in Act 686 (Appendix I, Appendix II and Appendix III) which are being monitor closely for international trade activities. Out of this, three (3) species are available in Malaysia. They are Ramin, Karas/Gaharu/Agarwood and Podo.

For other enforcement departments and agencies that are not being appointed as the MA, they are called as the non-management authority. They are working closely with the various MA in insuring that endangered species items listed under CITES appendices will not be traded illegally. This department and agencies are present today in this workshop to share knowledge and to establish mechanism to manage our country natural resources and endangered species professionally. They are the Royal Malaysian Police, Malaysia Maritime Enforcement Agency, Forestry Department Peninsular Malaysia, various forestry states department in Peninsular Malaysia, General Operation Force, Marine Operation Force and various ports authority in Malaysia.

Dato'-Dato', Datin, Head of Departments and Agencies, Distinguish Guests, Ladies and Gentleman,

I am happy to note that the Ministry of Natural Resources and Environment and the Ministry of Plantation Industries and Commodities had continue supports and assists MTIB in all activities related to the successful implementation of CITES operation in Malaysia, especially related to endangered species of trees moving out and coming in into the country. MTIB were given the privileged to accompany both ministries attending the important international meeting of CITES such as ASEAN

Expert Group on CITES, Tri-National Task Force on Trade in Ramin (yearly meeting between Malaysia, Indonesia and Singapore), Plant Committee meeting, Standing Committee meeting and the Conference of Parties CITES (which was held every 3 years). MTIB and Malaysia had achieve many fruitful benefit from the meetings and many issues related to timber (under CITES endangered listing) had been addressed accordingly.

However there are some experiences dealing with Ramin products to certain countries that need to be highlighted. In the year 2007 Malaysia is facing sanctioned of imports by all 27 countries in Europe (members of European Union). It was due to Ramin was listed in Appendix II CITES in early 2006 and one of the requirement to enjoy trade benefits is for Malaysia to established non-detriment finding (NdF) on Ramin forest inventory. By establishing the data from the NdF, Malaysia can justify the population volume of Ramin trees in the forest in Peninsular Malaysia and Sarawak. Through this data, the Ramin national harvest quota and the Ramin national export quota can be establish. When Peninsular Malaysia and Sarawak submitted the NdF report (through NRE) to the European Union in 2007, establishing the result of the national forest inventory – fourth series study (NFI-4), and by stating the yearly harvest quota and the export quota for Ramin (in Peninsular Malaysia and Sarawak), Malaysia were allowed again to trade Ramin to European countries. The trade sanctions were lifted in June 2007. The main purchasing countries in Europe importing Ramin products from Malaysia are Italy, Germany, France, Norway, Spain, Benelux, United Kingdom and Netherlands.

Another issue is the refusal of the Australian authority to allow import of Ramin products into their market. Malaysia faced these difficulties in 2007 when the new Australian government took over from the previous government and start establishing the “Commercial Import Programme” rules. The new Australian government is very serious about making sure only the trade products and items export and import from the legitimate source of wild plants and animal is allowed to be trade in Australia. They are in fact following the rules being established by the European Union. Therefore from March 2007 and up to middle of 2008 no Ramin products enter the Australian market. Only in early 2008 after they accepted the data from NFI-4 submitted by the Malaysia government through Ministry of Natural Resources and Environment, then in September 2008 Australia lifts the import ban and accept Malaysian Ramin to their market.

MTIB would like to thanks the Sarawak Forestry Department, Sarawak Forestry Corporation and Sarawak Timber Industry Development Corporation for sharing problem and information in improving the working relation pertaining to Ramin trade. MTIB hope the cooperation will continue forever.

The main objective of this workshop is to establish networking among the various enforcement authorities in Malaysia. All this while we know that some function and rules are overlapping especially

on enforcing control of the trade (import and export). We hope that parties attending this gathering be committed to address the issues especially related to the communication problem in managing confiscated goods. MTIB already had a special mechanism with the royal Malaysian custom department to handle issues related to timber consignment of CITES and non-CITES matter. We had regular meeting to sort out many issues and it is a very good platform in solving many teething technical problems. MTIB were also being informed by the Royal Malaysian Police that they had also established a special networking with various security agencies in Malaysia under the ministry of internal security. Also they had a special communication portal among the various national police of various countries in the world. Not only that, they also have an active communication transfer through Interpol. It is hope that this meeting will create thinking mechanism to establish proper communication and networking related to the implementation of Act 686 (INTESA 2008).

I hope that you all have a good sharing of problem and issue in this workshop, and also do put your thinking on the best way to address the illicit trade of wild animal and plants, including timber products (Ramin, Karas/Gaharu/Agarwood and *Pterocarpus santalinus*).

Thank you very much.

DR JALALUDDIN HARUN
DIRECTOR GENERAL
MALAYSIAN TIMBER INDUSTRY BOARD (MTIB)

**SPEECH BY THE SECRETARY GENERAL OF THE
MINISTRY OF PLANTATION INDUSTRIES AND COMMODITIES MALAYSIA
FOR OFFICIAL OPENING OF THE “NATIONAL WORKSHOP ON
ENFORCEMENT COMPLIANCE FOR TRADE IN RAMIN (*GONYSTYLUS* SPP.)”**

The Honourable Madam Kartini Karim, The Assistant Under Secretary, Biodiversity And Forestry Management Division, Ministry of Natural Resources and Environment;

The Honourable Dr Jalaluddin Harun, Director General, Malaysian Timber Industry Board;

Miss Milena Sosa Schmidt, Scientific Officer, CITES Secretariat, Geneva, Switzerland;

Miss Tong Pei Sin, Senior Officer, International Tropical Timber Organization (ITTO), Yokohama, Japan,

Dato'-Dato', Datin, Head of Agencies, Senior Officers of Ministries and Agencies, Distinguished Guests, Ladies and Gentleman.

Assalamualaikum Wbt. and Good Morning.

On behalf of the Ministry of Plantation Industries and Commodities and Malaysian Timber Industry Board, I bid a very warm welcome to distinguished guests and participants from various enforcement departments and agencies to this National Workshop. I would also like to thank MTIB as the secretariat of the workshop for inviting me to officiate the opening of the workshop.

As you may be aware, the focus of this capacity building programme is on the Enforcement Compliance for Trade in Ramin (*Gonystylus* spp.). This program was initially proposed by MTIB in view of the need to coordinate efforts on the management, monitoring and enforcement of endangered species traded in the international market. There were several cases reported involving endangered species such as plants and timber trees species that had been traded illegally as they fetched very high prices in the market. Therefore it is timely for all enforcement departments and agencies to understand the management of International Trade under the CITES Convention of which Malaysia is one of the parties to the convention.

The Convention for International Trade of Endangered Species of Wild Fauna and Flora or CITES is a Convention established in 1973 with the Secretariat Office based in Geneva, Switzerland. Malaysia officially became party to CITES on 20 October 1977 and its ratification (the date when the entry came into force) was on 18 January 1978. To date 176 countries have become a Party to this convention.

At present, 5,000 species of animals and 28,000 species of plants are protected by CITES against over-exploitation in international trade. In Malaysia trade in wild animals or fauna and plants (flora) is being administered by the Peninsular Wildlife and National Parks (PERHILITAN), Sabah Wildlife Department and Sarawak Forestry Corporation. They are the authorities controlling international trade of more than 5,000 species of wild animals. The Agriculture Department of Malaysia, Malaysian Quarantine and Inspection Services (MAQIS) and Sarawak Forestry Corporation are entrusted to control trade of more than 28,655 species of plants. Whilst MTIB been appointed as the Management Authority (MA) to administer trade and enforcement for 19 timber species listed under appendices of CITES in Peninsular Malaysia and Sabah, the Sarawak Forestry Department oversees the trade in Sarawak. The agencies which is the non-management authority (non-MA) of CITES are the Royal Malaysian Custom, Marine Operation Force, General Operation Force and Malaysian Maritime Enforcement Agency (MMEA).

Besides MTIB, there are six other agencies that have been appointed by NRE as the MA's Representatives from these agencies are present here today in this workshop as participants – the agencies are Malaysian Agriculture Department, Malaysian Quarantine and Inspection Services (MAQIS), Sabah Fisheries Department, Sabah Wildlife Department, Fisheries Department Peninsular Malaysia, and Sarawak Forestry Department. MTIB would like to also to extend its appreciation to NRE as the Lead Management Authority and Lead Scientific Authority for its support to MTIB in carrying out this task.

The species of wild animal and plants are grouped in the three CITES appendices according to the level of how threat from international trading namely Appendix I, Appendix II and Appendix III. Timber species in Malaysia namely Ramin (*Gonystylus* spp.), Karas/Gaharu/Agarwood (*Aquilaria* spp.), and Podo (*Podocarpus*) are listed in Appendix II, CITES. Sixteen other timber species are foreign in origin.

Under the Article VII of the convention, each country is responsible for drafting a national legislation regarding cites to ensure that CITES requirements of the latter will be fulfilled. In this regard, Malaysia has gazetted and consequently enforced the Act 686 – International Trade on

Endangered Species 2008 (INTESA) effective from 1 July 2010. Its implementation is accompanied by two other regulations, namely the International Trade In Endangered Species (Permit, Certificate, Registration and Fees) Regulations 2009, and the International Trade In Endangered Species (Rescue Centre) Regulations 2009. The gazzetting of the Act and its regulations provide sufficient legal standing and authority to the respective departments and agencies to regulate and monitor international trade of these species. Therefore the Act 686 complements the various existing domestic acts and it should not lessen the power of the domestic legislations empowered to the respective agencies.

The success of implementing this act and regulations made under its provisions depends very much on the collaboration and co operation of various regulatory and enforcement agencies. At present, the MA of cites as well as the non-MA in Malaysia we are having difficulties in understanding the proper mechanism involved in countering the illegal shipment of Ramin and related timber species listed under CITES Appendices. Noticeably there is no special task force to coordinate the efforts and proper implementation of CITES regulations. Personnel from various departments and agencies are not significantly equipped with the knowledge in managing CITES requirements. Therefore this workshop will address this shortcoming and also to establish networking amongst enforcement agencies.

In 2009, the Ministry of Natural Resources and Environment and Ministry of Plantation Industries and Commodities have established the taskforce known as committee on countering the illegal logging and trade in timber and timber products between Malaysia and Indonesia. To expedite the delivery of its functions, the working committee has been formed comprising of agencies namely MPIC, NRE, FDPM, Sarawak Forestry Department, Sabah Forest Department, FRIM, MTIB, MTC, MTCC, STIDC, Sarawak Forestry Corporation, RMC, RMP and MMEA. As one the terms of reference of this committee is to outline and identify strategies on countering allegations on illegal trade between two countries, it is logical to monitor and report trade of Ramin in view that only Malaysia and Indonesia are the major players in the trade of Ramin species.

The successful conduct of this workshop will strengthen compliance to CITES procedures and facilitate activities of relevant enforcement departments and agencies in Malaysia when dealing with the endangered timber species. The workshop will also provide a better understanding on trade regulations and monitoring for Ramin and other timber species listed under CITES. It is also my hope that participants will share their knowledge and expertise on CITES regulations and enforcement as well the implementation of Act of 686 and CITES Conventions provisions.

I hope that participants in this workshop will work together to establish proper mechanism in enforcing the trade regulation and monitoring of the endangered timber species listed under CITES – especially Ramin and Karas/Gaharu/Agarwood. The main objectives of this workshop is for various enforcement departments and agencies to gain insight about CITES mechanism and implementation, to establish task force to coordinate effective implementation and to establish effective communication channel and networking.

At this juncture I would like also to welcome a representative from CITES Secretariat – Miss Milena Sosa Schmidt, and from International Tropical Timber Organization (ITTO) – Miss Tong Pei Sin to Malaysia. I hope it will be a pleasant stay for both of you here and urged you to take the opportunity of Cuti-Cuti Malaysia and enjoy warm hospitality of Malaysian. I would like also to put on record the Malaysian Government's appreciation to the support and funding extended by ITTO and CITES in organising this event and our sincere hope that this cooperation and support will continuously prevail.

I wish all of you fruitful discussion and deliberation, as well as to establish net-working and contacts amongst the enforcement personnel. I also hope that the objectives and goals of this workshop will be achieved and the overall trade of the Ramin will be enhanced and sustainable.

Before I end this welcoming remark, I wish to thank all agencies for their cooperation and specifically to MTIB for all the hard work in making this event possible. I hope that this workshop will be the start of continuous programme towards enhancing the capacity building of the enforcement personnel.

I now have a great pleasure in declaring the National Workshop on Enforcement Compliance for Trade in Ramin (*Gonystylus* spp.) “officially open”.

Thank you and wassalam.

HONOURABLE DATO' WIRA ISMAIL SALLEH
SECRETARY GENERAL
MINISTRY OF PLANTATION INDUSTRIES AND COMMODITIES, MALAYSIA

UNDERSTANDING CITES OBJECTIVES, POLICY, MECHANISMS, IMPLEMENTATION AND PROGRESS

MILENA SOSA SCHMIDT
CITES SECRETARIAT

**NATIONAL WORKSHOP ON
ENFORCEMENT COMPLIANCE
FOR TRADE IN RAMIN
(*GONYSTYLUS SPP.*)**

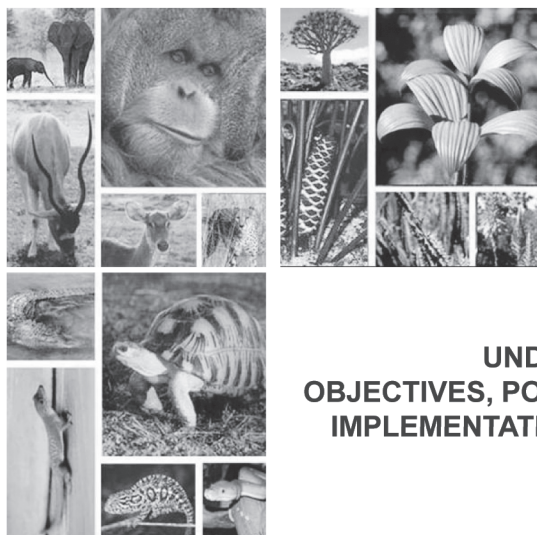
**8 – 10 DECEMBER 2010
KUALA LUMPUR, MALAYSIA**

**UNDERSTANDING CITES
OBJECTIVES, POLICY,
MECHANISMS,
IMPLEMENTATION
AND PROGRESS
BY**

**MISS MILENA SOSA SCHMIDT
CITES SECRETARIAT**



www.CITES.org



**UNDERSTANDING CITES
OBJECTIVES, POLICY, MECHANISMS,
IMPLEMENTATION AND PROGRESS**

**Kuala Lumpur, Malaysia
8 – 10 December 2010**



Overview

- Purpose and goals of CITES
- CITES mechanisms
- Decision-making in CITES
- CITES and conservation



Purpose and goals of CITES



The purpose of CITES

- The purpose of CITES is to ensure that no species of wild fauna or flora becomes or remains subject to unsustainable exploitation because of international trade



Strategic Vision

- Parties adopted a new Strategic Vision (Resolution Conf. 14.2) to improve the working of the Convention so that international trade in wild fauna and flora is consistently conducted at sustainable levels



Strategic Vision

- Three broad goals, of equal priority, are the key components of the Strategic Vision:
 - Goal 1: Ensure compliance with and implementation and enforcement of the Convention
 - Goal 2: Secure the necessary financial resources and means for the operation and implementation of the Convention
 - Goal 3: Contribute to significantly reducing the rate of biodiversity loss by ensuring that CITES and other multilateral instruments and processes are coherent and mutually supportive



CITES Mechanisms



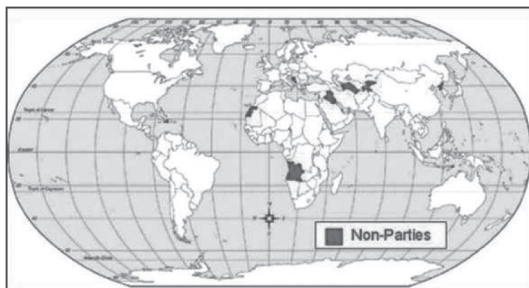
CITES

- The Convention establishes an international legal framework together with common procedural mechanisms for the strictest control of international commercial trade in species threatened with extinction, and for an effective regulation of international trade in others



CITES

- This framework and common procedural mechanism are now used by 175 countries to regulate and monitor international trade in listed species



CITES permits and certificates

- CITES regulates international trade in specimens of species of wild fauna and flora listed in its Appendices on the basis of a system of permits and certificates which are issued only when certain conditions are met, and which must be presented when leaving and entering a country
 - For Appendix-II and –III listed species, international trade is permitted but regulated
 - For Appendix-I listed species, international trade is generally prohibited



Permits and certificates

- CITES documents are standardized for:
 - *Format*
 - *Language & terminology*
 - *Information*
 - *Duration of validity*
 - *Issuance procedures*
 - *Clearance procedures*



CITES permits and certificates

- The permit system
 - Export permit
 - Import permit (Appendix I only)
 - Introduction from the Sea certificate

Management Authority
and Scientific Authority

-
- Export permit (Appendix III)
 - Re-export certificate
 - Certificate of Origin (Appendix III)
 - Pre-Convention certificate
 - Captive-breeding certificate (for animals)
 - Artificial propagation certificate (for plants)

Management Authority



CITES Appendices

- Species subject to CITES regulation are divided amongst three Appendices



"Species" means any species, subspecies, or geographically separate population thereof



CITES Appendices

Appendix I

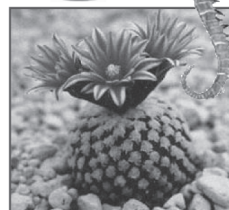
- Species threatened with extinction, which are or may be affected by trade
- International (commercial) trade in wild-taken specimens is generally prohibited
- 655 animal species and 298 plant species



CITES Appendices

Appendix II

- Species not necessarily threatened with extinction, but for which trade must be controlled to avoid their becoming so, and species that resemble species already included in Appendix II
- International trade is permitted but regulated
- 4,399 animal species and 28,679 plant species (97% of all listings)



CITES Appendices

Appendix III

- Species for which a country is asking Parties to help with its protection
- International trade is permitted but regulated (less restrictive than Appendix II)
- 160 animal species and 10 plant species



Species in trade

- There are 34,201 species listed in the CITES Appendices

	Animals	Plants
Appendix I	655	298
Appendix II	4,399	28,679
Appendix III	160	10
Total	5,214	28,987

- 13,257 species have appeared in the 2004-2008 trade records

	Species
Animals	3,680
Plants	9,577
Total	13,257



Decision-making in CITES



Decision-making in CITES

- Decision-making in CITES occurs at various levels...
 - International
 - National
 - Consumers



Decision-making in CITES

- Many decisions are taken by Parties when implementing CITES
 - National trade policy – to allow trade or not?
 - Decisions by the Scientific Authority
 - Decisions by the Management Authority
 - Decisions by border control officers
- The Conference of the Parties is the decision-making body in CITES



Decision-making in CITES

- A CITES document is a tangible representation of national decision-making processes
 - National trade policy
 - Application process
 - Consideration by the Scientific Authority
 - Legal acquisition and other checks
 - Issuance process
 - Inspection and verification

CITEB CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA

PERMIT/CERTIFICATE No. _____ Original

☐ EXPORT ☐ RE-EXPORT ☐ RE-IMPORT ☐ OTHER

1. Issued under _____

2. Issued under _____

3. Issued under _____

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100. Issued under _____



Decision-making in CITES

- The Conference of the Parties is the decision-making body in CITES, and decisions are usually taken at meetings of the CoP
 - Agreement is by consensus or by vote



Decision-making in CITES

- International decision-making
 - Strategic vision of CITES
 - Changes to the Appendices
 - Interpretation of the Convention (Resolutions)
 - Decisions of the Conference of the Parties
- These are legally binding



Decision-making in CITES

- National decision-making
 - Policy on exports (allow or not allow?)
 - Case-by-case decisions on allowing imports of Appendix-I species



Decision-making in CITES

- National decision-making
 - Determining that any export will not be detrimental to the survival of that species (the 'non-detriment finding')
 - Legal acquisition
 - Suitable shipping conditions, housing
 - Purpose of trade
 - Limiting trade to maintain species at a level consistent with their role in the ecosystem and above the level at which they might become threatened
 - Deciding on whether to issue CITES documents or not



Decision-making in CITES

- National decision-making
 - Disposal of confiscated specimens



Decision-making in CITES

- National decision-making... by whom?
 - Administrative decisions are the responsibility of the Management Authority
 - Decisions on whether trade is having a detrimental effect on the survival of the species, and on the purpose of import for Appendix-I species are the responsibility of the Scientific Authority



Decision-making in CITES

- Decision-making by consumers
 - CITES as a form of “**green certification**”
 - The ‘don’t buy’ campaigns



Decision-making in CITES

- Most ‘don’t buy’ or ‘don’t use’ campaigns do not provide enough information for consumers to make a really informed decision
 - Is it legal?
 - Is it environmentally detrimental or beneficial?
- A well-meaning decision to refuse trade (by Governments *or* consumers) might actually be detrimental to the conservation and management of wild species



CITES and conservation



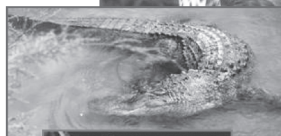
CITES and conservation

- Recognition of conservation in the Preamble
 - *Recognizing that wild fauna and flora in their many beautiful and varied forms are an irreplaceable part of the natural systems of the earth which must be protected for this and the generations to come;*
 - *Convinced of the urgency of taking appropriate measures to this end;*
- Recognition of conservation in Article IV
 - *“to maintain that species throughout its range at a level consistent with its role in the ecosystems in which it occurs”*



CITES and conservation

- CITES encompasses various elements of conservation:
 - Natural science, biology, field research
 - Population studies
 - Ecology
 - Taxonomy
 - Conservation science & management
 - Artificial propagation, captive breeding



CITES and conservation

- Conservation efforts are supported by:
 - Non-detriment findings
 - Quotas
 - Species listings
 - Research for/by the Animals & Plants Committees
 - The Review of Significant Trade
 - The Range-State Dialogues
 - Resolutions & Decisions



Summary

- Purpose and goals of CITES
- CITES mechanisms
- Decision-making in CITES
- CITES and conservation



CITES Secretariat
Geneva



RAMIN ECOLOGY, HARVEST AND TRADE IS IT SUSTANABLE?

NOORAINIE AWANG ANAK
TRAFFIC SOUTHEAST ASIA

**NATIONAL WORKSHOP ON
ENFORCEMENT COMPLIANCE
FOR TRADE IN RAMIN
(*GONYSTYLUS SPP.*)**

**8 – 10 DECEMBER 2010
KUALA LUMPUR, MALAYSIA**

**RAMIN ECOLOGY, HARVEST AND
TRADE. IS IT SUSTAINABLE?**

by

**PUAN NOORAINIE AWANG ANAK
TRAFFIC Southeast Asia**

TRAFFIC is a joint programme of  and 

TRAFFIC
the wildlife trade monitoring network

**Ramin ecology, harvest and trade in
Malaysia – Is it sustainable?**

**Chen Hin Keong and Noorainie Awang Anak
TRAFFIC**

**8-10 December 2010
Kuala Lumpur, Malaysia**



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the wildlife trade monitoring network

Ecological Distribution

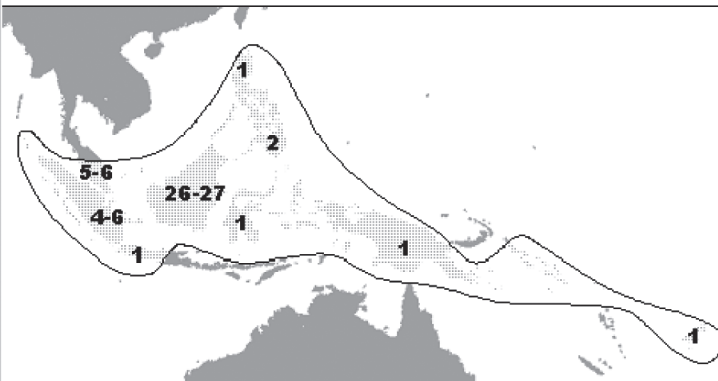


- Distributed widely throughout peat swamp forests in Southeast Asia, and extends to the Pacific Islands of Solomon and Fiji
- Comprises 31 species; *Gonystylus bancanus* is most heavily exploited
- Most important producers are Malaysia and Indonesia

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Ecological Distribution



Distribution of the approximately 31 species of the genus *Gonystylus* - area bounded by the continuous line. Numerals indicate the number of species of *Gonystylus* known from the principal islands (*G. macrophyllus* is found throughout the range of the genus). (Adapted from van Steenis, 1948).

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Ecological Distribution

***Gonystylus* is referred to variously as:**

- Gaharu Buaya and Medang Keladi (in Borneo),
 - Melawis (in the Malay Peninsula)
 - Lanutan-Bagyo and Anauan (in the Philippines)
- There is over 100 vernacular names for the various species, however, the most common generic name for *Gonystylus* and also the trade name of its timber is 'Ramin'

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Trade



- Traded as sawn & treated timber
- Often used for door frames, picture frames, baby's cots and rulers.
- The main importers are USA, Japan, Taiwan, Hong Kong and the EU.

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Silvicultural characteristics

Gonystylus bancanus



- Peninsular Malaysia – medium size tree, 27 m tall, up to 80cm dbh
- Sarawak – dominant emergent, medium to big size trees, 45 m tall, up to 120 cm dbh.
- Average trees per ha is low between 2 – 21 trees
- Mean annual increment ranges from 0.01 – 1.15 m³/ha/yr

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Harvest (1)

Peninsular Malaysia uses Selective Management System (SMS)

- Pre-felling forest inventories to select optimum felling regimes
- Retention of 32 sound commercial trees (not necessarily only ramin)
- Cutting cycle – 50 years
- Cutting limit – 45 cm dbh and above

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Harvest (2)

Sarawak

- **Cutting limit – 40 cm dbh**
- **Cutting cycle – 45 years**
- **Forest Management Plan for concession area**
- **Harvest quota method uses the hectareage of swamp forests in the State divided by a rotation cycle of 45 years, and using an average mean annual volume increment of 0.33 m³/ha/yr**



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Country of Origin	Parts & Derivatives controlled	Export with appropriate permit(s)
Indonesia (range country)	All worked and sawn timbers, logs, veneer sheets finished or semi-finished products, except seeds, micropropagated plants and cut flowers from artificially propagated plants	Yes, but only from P.T. UNISERAYA
Malaysia (range country)	Sawn logs and timber, All other recognisable parts and derivatives	Yes
Brunei Darussalam, Singapore, Solomon Islands Papua New Guinea The Philippines (range countries)	All worked and sawn timbers, logs, veneer sheets finished or semi-finished products, except seeds, micropropagated plants and cut flowers from artificially propagated plants	Yes
Non-range countries e.g People's Republic of China	All worked and sawn timbers, logs, veneer sheets, finished or semi-finished products, except seeds, micropropagated plants and cut flowers from artificially propagated plants	Yes. Re exports only should be seen for non-range countries

Export quotas

Peninsular Malaysia	2007	2008	2009
Export quotas (m3)	20000	20000	20000
Export volumes (m3)	6,409	6,122	2,952
Sarawak			
Export quotas (m3)	12,875	3,178	3,178
Export volumes (m3)	10,434	3,063	2,591

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Importing countries and products

Peninsular Malaysia (Jan – Nov 2009)

Export destination		Ramin products	
Market	Volume (m ³)	Products	Volumes (m ³)
Italy	1,277	Sawn timber	1,614
Japan	1,152	Dressed timber	628
Germany	255	Mouldings	557
Others	268	Others	153
Total	2,952	Total	2,952

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Importing countries and products

Sarawak (Jan – Nov 2009)

Export destination		Ramin products	
Market	Volume (m ³)	Products	Volumes (m ³)
China	623	Sawn timber	1,153
USA	454		
Japan	448	Dowels/Mouldings	1,438
Others	1066		
Total	2,591	Total	2,591

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Destinations of direct export of ramin from Malaysia 2006-2008

	2006		2007		2008		Total	
	imp rep	exp rep	imp rep	exp rep	imp rep	exp rep	imp rep	exp rep
Austria	136.8	190.3	-	-	-	-	136.8	190.3
Belgium	167.5	269.5	156.4	22.4	56.0	17.3	379.8	309.3
Denmark	346.2	304.3	411.7	184.9	307.1	154.1	1 064.9	643.3
Finland	19.1	19.1	40.3	40.3	-	-	59.4	59.4
France	566.5	440.9	144.8	54.4	-	-	711.2	495.4
Germany	3 920.7	4 417.0	1 843.4	1 904.6	4 518.5	4 528.8	10 282.6	10 850.5
Greece	-	7.3	-	-	-	-	-	7.3
Ireland	23.2	9.0	-	-	-	-	23.2	9.0
Italy	7 608.2	6 728.9	4 012.8	3 946.8	8 557.4	6 373.1	20 178.5	17 048.8
Netherlands	31.5	287.2	-	78.4	663.3	218.9	694.8	584.5
Spain	40.3	144.9	55.5	115.4	198.2	36.6	294.0	296.8

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	2006		2007		2008		Total	
	imp rep	exp rep	imp rep	exp rep	imp rep	exp rep	imp rep	exp rep
Sweden	79.8	22.3	43	17.2	-	-	122.8	39.5
UK	100.1	547.2	22.9	293.2	173.4	302.3	296.4	1 142.6
Total EU	13 039.8	13 387.9	6 730.9	6 657.6	14 473.8	11 631.1	34 244.5	31 676.6
China	2 702.0	7 556.8	145.2	6 411.0	-	2 607.1	2 847.3	16 574.8
Hong Kong	166.6	4 252.8	75.4	978.4	-	426.5	242	5 657.7
Japan	4 082.7	6 586.2	3 619.6	6 767.7	-	3 077.1	7 702.3	16 431.0
Taiwan	-	2 283.7	-	5 314.4	-	556.3	-	8 154.4
USA	2 263.1	3 937.6	869	1 549.0	610	789.5	3 742.1	6 276.2
rest of the world	284.8	3 979.1	381.9	3 451.1	213.1	2 187.9	879.8	9 618.1
Total	22 539.0	41 984.1	11 822.0	31 129.3	15 296.9	21 275.5	49 657.9	94 388.9

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Factors affecting trade

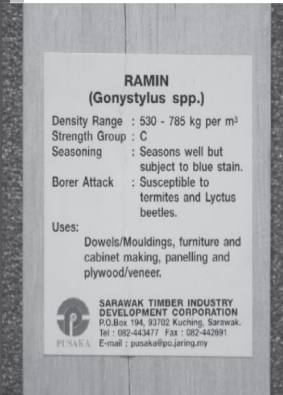
- **Import ban by EU and Australia (since lifted)**
- **NGO/Media pressure in markets – substitutions**
- **Economic crisis**



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Conclusion



In Peninsular Malaysia:

- Detailed information on growth rates, volumes, tree density, forest areas
- Good set of data for determining quotas
- Base on sound science

In Sarawak:

- Has a low quota while working on the science

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Recommendations (1)

Peninsular Malaysia

- Provide standard deviations for informed decision making
- SMS should have separate category for ramin to ensure species specific management and harvesting regimes

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Recommendations (2)

Sarawak

- **Provide standard deviations for informed decision making**
- **Should have comprehensive inventory of resource including for ramin (be careful about extrapolating results from ITTO project on ramin NDF to rest of State)**
- **Should develop specific management and harvesting regime for ramin**

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Recommendations (3)

General:

- **Consider using Customs export declaration form to be submitted to Customs during import to verify the shipment data for ramin, and against the CITES permit.**
- **Consider using prior notification mechanism to transmit data on the CITES permit to the MA of the importing country to verify the ramin shipments**

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Thank You

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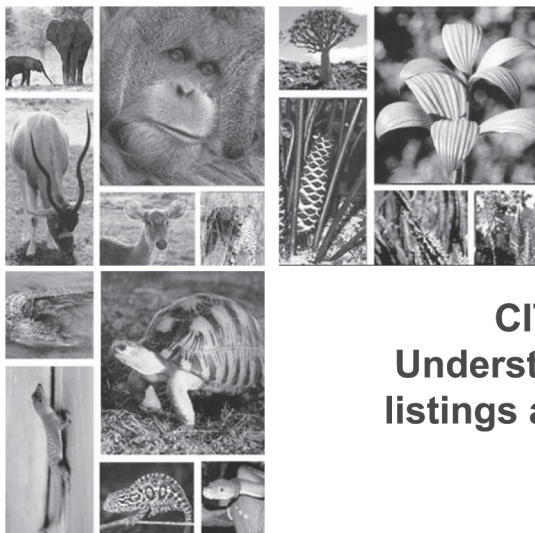
CITES AND PLANTS : UNDERSTANDING PERMITS, LISTING AND ANNOTATIONS

MILENA SOSA SCHMIDT
CITES SECRETARIAT

**NATIONAL WORKSHOP ON
ENFORCEMENT COMPLIANCE
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UNDERSTANDING PERMITS,
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CITES SECRETARIAT**



www.CITES.org

**CITES and Plants:
Understanding permits,
listings and annotations**

**Kuala Lumpur, Malaysia
8 – 10 December 2010**



Overview

- CITES and plants
- CITES permits
- Plant listings
- Annotations



CITES and Plants

- Are plants treated differently than animals under CITES? ...YES
 - Definition of 'species', with respect to readily-recognizable parts and derivatives (*"...any readily recognizable part or derivative thereof specified in Appendices II and III in relation to the species"*)
 - Definition of 'artificially propagated'
 - Treatment of hybrids
 - Use of phytosanitary certificates
 - Permits for timber species
 - Exemptions for seedlings and tissue cultures *in vitro*, solid or liquid media, transported in sterile containers



CITES and Plants

- The Convention defines species as meaning *any species, subspecies, or geographically separate population thereof*
 - This means that inclusion of plant species under CITES control can be done at the level of species, subspecies, or geographically separate populations
 - Conversely, listings in the Appendices can be limited to certain subspecies or geographic populations, thereby excluding others from CITES controls



CITES and Plants

- The Convention states that plant, whether alive or dead, can be a CITES specimen
 - For plant species included in Appendix I, any readily recognizable part or derivative is included
 - For plant species included in Appendices II and III, any specified readily recognizable part or derivative is included



CITES and Plants

- Parts and derivatives are always included for species in Appendix I, and for animal species in Appendix II

	Appendix I	Appendix II	Appendix III
Animal parts and derivatives	Always included	Always included	Included if specified
Plant parts and derivatives	Always included	Included if specified	Included if specified

- Annotations to the listings for plants in Appendix II, and for Appendix III species, determine which parts and derivatives are included *(The Parties have agreed that for plant species included in Appendix II, the absence of an annotation relating to that species indicates that all readily recognizable parts and derivatives are included)*



CITES and Plants

- The term 'artificially propagated' is specifically referred to in Article VII, paragraphs 4 and 5, of the Convention, and a detailed definition is contained in Resolution Conf. 11.11 (Rev. CoP15)
- This term should not be confused with the more commonly used terms 'plant propagation' and 'plant cultivation'



CITES and Plants

- Treatment of hybrids
 - Hybrid plants are subject to the provisions of the Convention even though not specifically included in the Appendices, if one or both of their parents are of taxa included in the Appendices, unless the hybrids are excluded from CITES controls by a specific annotation in Appendix II or III
 - At present there are annotations which exclude from CITES controls certain Cactaceae hybrids; and under certain conditions, hybrids of the orchid genera *Cymbidium*, *Dendrobium*, *Phalaenopsis* and *Vanda*; and hybrids and cultivars of *Taxus cuspidata*



Plants and permits

- Export permit
- Import permit (Appendix I only)
- Re-export certificate
- Export permit (Appendix III)
- Certificate of Origin (Appendix III)
- Pre-Convention certificate
- Artificial propagation certificate
- Phytosanitary certificate (*for export of artificially propagated Appendix-II specimens*)



Plants and permits

- CITES documents for plants may have different codes than those used for animal species
 - *Purpose codes:*
 - **G** Botanical garden
 - *Source codes*
 - **A** *Plants that are artificially propagated in accordance with Resolution Conf. 11.11 (Rev. CoP15), as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 5 (specimens of species included in Appendix I that have been propagated artificially for non-commercial purposes and specimens of species included in Appendices II and III).*



Plants and permits

- Permits and certificates for timber species included in Appendices II and III with the annotation '*Logs, sawn wood and veneer sheets*' have specific additional provisions
 - The validity of the export permit or re-export certificate may be extended beyond the normal maximum of six months after the date of issue, under certain conditions
 - Import into a country other than the one for which the document was issued is possible, under certain conditions



Plant Listings

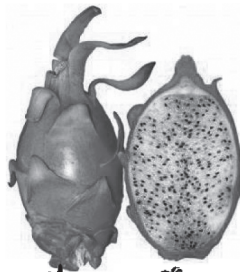
- The arrangement of names in the Appendices is different for animals and plants
 - Animals: Hierarchical by taxonomic order
 - Plants: **Alphabetical** by Family
- Because of the possibility to specify for Appendix-II and –III plant species which readily recognizable part or derivative is subject to CITES provisions, the Annotations are extremely important for the interpretation of plant listings



Excluded plants

- Inclusion of plant species may be limited to certain populations, and may also be limited as to the forms and parts and derivatives that are included or excluded

Dragon Fruit
Hylocereus undatus
(excluded)

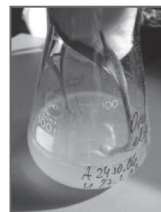


Vanilla bean
(excluded)



Excluded plants

- In general for plants included in Appendix II and III, the following are not covered by CITES:
 - Seeds, spores and pollen (including pollinia)*
 - Seedling or tissue cultures obtained *in vitro* (in glass vessels), in solid or liquid media, transported in sterile containers
 - Cut flowers of artificially propagated plants
 - Fruits and parts and derivatives thereof of artificially propagated plants of the genus *Vanilla* and of the family Cactaceae are not covered by CITES

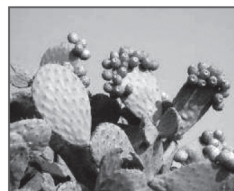


* Does not apply to seeds from Cactaceae exported from Mexico, and to seeds from *Beccariophoenix madagascariensis* and *Neodypsis decaryi* exported from Madagascar



Excluded plants

- In general for plants included in Appendix II and III, the following are not covered by CITES:
 - Stems, flowers and parts and derivatives thereof of naturalized or artificially propagated plants of the genera *Opuntia* subgenus *Opuntia* and *Selenicereus* Cactaceae)
 - Finished products of *Euphorbia antisyphilitica* packaged and ready for retail trade



Excluded plants

- *Aloe vera*, also referenced as *Aloe barbadensis*, which is not included in the Appendices



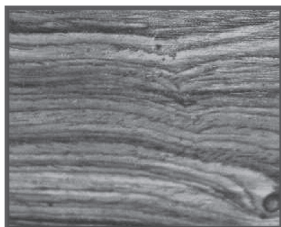
Excluded plants

- *Aniba rosaeodora* (Appendix II) applies only to logs, sawn wood, veneer sheets, plywood and essential oil (excluding finished products packaged and ready for retail)



Excluded plants

- *Dalbergia retusa* and *Dalbergia stevensonii*
(Appendix III, applies only to logs, sawn wood and veneer sheets, but populations other than that of Guatemala are not included in the Appendices)



Excluded plants



- *Cedrela odorata* (Appendix III, applies only to logs, sawn wood and veneer sheets. The Plurinational State of Bolivia listed the whole species; in addition, the following countries have listed their national populations: Colombia, Guatemala and Peru)



Excluded plants

- *Panax ginseng* (Appendix II, applies only to whole and sliced roots and parts of roots from the Russian Federation; all other populations and parts are not included in the Appendices)
- *Panax quinquefolius* (Appendix II, applies only to whole and sliced roots and parts of roots, and all other parts and derivatives are not subject to the provisions of the Convention)

Panax powder is not subject to
CITES control



Excluded plants

- *Dicksonia* spp. (Appendix II, applies only to the populations of the Americas; no other population is included in the Appendices)
 - For populations of the Americas, all parts and derivatives are included, except seeds, spores and pollen; seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers; and cut flowers of artificially propagated plants



Excluded plants

- CACTACEAE species *Pereskia* spp., *Pereskopsis* spp. and *Quiabentia* spp. are not included in the Appendices
- CACTACEAE, all parts and derivatives are included except:
 - Seeds (except those from Mexican cacti originating in Mexico, which are included) and pollen
 - seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers
 - cut flowers of artificially propagated plants
 - fruits and parts and derivatives thereof of naturalized or artificially propagated plants
 - separate stem joints (pads) and parts and derivatives thereof of naturalized or artificially propagated plants of the genus *Opuntia* subgenus *Opuntia*



Excluded plants

- Artificially propagated specimens of these CACTACEAE hybrids and/or cultivars are not subject to the provisions of the Convention
 - *Hatiora* x *graeseri*, *Schlumbergera* x *buckleyi*, *Schlumbergera russelliana* x *Schlumbergera truncata*, *Schlumbergera orssichiana* x *Schlumbergera truncata*, *Schlumbergera opuntoides* x *Schlumbergera truncata*, and *Schlumbergera truncata* (cultivars)
 - Cactaceae spp. colour mutants grafted on *Harrisia* 'Jusbertii', *Hylocereus trigonus* or *Hylocereus undatus*
 - *Opuntia microdasys* (cultivars)



Excluded plants

- *Euphorbia* spp. – Only succulent species are included in the Appendices, and includes all parts and derivatives, except seeds, spores and pollen; seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers; and cut flowers of artificially propagated plants



Excluded plants

- *Euphorbia* spp. – Artificially propagated specimens of cultivars of *Euphorbia trigona*, artificially propagated specimens of crested, fan-shaped or colour mutants of *Euphorbia lactea*, when grafted on artificially propagated root stock of *Euphorbia neriifolia*, and artificially propagated specimens of cultivars of *Euphorbia* 'Mili' when they are traded in shipments of 100 or more plants and readily recognizable as artificially propagated specimens, are not subject to the provisions of the Convention)



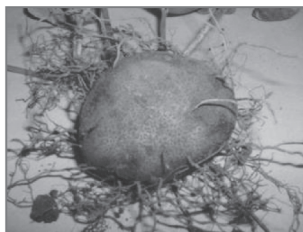
Excluded plants

- Artificially propagated specimens of cultivars of *Cyclamen persicum* are not subject to the provisions of the Convention

Exempt



Not exempt

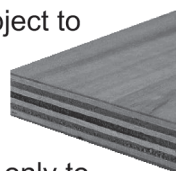


- This exemption does not apply to specimens traded as dormant tubers (these tubers look similar to a small potato)



Excluded plants

- Swietenia macrophylla* (Appendix II, applies only to logs, sawn wood, veneer sheets and plywood from populations of the Neotropics, all other populations and all other parts and derivatives are not subject to the provisions of the Convention)
- Swietenia mahagoni* (Appendix II, but applies only to logs, sawn wood and veneer sheets and all other parts and derivatives are not subject to the provisions of the Convention)



Excluded plants

- *Picrorhiza kurrooa* (Appendix II, applies to all parts and derivatives except seeds and pollen and finished products packaged and ready for retail trade, which are not subject to the provisions of the Convention)

Note: *Picrorhiza scrophulariiflora* is excluded from the Appendices

Subject to
CITES controls



Not subject to
CITES controls



Excluded plants

- *Caesalpinia echinata* (Appendix II, only applies to logs, sawn wood, veneer sheets, including unfinished wood articles used for the fabrication of bows for stringed musical instruments)

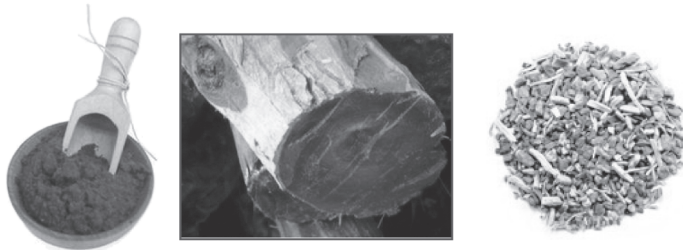


Finished items are not
covered by CITES



Excluded plants

- *Pterocarpus santalinus* (Appendix II, applies only to logs, wood-chips, powder and extracts and all other parts and derivatives are not subject to the provisions of the Convention)



Excluded plants

- *Hydrastis canadensis* (Appendix II, applies only to underground parts such as roots and rhizomes: whole, parts and powdered)



Excluded plants

- *Adonis vernalis*, *Guaiaacum* spp., *Nardostachys grandiflora*, *Podophyllum hexandrum*, *Taxus wallichiana* (Appendix II, includes all parts and derivatives except seeds and pollen, and finished products packaged and ready for retail trade)



Adonis vernalis



Guaiaacum spp.



Nardostachys grandiflora



Podophyllum hexandrum



Excluded plants

- *Taxus chinensis*, *Taxus cuspidata*, *Taxus fuana* and *Taxus sumatrana* and infraspecific taxa of these species (Appendix II, includes all parts and derivatives except seeds and pollen, and finished products packaged and ready for retail trade)



Excluded plants

- *Bulnesia sarmientoi* (Appendix II, applies only to logs, sawn wood, veneer sheets, plywood, powder and extracts, and all other parts and derivatives are not subject to the provisions of the Convention)



Excluded plants

- *Hoodia* spp. (Appendix II, applies to all parts and derivatives except those bearing a label “Produced from Hoodia spp. material obtained through controlled harvesting and production in collaboration with the CITES Management Authorities of Botswana/Namibia/South Africa under agreement no. BW/NA/ZA xxxxxx”)
- However, this system has not yet been implemented, so no parts and derivatives of *Hoodia* spp, are currently exempted



Summary

- CITES and plants
- CITES permits
- Plant listings
- Annotations



CITES Secretariat Geneva



**RAMIN DISTRIBUTION,
POPULATION, TRADE, PERMITS,
AND IMPORTED SPECIES FOR
PENINSULAR MALAYSIA AND
SABAH**

MD YUSOFF ISMAIL
MALAYSIAN TIMBER INDUSTRY BOARD (MTIB)



NATIONAL WORKSHOP ON ENFORCEMENT COMPLIANCE FOR TRADE IN RAMIN (*GONYSTYLUS* SPP.)

**8 – 10 DECEMBER 2010
KUALA LUMPUR, MALAYSIA**

1



RAMIN DISTRIBUTION, POPULATION, TRADE, PERMITS AND IMPORTED SPECIES

**Md Yusoff Ismail
Licensing and Enforcement Division
Malaysian Timber Industry Board (MTIB)
Tel : 03 – 9282 2235 ; Fax : 03 – 9285 1744
E-mail : mdyusoff@mtib.gov.my**

2



MALAYSIAN TIMBER INDUSTRY BOARD (MTIB)

- Established in June 1973 by Parliament under MTIB Incorporation Act 105.
- A statutory body under the Ministry of Plantation Industries and Commodities, Malaysia
- Authority to regulate and develop the timber industry.
- Other roles and functions : Industry Development, Market Development, SME Development, Strategic Planning, Skills/Expertise Development.
- New functions : Bio-Composite Development and Forest Plantations.

3

MALAYSIA : EXPORT OF MAJOR TIMBER PRODUCTS, 2009

No.	Products	Volume ('000 m3)
1.	Logs	4,164
2.	Sawntimber	1,900
3.	Plywood (include blockboard)	3,849
4.	Veneer	281
5.	Mouldings (include wooden dowels)	257
6.	Chipboard / Particleboard	495
7.	Fibreboard	1,036
	Total	11,982

Source : Malaysian Timber Industry Board
Department of Statistics, Malaysia

4

EXPORTERS OF RAMIN (*Gonystylus spp.*) PRODUCTS

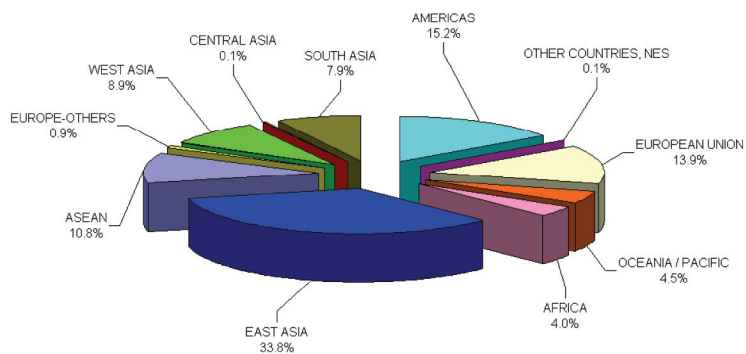
No.	Name of Companies
1.	Archworth Corporation Sdn Bhd, Selangor
2.	Binacara Sdn Bhd, Johor Bahru
3.	Bormill Wood (Trading) Sdn Bhd, Terengganu
4.	Bortim Sdn Bhd, Selangor
5.	Chye Hin Sawmill Sdn Bhd, Kuala Lumpur
6.	Common Wood Products Sdn Bhd, Johor Bahru
7.	Glamour Era Sdn Bhd, Kelantan
8.	Golden Latitude Sdn Bhd, Selangor
9.	Jimwood Sdn Bhd, Kuala Lumpur
10.	Kilang Kayu Getah & Perabot Sdn Bhd, Melaka
11.	Koo Kok Foo Trading (M) Sdn Bhd, Selangor
12.	Lif Timber Enterprise, Johor Bahru

5

13.	Lionex (M) Sdn Bhd, Kuala Lumpur
14.	Modern Timber Products Sdn Bhd, Johor Bahru
15.	Perusahaan Kayu Pahang Timur Sdn Bhd, Pahang
16.	Portland Horizon Sdn Bhd, Kuala Lumpur
17.	Tan Chin Huat & Brothers Sdn Bhd, Selangor
18.	Top Forest Wood Sdn Bhd, Selangor
19.	Twins Furniture Manufacturer Sdn Bhd, Pahang
20.	Worldwood Enterprise Sdn Bhd, Pahang
21.	Finesse Moulding (M) Sdn Bhd, Selangor
22.	Kilang Papan Aman Sdn Bhd, Pahang
23.	Leywood (M) Sdn Bhd, Kuala Lumpur
24.	Sparklewood Manufacturing Sdn Bhd, Johor Bahru
25.	Scenic Moulding Sdn Bhd, Selangor

6

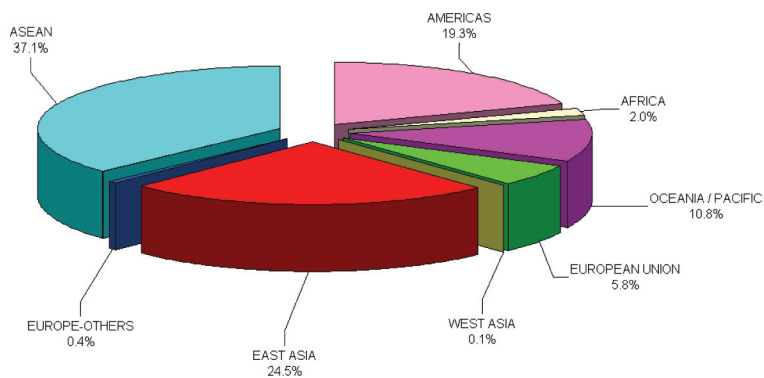
MALAYSIA: EXPORT OF TIMBER PRODUCTS BY MAJOR DESTINATIONS, 2009



Total Value : RM 19.49

7

MALAYSIA : IMPORT OF TIMBER PRODUCTS BY REGION OF ORIGIN , 2009



Total Value : RM 2.19 Billion

8

MALAYSIA : NUMBER OF WOOD-BASED MILLS, 2009

No.	Types of Industries	Number of Mills
1.	Sawmill	1,013
2.	Plywood & Veneer	185
3.	Mouldings	336
4.	Pulp & Paper	1
5.	Furniture and Wood Working	1,768
6.	Blockboard	10
7.	Chipboard / Particleboard	20
8.	Medium Density Fibreboard	9
9.	Laminated Board	33
10.	Woodchips	15
11.	Builders Joinery and Carpentry	27
12.	Matches	2
13.	Pencils	3
14.	Medium Density Fibreboard	15
15.	Kiln Drying	245
16.	Wood Preservation	113
Total		3,776

Source : Forestry Department Peninsular Malaysia
Sabah Forestry Department
Sarawak Timber Industry Development Corporation

9

FORESTED AND NON-FORESTED LAND, PENINSULAR MALAYSIA, 2009 (Area in ha)

Land Area (a)	Reserve (PRF)			Wildlife Reserve		(g)	Other Forested Reserve (h)	Grand Total	
	Gazetted (b)	Proposed (c)	Total (d)=(b+c)	In PRF (e)	Outside PRF (f)			Forested (i)=(d+f+g+h)	Non- Forested (j)=(a+i)
13,180,728	4,794,799	127,722	4,922,521	164,943	584,770	387,794	526	5,895,611	7,285,117

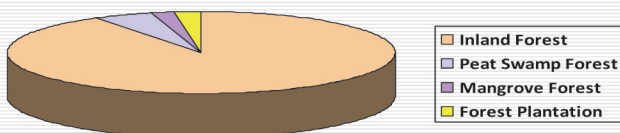
Source : Forestry Department Peninsular Malaysia Annual Report 2009

10

PERMANENT RESERVED FOREST BY FOREST TYPES, PENINSULAR MALAYSIA, 2009
(Area in ha)

Inland Forest	Peat Swamp Forest	Mangrove Forest	Forest Plantation	Total Area
4,472,390	241,474	99,915	108,742	4,922,521

Source : Forestry Department Peninsular Malaysia Annual Report 2009

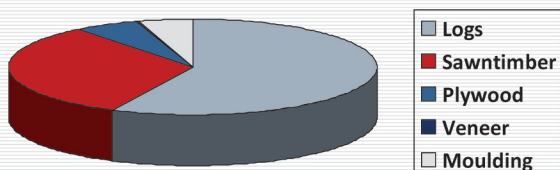


11

PRODUCTION OF SELECTED WOOD-BASED PRODUCT, PENINSULAR MALAYSIA, 2009
(Volume in m3)

Logs	Sawntimber	Plywood	Veneer	Moulding
3,686,717	2,080,706	357,490	7,685	307,995

Source : Forestry Department Peninsular Malaysia Annual Report 2009



12

MALAYSIA : PRODUCTION OF TIMBER PRODUCTS, 2009

No.	Products	Volume ('000 m3)
1.	Logs	17,806
2.	Sawntimber	3,913
3.	Plywood	3,842
4.	Veneer	829
5.	Mouldings	319
Total		26,709

Source : Forest Department Peninsular Malaysia
 Sabah Forestry Department
 Sarawak Forestry Department
 Sarawak Timber Industry Development Corporation

13

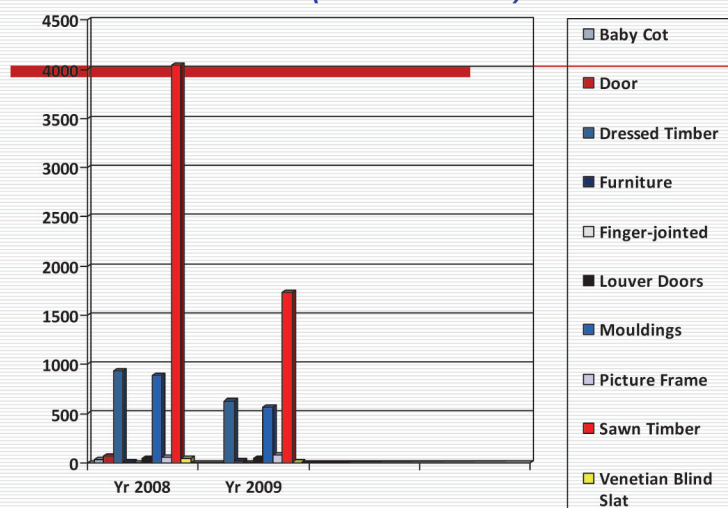
RAMIN EXPORT BY-PRODUCT (Volume in m3)

No.	Types of Product	Yr 2008	Yr 2009
1.	Baby Cot	30.86	-
2.	Door	72.43	-
3.	Dressed Timber	929.38	628.90
4.	Furniture	11.80	26.60
5.	Finger-jointed	-	-
6.	Louver Doors	40.48	45.23
7.	Mouldings	888.25	566.23
8.	Picture Frame	60.15	77.71
9.	Sawn Timber	4,040.65	1,728.21
10.	Venetian Blind Slat	48.30	5.00
Total		6,122.30	3,077.88

Source : Malaysian Timber Industry Board

14

RAMIN EXPORT BY-PRODUCT (Volume in m3)



15

RAMIN EXPORT CITES BY-DESTINATION

(Volume in m3)

No.	Country	Yr 2005	Yr 2006	Yr 2007	Yr 2008	Yr 2009
1.	AUSTRALIA	683.921	150.558	39.1971	-	-
2.	AUSTRIA	166.0776	97.9581	-	-	-
3.	BELGIUM	7.42	2.07	-	-	0.59
4.	CANADA	118.73	41.23	9.46	-	1.8
5.	CHINA	2,537.4065	792.1298	58.0968	88.1839	-
6.	ECUADOR	2.2	-	-	-	-
7.	FRANCE	98.7784	145.04	5.8	-	-
8.	GERMANY	393.6933	728.1125	265.5462	1,143.065	254.488
9.	GREECE	55.2995	7.2799	-	-	5
10.	HONG KONG	3,278.1506	1,247.5893	479.2	90.6773	126.2744
11.	HOLLAND	-	-	-	30.7129	-
12.	INDONESIA	0.95	-	-	-	-
13.	ITALY	6,212.1089	2,847.1652	1,788.2965	2,826.3058	1,277.0333
14.	JAPAN	5,430.8242	2,952.2807	2,777.7484	1,537.5278	1,183.8699
15.	KOREA	1.96	-	-	-	-
16.	KUWAIT	11.84	18.48	-	-	-
17.	LEBANON	22.4101	-	-	-	-
18.	MALDIVES	164.0514	-	-	-	-
19.	MOROCCO	13.53	-	-	-	-
20.	NETHERLANDS	279.2868	113.1755	0.9	169.3193	27.7924

21.	NEW ZEALAND	238.805	30.6298	66.5476	16.1709	-
22.	NORWAY	24.7	19.15	3.93	-	-
23.	PHILIPPINES	-	27.8205	1.999	2.1	-
24.	REUNION ISLANDS	-	17.31	-	-	-
25.	SAUDI ARABIA	303.7077	158.63	24.2	42.66	-
26.	SINGAPORE	484.9881	14.8733	6.1926	70.2287	-
27.	SRI LANKA	0.47	0.23	-	0.9	-
28.	SWEDEN	22.0922	22.3327	-	-	-
29.	SWITZERLAND	-	-	-	20.2103	-
30.	TAIWAN	1,585.7209	575.2716	655.5086	52.7088	113.6618
31.	THAILAND	323.6777	171.9766	46.0201	9.7002	-
32.	TURKEY	-	8.2099	-	36.5	29.52
33.	U.A.E	2.23	21.01	-	-	3.87
34.	U.S.A	2,918.2007	1,370.7998	172.75	56.178	53.98
35.	UNITED KINGDOM	0.64	0.9999	-	-	-
36.	VIETNAM	185.5837	61.0212	8.0001	29.1479	-
	Total	25,569.4543	11,643.3343	6,409.393	6,122.2968	3,077.8798

No information on destination is available for Year 2001 to 2004.

Source : Malaysian Timber Industry Board

17

HARMONISED CODE FOR RAMIN PRODUCTS

HS Code	Product Description
4403	Wood in rough, weather or not stripped of bark or sapwood or roughly squared
4403.49.310	Pulpwood (Ramin)
4403.49.320	Bauk (Ramin)
4403.49.331	Sawlog and veneer logs in rough (Ramin)
4403.49.332	Sawlog and veneer logs in roughly squared (Ramin)
4406	Railway or tramway sleepers (cross-ties) of wood
4406.10	Not impregnated standard & better
190	Other (Ramin)
290	select & better
4406.90	Other (Ramin)
190	Other standard & better
290	Other (Ramin)
290	select & better
4407	Other (Ramin)
4407.29.120	Wood sawn or chipped lengthwise, slice or peeled, whether or not planed, sanded or finger jointed of a thickness exceeding 6mm.
4407.29.200	Deck (Ramin)
4407.29.390	Cross Arm (Ramin)
4407.29.490	Wagon planks (Ramin)
4407.29.590	Sawn lengthwise (Ramin sawntimber graded or ungraded)
4407.29.990	Slice or peeled (Ramin)
4408.39.100-900	Others – including dressed timber D1S, D2S, D3S, D4S, finger-jointed sawntimber (board or block)
4409.29.940	Face Veneer or others Veneer
4409.29.910-990	Finger jointed dressed timber of Ramin
4412.31.000	Moulding Products
4412.32.000	Plywood
4412.39.000	Plywood
9401	Seats (other than those of heading No.9412) whether or not convertible into beds, and part thereof.
9401.59.000	Seats of cane, osier, bamboo or similar materials
9401.61.000	Other seat, with wooden frames:
9401.69.000	- Upholstery (Ramin)
9401.80	- Other (Ramin)
190	Other seats, of a kind used in parks, garden or vestibules:
9403.30.000	Other (Ramin)
9403.40.000	Parts (Ramin)
9403.50.000	Wooden furniture of a kind used in offices
9403.60	Wooden furniture of a kind used in kitchen
100	Wooden furniture of a kind used in bedroom
200	Other wooden furniture:
900	Baby walker
9404.90	Fume cupboard for use in medical laboratory
100	Other
900	Parts:
9504	For subheading Nos. 9403.20.100, 9403.60.100, 9403.70.200and 9403.81.300
9504.90	Other:



MTIB OFFICES & CHECKING STATION



MTIB OFFICES EXPORT VOLUME OF RAMIN (Volume in m3)

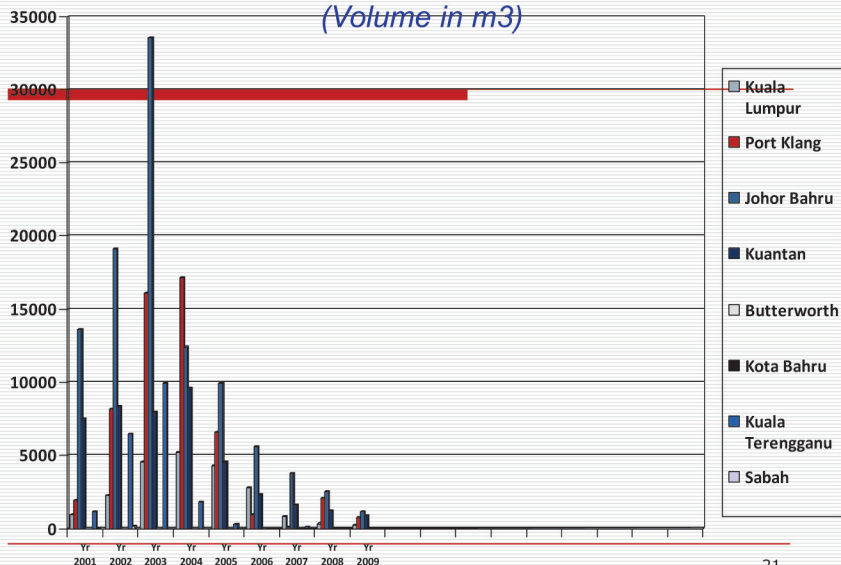
MTIB Offices	Yr 2001 (Aug-Dec)	Yr 2002	Yr 2003	Yr 2004	Yr 2005	Yr 2006	Yr 2007	Yr 2008	Yr 2009
Kuala Lumpur	969.37	2,231.33	4,528.15	5,242.13	4,268.11	2,768.27	843.27	328.05	217.52
Port Klang	1902.24	8,145.42	16,082.00	17,139.94	6,573.91	950.89	103.67	2,067.63	768.59
Johor Bahru	13573.6	19,132.29	33,539.00	12,387.14	9,908.29	5,606.03	3,762.30	2,492.58	1,168.63
Kuantan	7487.89	8,369.79	7,961.00	9,606.52	4,542.78	2,318.15	1,635.46	1,234.03	892.45
Butterworth	-	-	-	-	-	-	-	-	-
Kota Bahru	-	-	-	-	-	-	-	-	-
Kuala Terengganu	1,151.84	6,469.58	9,933.00	1,824.53	275.94	-	64.68	-	30.69
Sabah	33.59	138.82	-	-	-	-	-	-	-
Total	25,118.53	44,487.23	72,043.15	46,200.27	25,569.04	11,643.33	6,409.39	6,122.30	3,077.88

Source : Malaysian Timber Industry Board

20

MTIB OFFICES EXPORT VOLUME OF RAMIN

(Volume in m3)



21

MTIB OFFICES ISSUANCE OF RAMIN CITES EXPORT PERMIT

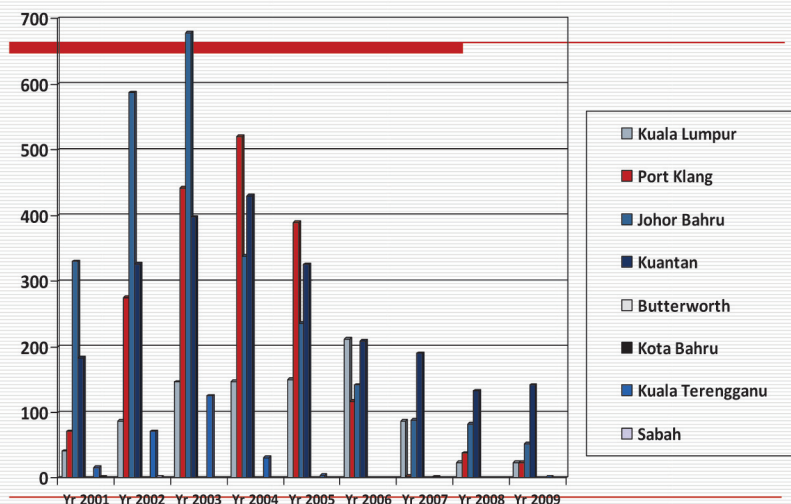
(Number of permits)

MTIB Offices	Yr 2001 (Aug-Dec)	Yr 2002	Yr 2003	Yr 2004	Yr 2005	Yr 2006	Yr 2007	Yr 2008	Yr 2009
Kuala Lumpur	41	87	146	147	150	212	87	24	24
Port Klang	71	275	442	520	389	117	3	38	24
Johor Bahru	330	587	678	338	236	142	88	82	52
Kuantan	183	326	397	430	325	209	190	133	142
Butterworth	-	-	-	-	-	-	-	-	-
Kota Bahru	-	-	-	-	-	-	-	-	-
Kuala Terengganu	16	71	125	31	4	-	2	-	1
Sabah	2	1	-	-	-	-	-	-	-
Total	643	1,347	1,788	1,466	1,104	680	370	277	243

Source : Malaysian Timber Industry Board

22

MTIB OFFICES ISSUANCE OF RAMIN CITES EXPORT PERMIT (Number of permits)



23

MTIB OFFICES ISSUANCE OF RAMIN CITES IMPORT PERMIT

No CITES Import Permit was issued from 2001 to 2009

MTIB OFFICES ISSUANCE OF RAMIN CITES RE-EXPORT CERTIFICATE (Volume in m3)

MTIB Offices	Yr 2008	Yr 2009
Johor Bahru	129.0171 (5 Permit)	151.7678 4 Permit)

Note : No CITES Re-Export Certificate was issued from Year 2001 to 2007.
Only Johor Bahru issued CITES Re-Export Certificate starting Year 2008.

Source : Malaysian Timber Industry Board

24

International Trade In Endangered Species Act 2008 (INTESA) Act 686

**Enforced on
28 December 2009**

27



MALAYSIA

Warta Kerajaan

SERI PADUKA BAGINDA

DITERBITKAN DENGAN KUASA

HIS MAJESTY'S GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

Jil. 53
No. 26

28hb Disember 2009

*TAMBAHAN No. 108
PERUNDANGAN (B)*

P.U. (B) 569.

AKTA PERDAGANGAN ANTARABANGSA MENGENAI SPESIES TERANCAM 2008

PENETAPAN TARIKH PERMULAAN KUAT KUASA

PADA menjalankan kuasa yang diberikan oleh subseksyen 1(2) Akta Perdagangan Antarabangsa Mengenai Spesies Terancam 2008 [Akta 686], Menteri menetapkan 28 Disember 2009 sebagai tarikh Akta itu mula berkuat kuasa.

Bertarikh 8 Disember 2009
[NRE44/4/1/12; PN(U³)2510/V]

DATO SRI DOUGLAS UGGAH EMBAS
Menteri Sumber Asli dan Alam Sekitar

28


CITES ADMINISTRATION

Control of International Trade (export, import and re-export) of Scheduled Species,
Third Schedule (Section 3) [Act 686] through the Licensing System

- **Scientific Authority (SA)**
 - **Ministry of Natural Resources and Environment**
- **Management Authority (MA)**
 - **Department of Wildlife and National Parks**
 - **Department of Fisheries**
 - **Malaysian Timber Industry Board**
 - **Department of Agriculture**
 - **Sabah Wildlife Department**
 - **Sabah Fisheries Department**
 - **Sarawak Forest Department and Sarawak Forestry Corporation**

29

MA CITES Authority Card

		No. Sir: MY/MTIB/024
PEGAWAI PENGUAT KUASA		
AKTA PERDAGANGAN ANTARABANGSA MENGENAI SPESIES TERANCAM 2008 [AKTA 686]		
	Nama: Azmi Bin Yahya	
	Kad Pengenalan: 580217-03-5305	
	Jawatan: Ketua MTIB Negeri Johor	
	Jabatan/Agensi:	
	Lembaga Perindustrian Kayu Malaysia	
	Tandatangan:	

30

Subsidiary Legislation made under this Act 686

- ☐ **National Forestry Act 1985**
- ☐ **Malaysian Timber Industry Board Act 1976**
- ☐ **Plant Quarantine Act 1976**
- ☐ **BioSafety Act 2008**
- ☐ **New Plant Protection Variety Act 2004**

Note : This Act 686 shall be read together with any other written law, and the provisions shall be in addition to, and not in derogation of, the provision of such other written laws.

31

Appendix II CITES

Annotation #1

**Since 1995 Gaharu / Karas
(*Aquilaria spp.*) and beginning 12
January 2005 Ramin
(*Gonystylus spp.*)**

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Annotation #1

All parts and derivatives, except :

- (a). seeds, spores and pollen (including pollinia);
- (b). seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- (c). cut flowers of artificially propagated plants

33

Parts and derivatives

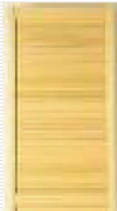
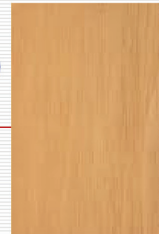
- ☐ Any substantially complete or part, tissue or derivative of a plant, in natural form, preserved, dried, processed or otherwise treated or prepared which may or may not contained in preparation, and includes –
 - ☐ (a) seed, stem, leaf, bark, root, log, flower, fruit or pod;
 - ☐ (b) any chemical compound derived from such part, tissue or extract;
 - ☐ (c) any thing which is claimed by any person, or which appears from an accompanying document, the packaging, a label or mark or from any other circumstances, to contain a part or derivative of a plant

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KARAS / GAHARU / AGARWOOD (*Aquilaria* spp.)



RAMIN (*Gonystylus* spp.)



SCHEDULED SPECIES THIRD SCHEDULE (F) TIMBER SPECIES

APPENDICES		
I	II	III
FLORA (PLANTS)		
Family : Araucariaceae (Monkey-puzzle tree)		
<i>Araucaria araucana</i> (Chilean Pine)		
Family : Leguminosae (Fabaceae) (Afromosia, Cristobal, Rosewood, Sandalwood)		
<i>Dalbergia nigra</i> (Brazilian Rosewood)	<i>Caesalpinia echinata</i> #10 <i>Pericopsis elata</i> #5 (Devil's Tree, Red Bark) <i>Platymiscium pleiostachyum</i> #1 (Cachimbo, Cristobal, Nambar) <i>Pterocarpus santalinus</i> #7 (Angsana, Sena)	<i>Dipteryx panamensis</i> (Pittier)
Family : Meliaceae (Mahoganies, Spanish Cedar)		
	<i>Swietenia humilis</i> #1 (Honduras, Mexican Mahogany) <i>Swietenia macrophylla</i> #6 (Brazilian, Bolivian Mahogany) <i>Swietenia mahagoni</i> #5 (Cuban, Spanish Mahogany)	<i>Cedrela odorata</i> #5 (Cigar Box, Spanish Cedar)
Family : Pinaceae (Guatemala Fir)		
<i>Abies guatemalensis</i> (Guatemala Fir)		
Family : Podocarpaceae (Podocarps)		
<i>Podocarpus parlatorei</i> (Parlatore's Podocarp)		<i>Podocarpus nerifolius</i> #1 (Podo)
Family : Thymelaeaceae (Aquilariaceae) (Agarwood, Ramin)		
	<i>Aquilaria</i> spp. #1 (Agarwood) <i>Gonystylus</i> spp. #1 (Ramin) <i>Gyrinops</i> spp. #1	

New Additional Species included under CITES Appendix II

Aniba rosaeodora
(Brazilian rosewood)

Bulnesia sarmientoi
(gualacwood / holy wood / palo santo)

Decision CoP 15
Effective June 23, 2010

THANK YOU

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RAMIN DISTRIBUTION, POPULATION, TRADE AND PERMITS FOR SARAWAK

MOHD SHAHBUDIN SABKI
&
MALCOM DEMIES
SARAWAK FORESTRY DEPARTMENT (SFC)

NATIONAL WORKSHOP ON ENFORCEMENT
COMPLIANCE FOR TRADE IN RAMIN
8 - 10 December 2010

RAMIN DISTRIBUTION, POPULATION, TRADE AND PERMITS

BY

MOHD SHAHBUDIN SABKI
& MALCOM DEMIES
SARAWAK FORESTRY
DEPARTMENT CITES



INTRODUCTION

- ☐ *Gonystylus* (Ramin) is one of genera in Thymelaeaceae family
- ☐ Genus *Gonystylus* consisting of about 30 species distributed throughout the Malesian area with the majority of species found in Borneo (Soerianegara & Lemmens, 1994).
- ☐ Smythies (1965) and Anderson (1972, 1980) reported three common *Gonystylus* species found in the peat swamp forests in Sarawak.



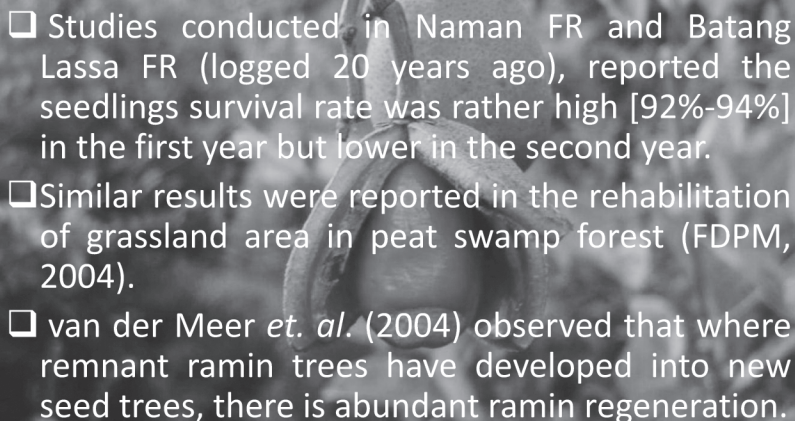
INTRODUCTION

- ❑ *G. baccanus* is the most common species in the PSF of Sarawak (Lee and Chai, 1995).
- ❑ Other *Gonystylus* species are often confined to a more restricted area and occur in more scattered (Soerianegara & Lemmens, 1994)
- ❑ Throughout Sarawak, *G. bancanus*, (ramin telur) occurs gregariously in coastal PSFs, MSF, in alan (*Shorea albida*) forest as well as padang paya forest and heath forest.



RAMIN DISTIBUTION

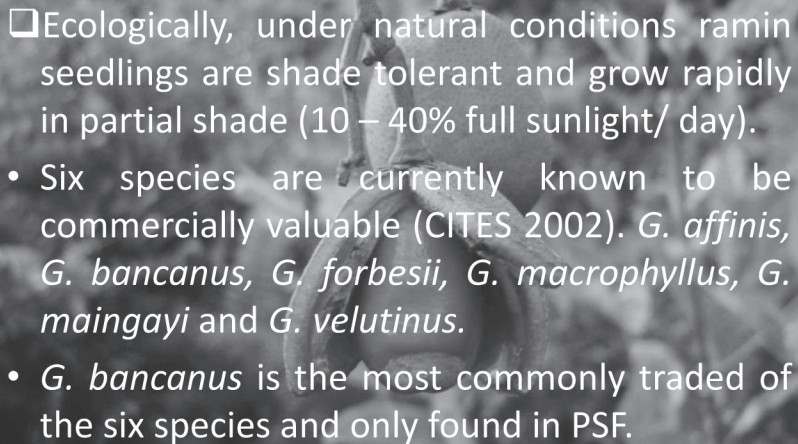
- ❑ *G. bancanus* is commercially importance and one of the common emergent tree species in the PSF.
- ❑ The seeds germinate rapidly once dropped to the ground but percentage of survival in the natural forest is low.
- ❑ The seedlings grow very slow under natural forest and shade tolerant species (Lee *et. al.* 1996).
- ❑ *G. bancanus* responded very well to rich soil and open conditions (Shamsudin and Ismail, 1999).

- 
- ❑ Studies conducted in Naman FR and Batang Lassa FR (logged 20 years ago), reported the seedlings survival rate was rather high [92%-94%] in the first year but lower in the second year.
 - ❑ Similar results were reported in the rehabilitation of grassland area in peat swamp forest (FDPM, 2004).
 - ❑ van der Meer *et. al.* (2004) observed that where remnant ramin trees have developed into new seed trees, there is abundant ramin regeneration.



RAMIN

- ❑ *G. bancanus* occurs in areas with a uniform rainfall regime with a mean rainfall of 200 – 400 cm, mean annual temperature of 24°C – 27°C and sometimes infertile soils (van der Meer *et al.* 2004).
- ❑ This species also has breathing roots to adapt to water-logged areas (Tawan 2004).
- ❑ The mature ramin trees are usually medium-sized (c. 27 m tall and 60 cm dbh) but can reach up to 50 and 100 cm dbh (Whitmore, 1973).

- 
- Ecologically, under natural conditions ramin seedlings are shade tolerant and grow rapidly in partial shade (10 – 40% full sunlight/ day).
 - Six species are currently known to be commercially valuable (CITES 2002). *G. affinis*, *G. bancanus*, *G. forbesii*, *G. macrophyllus*, *G. maingayi* and *G. velutinus*.
 - *G. bancanus* is the most commonly traded of the six species and only found in PSF.

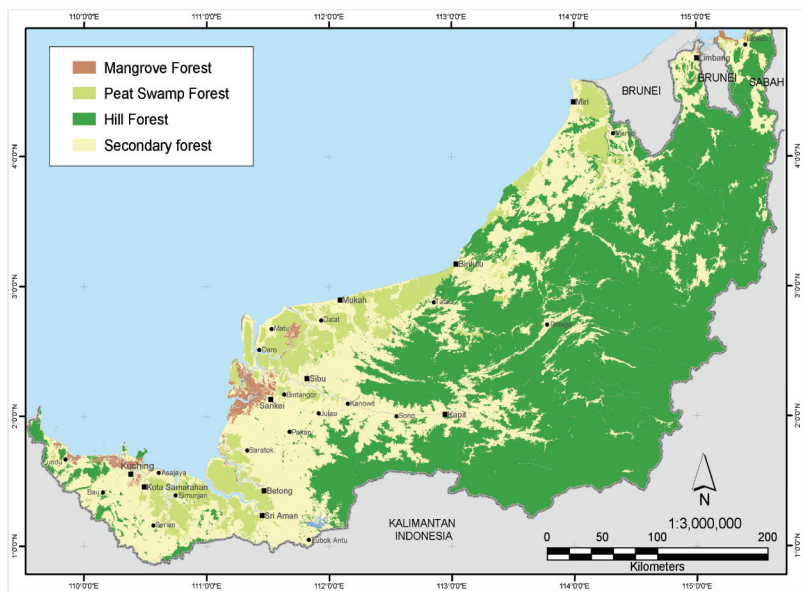
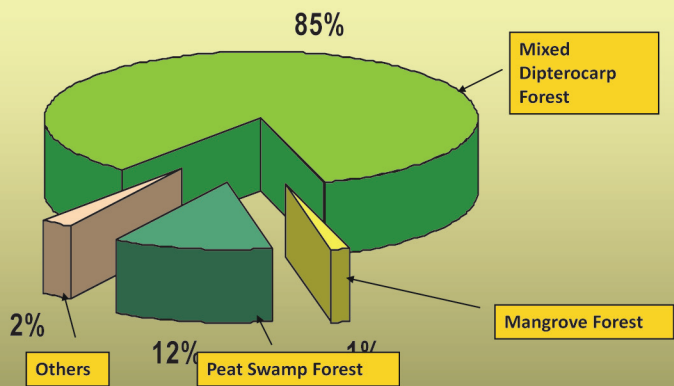


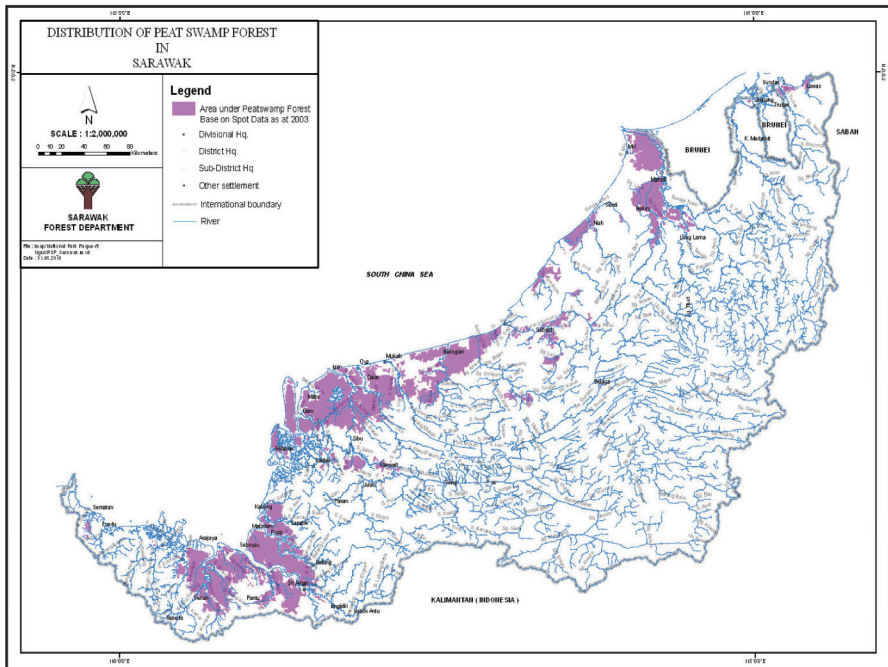


RAMIN AND PSF IN SARAWAK

- ❑ The total area of forests in Malaysia (2006) was 19.4 million ha or 59.5% of the total land area.
- ❑ Approximately 1.55 million ha of **Swamp Forests** in Malaysia.
- ❑ **Swamp Forests** is approximately 1.12 million ha (73%) in Sarawak.
- ❑ Approximately 0.88 million ha of **PSF** in Sarawak

DISTRIBUTION OF FOREST TYPES IN SARAWAK





PERMANENT FOREST ESTATES IN PSF OF SARAWAK

❑ Management and protection of forest resources divided into 3 categories:-

✓ **Permanent Forest Estates [PFE]** - forested areas designated for sustainable timber production.

✓ **Totally Protected Areas** - national parks, nature reserves and wildlife sanctuaries

• Purely for conservation and total protection for Flora and Fauna

• No timber harvesting allowed.

✓ **State land** - Forest land not reserved permanently as forests, can be alienated for other land uses. e.g. Agriculture Plantation, Settlement, etc.

❑ PFE in PSF estimated at 245,471 ha



NATIONAL AND STATE LEGISLATIONS

- ❑ Prior to uplisting of ramin under Appendix II of CITES, Malaysia has long recognized its importance and place several restrictions to control its harvest and trade.
- ❑ The Ramin Logs Prohibitions of Export Order 1980 and followed by The Ramin Shorts and Ramin Squares Prohibition of Export Order 1991 were proactively enforced in Sarawak.



RAMIN PROTECTION AND CONSERVATION INITIATIVES

- ❑ Both orders controlled the rate of ramin harvest by encouraging more local processing of ramin instead wholesale export of logs.
- ❑ Stringent measures are also in place to control the export of ramin whereby CITES export permits are required by the authorities.
- ❑ Furthermore, an export license issued by the Controller of Wild Life, Schedule of Timber Shipment and Sales Contract are all required for ramin export.



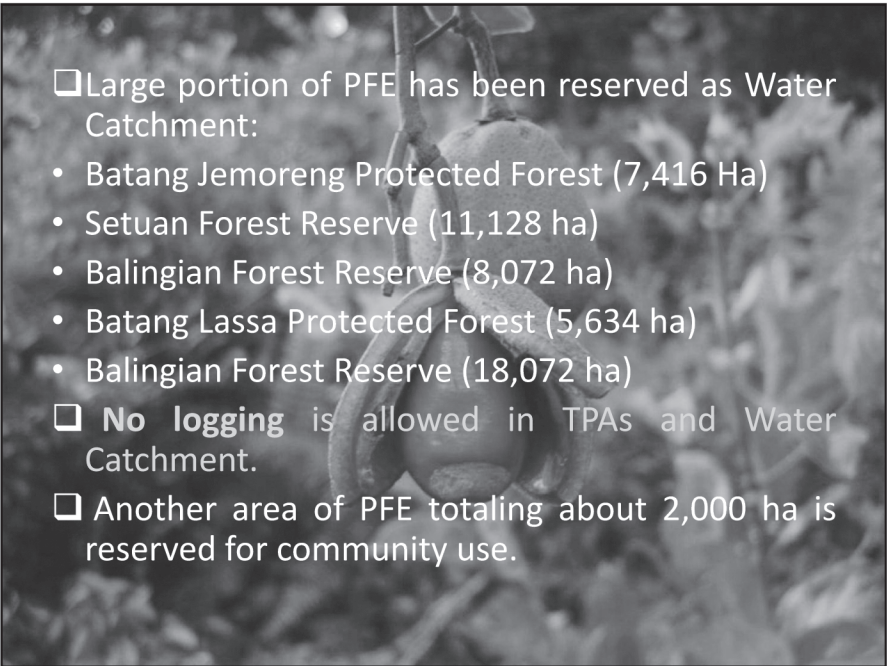
RAMIN PROTECTION AND CONSERVATION INITIATIVES

- ☐ In Sarawak, only five (5) entry points have been authorized for timber products to ensure effective monitoring and control of log movements to or from the state.
- ☐ Malaysia implements a system of recording and monitoring of all logs entering mills and for the outgoing products.
- ☐ International Trade in Endangered Species Act 2008 provide heavier penalties and enhanced coordination among various management authorities in Malaysia



RAMIN CONSERVATION AREAS IN SARAWAK

- ☐ Sarawak concerned for the preservation of ramin is reflected through its conservation efforts.
- ☐ Conservation Areas has been designated as Totally Protected Area (TPA) such as the Maludam National Park and the Logan Bunut National Park.
- ☐ The Proposed TPAs, at least six (6) have been identified, namely the Sedilu National Park, Bruit National Park, Ulu Sebuyau National Park, Batang Lassa National Park, Bukit Sarang–Binyo Penyilam National Park and the Mud Volcano National Park.



☐ Large portion of PFE has been reserved as Water Catchment:

- Batang Jemoreng Protected Forest (7,416 Ha)
- Setuan Forest Reserve (11,128 ha)
- Balingian Forest Reserve (8,072 ha)
- Batang Lassa Protected Forest (5,634 ha)
- Balingian Forest Reserve (18,072 ha)

☐ **No logging** is allowed in TPAs and Water Catchment.

☐ Another area of PFE totaling about 2,000 ha is reserved for community use.





RAMIN PRODUCTION

❑ Ramin log production from PFE for the past 5 years is 4,452 m³.

❑ Harvesting in PSF for Sarawak is slowly being phased out.



Ramin Control and Enforcement

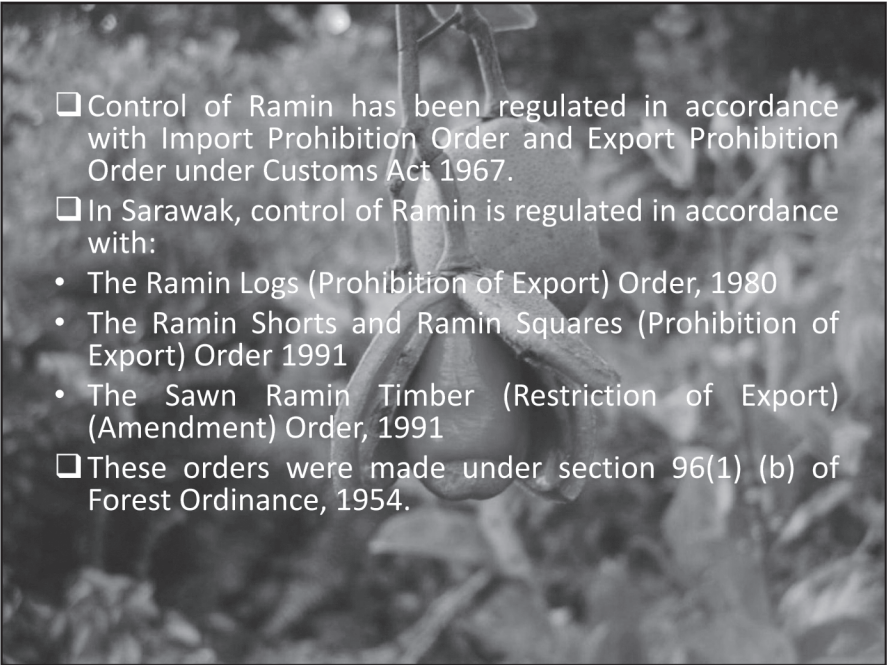
❑ Agencies tasked to enforce related forestry laws in Sarawak:

- Sarawak Forest Department (SFD)
- Sarawak Forestry Corporation (SFC)
- Sarawak Timber Industry Development Corporation (STIDC)
- Harwood Timber Sendirian Berhad
- Royal Malaysian Police
- Malaysian Armed Forces

to curb illegal logging, ushering out and intercepting illegal logging activities, especially along border areas.

❑ Number of offences involving Ramin has been **declining** drastically since 2005 till 2007.

❑ In 2008 till November 2009 there were **no offences** involving Ramin.



❑ Control of Ramin has been regulated in accordance with Import Prohibition Order and Export Prohibition Order under Customs Act 1967.

❑ In Sarawak, control of Ramin is regulated in accordance with:

- The Ramin Logs (Prohibition of Export) Order, 1980
- The Ramin Shorts and Ramin Squares (Prohibition of Export) Order 1991
- The Sawn Ramin Timber (Restriction of Export) (Amendment) Order, 1991

❑ These orders were made under section 96(1) (b) of Forest Ordinance, 1954.

RAMIN IN TRADE

□ Sarawak has developed a 4 Inter-Agencies SOP between the 4 state agencies:

- SFD, SFC, STIDC and Harwood Sdn Bhd
- involved in the administrating and regulation forestry matters
- to improve efficiency, enhanced synergy and resolved overlapping in forests management.

□ SFD is currently developing an on-line system on Import and Export permit, including issuance of CITES permit to enhance the effectiveness of monitoring the annual export quota allocation to the exporters.

□ The system is expected to be implemented in year 2011

	2007	2008	2009	2010 (Sept)
Export Quota (m3)	12,875	3,178	3,178	3,178
Export volume (m3)	10,434.31 *	3,063.09 (5,112.12)*	3,033	1,281
Export performance (%)	81.04	96.38	95.48	

* inclusive of leftovers (stockpile)

A black and white photograph of Ramin fruit hanging from a branch, serving as the background for the top section.

ISSUES AND CHALLENGES

- Non Detrimental Findings - technical aspects, expertise, concept.
- Manpower - 2,000 (STIDC, SFC, SFD and Harwood) managing 8.7 million ha of forests in Sarawak.
- Inter agencies Coordination
- Technical Enhancement – use of satellite imageries , hyper spectral (costly)

A black and white photograph of Ramin fruit hanging from a branch, serving as the background for the bottom section.

Conservation of Ramin















Acknowledgement

- NRE, MTIB, CITES, ITTO, SFD, SFC, STIDC, Harwood SB.
- The Director of SFD and his deputy
- Datu Haji Len Talif Salleh and Tuan Haji Ali bin Yusop.
- Cik Lucy Chong - Deputy General Manager for AFSID, SFC.
- En. Azahari Hj. Omar - Executive Forester.
- Other relevant agencies



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Terima Kasih

RAMIN IDENTIFICATION AND LOOK-A-LIKE SPECIES

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DR SALMIAH UJANG
FOREST RESEARCH INSTITUTE MALAYSIA (FRIM)





www.frim.gov.my

NATIONAL WORKSHOP ON ENFORCEMENT COMPLIANCE FOR TRADE IN RAMIN (*GONYSTYLUS SPP.*)

**8 – 10 DECEMBER 2010
KUALA LUMPUR, MALAYSIA**


**RAMIN IDENTIFICATION
AND LOOK – A – LIKE SPECIES
BY
DR. ANI SULAIMAN &
DR. SALMIAH UJANG
Forest Research Institute Malaysia (FRIM)**



INSTITUT PENYELIDIKAN PERHUTANAN MALAYSIA
FOREST RESEARCH INSTITUTE MALAYSIA (FRIM)

INTRODUCTION

- Ramin (*Gonystylus spp.*)
- Old trade name - Melawis (P M.)
- Vernacular/trade name
 - Ramin (P.M., Sab. & Sar., English, French, Spanish)
 - Gahara buaya (Sumatra, Kalimantan)
 - Medang keladi (Kalimantan)
 - Lanutan-bagyo, Anauan (Philippines)
- About 30 species
- Major species
 - *G. affinis*
 - *G. bancanus*,
 - *G. brunnescens*
 - *G. confusus*
 - *G. maingayi*
- Light tropical hardwood
- Native to South East Asia peat swamp forests including Brunei Darussalam, Fiji, Indonesia (Kalimantan and Sumatra), Malaysia (P.M, Sab. & Sar.), Solomon Islands & Philippines



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Identification of Ramin

How to differentiate from its look-alike species

- Rubberwood
- Sesendok
- Jelutong
- Perupok
- Pulai
- KSK

Alleviate the confusion posed by the look-alike species based on:

- Physical and macroscopic features: colour, hardness, density, grain, texture, etc
- Microscopic features:
 - microslides for anatomical structures
 - quantitative and qualitative examination and analysis of vessels, rays, parenchyma and fibre wall thickness from TS, TLS, RLS
 - quantifiable data on fibre morphology and other cell elements from macerated samples
- Complement macroscopic and microscopic features
- Diagnostic /spot features that differentiate the look-alike species
- Anatomical images of look - alike species



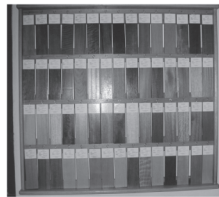
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Physical features

Useful features in wood identification

1. Colour- Varies in different species

- Whitish: jelutong, pulai, ramin
- Reddish: red meranti
- Blood-red: rengas
- Orangy: keledang
- Greenish: medang
- Greyish: terentang



Presence of sapwood and heartwood

- Sapwood usually lighter in colour than heartwood
- Not all timbers can be easily distinguished between sapwood and heartwood



Age

- Colour of young and mature wood usually differs

Freshly felled

- Wood with excess moisture and lighter in shade

Long exposure

- Wood drier and darker in shade



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2. Density

- Determines its strength group class and durability
- Differentiates the wood into heavy, medium or light hardwood

3. Hardness

- Wood is either easy or difficult to cut

4. Texture

- Fine or coarse: small or large size of vessels and rays
- Even and uneven: uniform/variable size and even/uneven distribution
 - Fine texture: terentang
 - Coarse texture: durian
 - Even texture: red meranti
 - Uneven texture: mempisang

5. Grain

- Alignment of longitudinal fibres relative to the axis of log
- Straight, diagonal or cross grain, interlocked and wavy grain

6. Figure

- Arrangement of ray, parenchyma or vessels and colour giving attractive designs

7. Odour

- Characteristic smell detected when fresh
 - Garlic-like: kulim Spicy: medang
 - Resinous: keruing Camphory: kapur
 - Leathery: teak

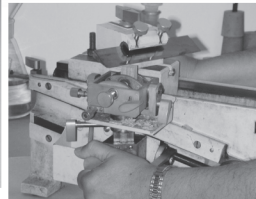
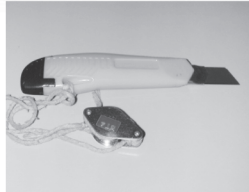


MS ISO 9001:2000

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Microscopic features

- Quick identification on-site using simple tools in identifying wood:
 - Very sharp knife
 - X10 magnifying lens
 - Wood specimen
- Microscope:
 - Microtome
 - Wood slices
 - Preparation of microslides

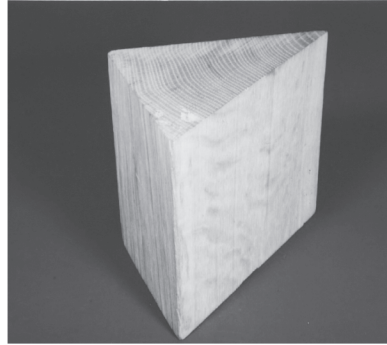


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Wood specimen

- No specific size but sufficient surface area for observation with unaided eye or with a lens
- Three important surface area must be available for observation
 - LS parallel with rays
 - TS parallel with growth rings
 - TS perpendicular to the grain



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Criteria for Observation of Wood Structure

- The cut surface must be clean from dust or scratches
- Knife must be very sharp; blunt knife will likely destroy the cell structure and obstruct view
- Jagged edge knife must be avoided as it will cause scratches on the wood surface and confuse the observer with the actual cell structure
- Only one clean cut is made
- Observe the clean cut surface using x10 lens



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Observation with magnifying lens

Correct

- Hold the lens near the eye
- Bring the cut wood surface slowly to the lens
- Ensure that the wood structure is clearly seen
- Observe the wood structure under normal light
- Wet the surface a little with water if its too dry so that the structure can be seen more clearly



Incorrect

- Fixing the specimen
- Moving the lens
- Focusing the lens to the wood surface



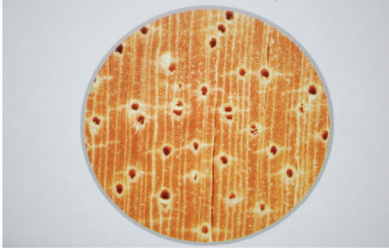

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Main wood tissues

- Vessels
 - Arrangement (ring porous, diffuse)
 - Distribution (exclusively solitary, pairs, radial multiples, chain-like, tail-like appendages, groups, clusters, oblique, flare-like)
 - Size
 - Inclusions (deposits, resin, gum, tyloses)
- Parenchyma
 - Aliform, confluent, vasicentric, terminal, bands, short tangential lines from ray to ray
- Ray
 - Fine, wide, single, two sizes, colour
- Fibres
 - Thin, thick walled, short, long
- Other features
 - Growth ring figure (bintangor, merbau, rubberwood, teak)
 - Stripe figure (DRM, LRM, melunak, red balau)
 - Streaky figure (teak, sepetir); Vertical canals; Horizontal canals; Included phloem; Ripple marks



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Spot features

- wood light in weight
- pale white/straw
- small vessels, fine rays
- aliform-shaped or wing-like parenchyma

MS ISO 9001:2000

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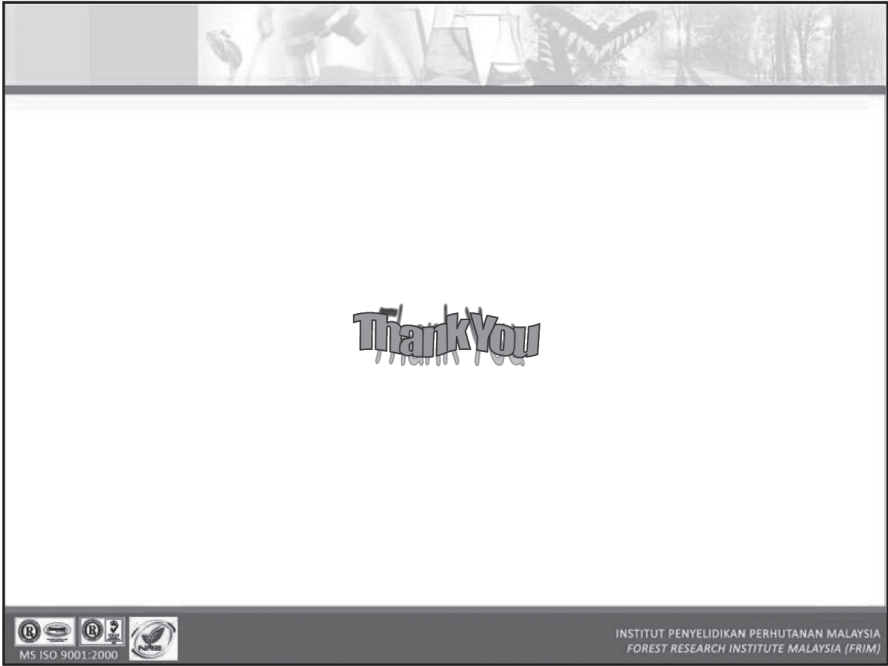
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Conclusions

- All the structural features in wood anatomy must be used together with the physical features in identifying wood
- Exercise patience and thoroughness as at early stage of identification can be confusing in trying to differentiate the various features
- Recommended to keep a set of wood collection samples for easy reference



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FOREST RESEARCH INSTITUTE MALAYSIA (FRIM)



STATUS ON MEETING OF THE TRI-NATIONAL TASK FORCE ON TRADE IN RAMIN

JUMAT AHMAD
MALAYSIAN TIMBER INDUSTRY BOARD (MTIB)



**NATIONAL WORKSHOP ON ENFORCEMENT
COMPLIANCE FOR TRADE IN
RAMIN (*GONYSTYLUS* SPP.)
8 – 10 DECEMBER 2010
KUALA LUMPUR, MALAYSIA**

**STATUS ON MEETING OF THE TRI-NATIONAL
TASK FORCE ON TRADE IN RAMIN**

by
Jumat Ahmad



SCOPE OF PRESENTATION



- How Is The Trade Of Ramin Which Is A Highly Protected Species Administered?
- Terms of Reference
- Malaysia's initiatives
- Trade in Ramin
- Import Regulations
- Malaysia - CITES
- Controlling of International Trade in Endangered Species Act 2008
- Conclusion



How Is The Trade Of Ramin Which Is A Highly Protected Species Administered?

- **In 2001, Indonesia are very concerned with rapid illegal logging and trade activities of Ramin species in Kalimantan and South Sumatera areas. Indonesia behemantly registered to CITES Secretariat for Ramin listed under Appendix III CITES without consultation with Malaysia as the other range state.**
- **Malaysia was forced to followed Indonesia by administering usage of CITES permits for export, import and re-export of Ramin and derivatives.**

How Is The Trade Of Ramin Which Is A Highly Protected Species Administered?

- **In 2003, the Government of United Kingdom and USA with assistance from non-govermental organisation – TRAFFIC Southeast Asia (in Kuala Lumpur) established a special meeting on Ramin illegal trade. Malaysia, Indonesia and Singapore attended the meeting. In the meeting, all parties agreed to the establihsment of the “Tri-National Task Force on Trade in Ramin”. The first meeting will be hosted by Malaysia in 2005.**

How Is The Trade Of Ramin Which Is A Highly Protected Species Administered?

- **The objective of the Task Force is to get together the three nations to discuss and resolves matters of illegal trade activities of Ramin and to set a platform in sharing information with matters related to Ramin trade.**
- **The Task Force on Ramin has then with advises from the Government of UK and USA established and agreed on the “Term of References” (TOR) in implementing the task.**
- **The Task Force has since met 3 times to devised and implemented strategies and sharing information related to Ramin trade.**

How Is The Trade Of Ramin Which Is A Highly Protected Species Administered?

- **Malaysia hosted the 1st Meeting of the Tri-National Task Force on Trade in Ramin involving Malaysia, Indonesia and Singapore on 7 & 8 September 2004 in Putrajaya**
- **The meeting discussed further the TOR of the Task Force & agreed for better information sharing in monitoring & controlling of illegal trade in Ramin**
- **Malaysia reported activities of the Tri-National Task Force on Trade in Ramin to the Plant and Standing Committee of CITES**

How Is The Trade Of Ramin Which Is A Highly Protected Species Administered?

- **Malaysia and Indonesia agreed for the up-listing of Ramin from Appendix III to Appendix II CITES during the Conference of Parties (CoP) in Bangkok, Thailand in 2004**

How Is The Trade Of Ramin Which Is A Highly Protected Species Administered?

- **The 2nd Meeting of the Tri-National Task Force was hosted by Indonesia on 12 & 13 April 2006 in Jakarta, Indonesia**
- **Parties involved discussed issues as agreed upon and elaborated on efforts undertaken to address the illegal trade of Ramin**

How Is The Trade Of Ramin Which Is A Highly Protected Species Administered?

- **Malaysia provides information on policing enforcement measures being undertaken to stop illegal shipment or trade of Ramin**
- **Singapore mentioned on the tedious measures undertaken under the new Singapore Endangered Act 2006 which tightened loophole in managing Ramin trade and othe species listed under CITES**

How Is The Trade Of Ramin Which Is A Highly Protected Species Administered?

- **Indonesia elaborated on measures taken to plug loopholes on illegal trade of Ramin. Only one company were given the logging and processing permit to log and to produce Ramin products for export from designated area in South Sumatera. Indonesia maintained its annual Ramin export quota at 8,700 cu metres.**
- **Singapore reported the meeting to the Standing Committee of CITES**

How Is The Trade Of Ramin Which Is A Highly Protected Species Administered?

- **The 3rd Meeting of the Tri-National Task Force was hosted by Singapore on 7 & 8 May 2007 in Singapore**
- **All Parties elaborated and exchanged Ramin trade information in a cordially manner**

How Is The Trade Of Ramin Which Is A Highly Protected Species Administered?

- **Indonesia mentioned that they are happy with the progress of the Task Force that all Parties had taken serious action in combating the illegal trade of Ramin. Therefore, Indonesia proposed that the meeting be adjourned from the year 2008 onwards. Country that requested for the meeting must write formally to the other members for agreement with important and pertinent issue. The next host is Indonesia and agreed by Malaysia and Singapore**
- **There no Tri-National Task Force meeting held from 2008.**

Terms of Reference

The Terms of Reference for the Task Force include:

- **Information and Data Sharing**
- **Improve Existing Mechanism for Rapid Exchange of Information**
- **Disseminate Information on Legislation and Procedures**
- **Consultations CITES and Customs & undertake remedial actions**
- **Participation of CITES Secretariat & Non-Governmental Organisations**
- **Seek resolutions on any substantive issues on trade in Ramin**

IQNet



13

Malaysia's Initiative

- **Malaysia in collaboration with Singapore Agri-Food & Veterinary Authority (AVA) and TRAFFIC International conducted Ramin Wood Identification Course and CITES Procedures to the AVA & Immigration Checkpoint Authority (ICA) officials on March 2005 in Singapore. It was conducted by the Malaysian Timber Industry Board (MTIB). The workshop conduct the ways to identifying Ramin and look-a like species**
- **Effective 25 June 2001, Malaysia imposed ban on log imports (include Ramin) from Indonesia**
- **Malaysia took domestic measures in defined and implementing procedures and trade controls for Ramin from 2005 – 2008**

IQNet



14

Malaysia's Initiative

- Malaysia organised ITTO Expert Meeting on the Effective Implementation of the Inclusion of Ramin in Appendix II, CITES on 15 – 19 May 2006 in Kuala Lumpur, Malaysia
- Malaysia participated in Asian Workshop of the ITTO-CITES Project on Ensuring International Trade in CITES-listed Species is Consistent with their Sustainable Management and Conservation : *Gonystylus* spp. in Bogor, Indonesia from 1 – 2 July 2009.
- It was concluded that the trade of Ramin is under control and complied with CITES regulations

Trade in Ramin in 2008

- **Peninsular Malaysia and Sabah**
6,251 m3 of Ramin products have been traded globally and 277 CITES certificates issued:
- 6,122 m3 (exported)
- 129 m3 (re-exported)
- **Sarawak**
Ramin export totaled 5,112 m3 and 179 CITES certificates issued.



IMPORT REGULATIONS

- **Effective from 25 June 2002, Malaysia imposed ban on log imports from Indonesia**
- **On 1 June 2003, Malaysia imposed ban on import of Large Scantlings & Squares (LSS) of cross-sectional area exceeding 60 sq in. from Indonesia**
- **Import of logs from other countries are allowed with proof of *bona-fide* sources and subject to inspection before issuance of import license**
- **Import of other timber products are allowed**

MALAYSIA - CITES

- ❖ **Malaysia officially became Party to CITES : 20 October 1977**
- ❖ **Currently the Ministry of Natural Resources & Environment is the Scientific Authority (SA) and Lead Management Authority (MA)**
- ❖ **Management Authority (MA) :**
 1. **Dept . of Wildlife & National Parks (PERHILITAN)**
 2. **Dept. of Fisheries**
 3. **Malaysia Timber Industry Board**
 4. **Dept. of Agriculture**
 5. **Sabah Wildlife Department**
 6. **Sabah Fisheries Department**
 7. **Forest Department Sarawak**

- **CITES timber species subject to control (Malaysia as a range state) :**
 - 1) **Ramin (*Gonystylus*spp.) – since 2001**
 - 2) **Karas/Gaharu (*Aquilaria*spp.) – since 1995**
 - 3) **Podo (*Podocarpus*spp.) – since 80,s (not commercially significant)**

Controlling of International Trade in Endangered Species Act 2008

- **No cases involving Ramin was detected in 2008**
- **Issuance of export and import permits are closely monitored by MTIB**
- **Requirement for Forest Removal Pass (issued by the Forestry Department) to be submitted for application of CITES export permit**

Ramin Exports by Products

Products	2008(m3)	2009(m3)
Sawn Timber	4,041	1,728
Dressed Timber	929	629
Mouldings	888	566
Others	264	155
Total	6,122	3,078

Source : MTIB

Conclusion

- **Malaysia has designated more than 5 million hectares (forested land) as totally protected areas in the efforts to conserve the country's biological diversity including Ramin species**
- **Malaysia is one of the leading country in the research of Ramin species**
- **Malaysia is fully committed to combating illegal logging and trade in illegally source timber and supportive on initiatives which are aimed at curbing such activities**

Thank you

IMPLEMENTATION OF THE INTERNATIONAL TRADE IN ENDANGERED SPECIES ACT 2008

NURUL ILYANI MOHD TAMAM
FEDERAL COUNSEL
MINISTRY OF NATURAL RESOURCES AND
ENVIRONMENT (NRE)

IMPLEMENTATION OF THE INTERNATIONAL TRADE IN ENDANGERED SPECIES ACT 2008

[INTESA 2008]/ [ACT 686]

NURUL ILYANI MOHD TAMAM
FEDERAL COUNSEL NRE

INTESA 2008

Contained six parts:-

- PART I : PRELIMINARY
- PART II : AUTHORITIES
- PART III : TRADE OF SCHEDULED SPECIES
- PART IV : PERMIT, CERTIFICATE AND
REGISTRATION
- PART V: POWER RELATING TO ENFORCEMENT,
SEIZURE, ARREST, ETC.
- PART VI : GENERAL

PART I

- An Act to implement the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and to provide for other matters connected therewith.
- CITES was signed at Washington D.C. on 3 March 1973.
- Malaysia deposited her instrument of accession on 20 October 1977,
- The said Convention entered into force as far as Malaysia is concerned on 18 January 1978.
- INTESA 2008 comes into operation on a date to be appointed by the Minister by notification in the Gazette- 28 December 2009.

PART I

- INTESA 2008 shall be read together with any other written law relating to import and export, conservation of plants, forests and animals and trade in scheduled species,
- The provisions of INTESA 2008 shall be in addition to, and not in derogation of, the provisions of such other written laws.

eg:

Protection of Wild Life Act 1972

National Forestry Act 1985

Biosafety Act 2008

Fisheries Act 2008

Malaysian Timber Industry Board (Incorporation) Act 1976

PART I

- In the event of any inconsistencies between the provisions of INTESA 2008 and any of the other written laws referred above, the provisions of INTESA 2008 shall prevail.

PART II LMA

- The Ministry responsible for natural resources and environment shall be the Lead Management Authority(LMA).
- Functions of the LMA:-
 - (a) to coordinate the implementation and enforcement of the provisions of INTESA 2008 by the Management Authorities(MA) and Scientific Authorities(SA);
 - (b) to communicate with all other countries and the secretariat of the Convention on all matters under INTESA 2008;

PART II

LMA

- (c) to cause national obligations under the Convention to be fulfilled;
- (d) to create awareness and to provide training, education and information relating to the Convention;
- (e) to do such other things as it deems fit to enable it to perform its functions effectively or which are incidental to the performance of its functions.

PART II

MA

- MA specified in the First Column of the First Schedule shall have jurisdiction over the:
 - plant,
 - animal or
 - any combination of plant and animal
 - including the readily recognizable part or derivative of the plant or animal

in the region appearing in the corresponding Second and Third Column respectively.
- The Minister may by order published in the gazette amend the First Schedule.

PART II

- Functions and powers of the MA:-
 - (a) to maintain records of international trade in scheduled species and prepare annual and biennial reports concerning such trade, and to submit the reports to the LMA on or before such date as the LMA may determine;
 - (b) to establish Rescue Centres;
 - (c) to inform the LMA within a reasonable period the offences committed under INTESA 2008;
 - (d) to do such other things as it deems fit to enable it to perform its functions effectively or which are incidental to the performance of its functions

PART II

- MA shall have the power to issue a permit or certificate, or allow registration under INTESA 2008.
- MA may consult and seek the advice of a Scientific Authority(SA) in the implementation of its powers and functions under INTESA 2008

PART II

LSA

- The LMA shall be the Lead Scientific Authority(LSA).
- LSA may appoint such number of SA as may be necessary to provide advice on international trade in scheduled species.
- Functions of the SA:-

provide advice to the LMA and MA on international trade in scheduled species on-

- (a) the impact of the trade on the survival of the scheduled species;
- (b) the quotas for the export of the scheduled species;
- (c) the appropriate care of any live scheduled species to be imported or to be kept in Malaysia;

LSA

- (d) the measures to be taken when the harvest of the scheduled species threatens its survival;
- (e) the appropriate treatment of any seized or confiscated scheduled species;
- (f) the method of disposal of any seized or confiscated scheduled species;
- (g) any other matters as it deems fit to enable it to perform its functions effectively or which are incidental to the performance of its functions.

PART III: TRADE OF SCHEDULED SPECIES

- Import and export- Sec 10
- Re-export and introduction from the sea- Sec 11
- Possession of scheduled species- Sec 12
 - (a) has in his possession or under his control;
 - (b) sells, offers or exposes or advertises for sale;
 - (c) displays to the public
- Scheduled species in transit- Sec 13
- Breeding or propagation of scheduled species- Sec 14

PART IV: PERMIT, CERTIFICATE AND REGISTRATION

- Permit, certificate and registration- Sec 16
- Cancellation of permit, certificate or registration- Sec 17
- Captive breeding or artificial propagation- Sec 18

PART V: POWER RELATING TO ENFORCEMENT, SEIZURE, ARREST, ETC

- Enforcement officers- Sec 19, First Column of the Second Schedule, Sec 3
- Power of investigation- Sec 20
- Authority card- Sec 21

- Power of arrest- Sec 22
- Search and seizure with warrant- Sec 23
- Search and seizure without warrant- Sec 24
- Power to enter premises- Sec 25
- Access to computerized data- Sec 26

PART VI

- Payment into fund- Sec 41
- Compounding of offences- Sec 42
- Institution of prosecution- Sec 43
- Power to amend Schedules- Sec 53
- Power to make regulations- Sec 54

THANK YOU FOR YOUR
ATTENTION

**EXPERIENCES IN
HANDLING CITES CASES
(LOGS, SAWNTIMBER, LARGE
SCANTLING & SQUARE)**

JAYA GOBI A/L S. NARAYANAN
ROYAL MALAYSIAN CUSTOM (RMC)



NATIONAL WORKSHOP ON ENFORCEMENT COMPLIANCE FOR TRADE IN RAMIN

RMC experiences in handling CITES
cases (logs, Sawntimber, Large Scantlings
& Squares)

by
**ENCIK JAYA GOBI A/L S.
NARAYANAN**

8 – 10 December 2010

1

Generally Customs Offences are linked to

- **Wood Description & HS Tariff Classification of wood listed in the Customs Duties Order 2007.**
- **Wood that are prohibited upon import or export as per Customs Prohibition of Import/Export Orders 2008 and other laws.**

2

About the Customs Duties Order 2007

- The Customs Duties Order 2007 is a **subsidiary legislation under the Customs Act 1967**.
- The **types and species of wood and wood articles** are classified in this Order.

3

Classification of wood & articles of wood

- Wood and articles of wood are **classified under Chapter 44 of the Customs Duties Order 2007**
- Customs Duties Order is **based the HS Coding System** used by most countries.
- The Headings/ Subheadings provides for specific descriptions of woods according to **general names and species names**.

4

Classification of wood & articles of wood

• Coniferous woods listed in the Order:

1.	Damar Minyak
2	Podo
3	Sempilor

5

Classification of wood & articles of wood

• Tropical woods listed in the Order

1	Dark Red Meranti (Obar Suluk),	7	Of Oak (Quercus spp)
2	Light Red Meranti (Red Seraya),	8	Of Beech (Fagus spp)
3	Meranti Bakau,	9	Heavy Hardwoods
4	Kapur	10	Medium Hardwoods
5	Keruing	11	Light Hardwoods
6	Ramin		

6

Classification of wood & articles of wood

• Tropical woods – Heavy Hardwoods:

1	Bakau	8	KerANJI
2	Red Balau	9	Malagangai
3	Belian	10	Penaga
4	Bitis	11	Penyau
5	Chengal	12	Resak
6	Giam	13	Tembusu
7	Kekatang		

7

Classification of wood & articles of wood

• Tropical woods – Medium Hardwoods:

1	Bekak	8	Kelat
2	Derum	9	Keledang
3	Entapuloh	10	Keruntum
4	Geriting	11	Kulim
5	Kandis	12	Mata Ulat
6	Kasai	13	Mempening
7	Kayu Malam	14	Mengkulang

8

Classification of wood & articles of wood

• Tropical woods – Medium Hardwoods:

15	Meransi	22	Perah
16	Merawan	23	Petaling
17	Merbatu	24	Punah
18	Merpauh	25	Ranggu
19	Mertas	26	Rengas
20	Nyalin	27	Semayur
21	Pauk Kijang	28	Senumpul

9

Classification of wood & articles of wood

• Tropical woods – Medium Hardwoods:

29	Simpoh		
30	Tampoi		
31	Tualang		
32	Tulang Daing		

10

Classification of wood & articles of wood

• Tropical woods – Light Hardwoods:

1	Acasia Mangium	8	Binuang
2	Ara	9	Dedali
3	Araucaria spp	10	Durian
4	Babai	11	Eucalyptus
5	Batai	12	Geronggang
6	Berangan	13	Gerutu
7	Bintangor	14	Kedondong

11

Classification of wood & articles of wood

• Tropical woods – Light Hardwoods:

15	Kelumpang	22	Medang
16	Kembang	23	Melantai
17	Ketapang	24	Melunak
18	Kungkur	25	Mempisang
19	Laran	26	Merbulan
20	Limpaga	27	Mersawa
21	Machang	28	Nyato

12

Classification of wood & articles of wood

• Tropical woods – Light Hardwoods:

29	Nyato Kuning	36	Sengkuang
30	Pelajau	37	Sentang
31	Penarahan	38	Sepetir
32	Perupok	39	Sesendok
33	Petai	40	Terap
34	Pulai	41	Terentang
35	Rubberwood	42	Red Meranti

13

About Prohibition Orders

- All wood and articles of wood require permits upon import or export.
- Permits are in accordance with:
 - The Customs Prohibition of Exports Order 2008
 - The Customs Prohibition of Import Order 2008.
 - Cites Permits as per the International Trade in Endangered Species Act 2007.
 - Other laws governing the import and export of wood and articles of wood.

14

Customs Prohibition of Imports Order Absolutely Prohibited on Import

- **Logs, wood in the rough**, whether or not stripped of its bark, or merely roughed down; **wood roughly squared or half-squared** but not further manufactured and **Large Scantlings and Squares** (LSS) having a cross section exceeding 60 square inches from INDONESIA.

15

Customs Prohibition of Imports Order Conditionally Prohibited on Import

- Part I of the 4th Schedule
- Item 48: Logs, wood in the rough, whether or not stripped of its bark, or merely roughed down; wood roughly squared or half-squared but not further manufactured and Large Scantlings and Squares (LSS) **excluding of Ramin timber**
- **MANNER OF IMPORT:**
 - Import accompanied by an import permit issued by or on behalf of the DG of MTIB.

16

Customs Prohibition of Imports Order Conditionally Prohibited on Import

- Part I of the 4th Schedule
- Item 49: Logs, wood in the rough, whether or not stripped of its bark, or merely roughed down; wood roughly squared or half-squared but not further manufactured and Large Scantlings and Squares (LSS) **of Ramin timber.**
- **MANNER OF IMPORT:**
 - Import accompanied by an import permit issued by or on behalf of the DG of MTIB.
 - **CITES Import permit** issued by DG of MTIB.

17

Customs Prohibition of Imports Order Conditionally prohibited on Import

- Part I of the 4th Schedule
- Item 50: Sawn timber, parts and derivatives, **of Ramin timber**
- **MANNER OF IMPORT:**
 - Import accompanied by an import permit issued by or on behalf of the DG of MTIB.
 - CITES Import permit issued by DG of MTIB.

18

Customs Prohibition of Imports Order Conditionally Prohibited on Import

- Part I of the 4th Schedule
- Item 51: Poles and piles, of **Bakau (Rhizophora spp)**
- **MANNER OF IMPORT:**
- Import accompanied by an import permit issued by or on behalf of the DG of MTIB.

19

Customs Prohibition of Exports Order Absolutely prohibited on Export

- First Schedule
- Item 2: **Rattans** (from Peninsular Malaysia only), except those falling under subheadings 1401.20 910 and 1401.20 920

20

Customs Prohibition of Exports Order Conditionally Prohibited on Export

- Second Schedule
- Item 30: **Logs, sawn timber, moulding, plywoods, veneer chips or particle boards, fibre boards, wood chips and ground wood (all species of wood)**
- **MANNER OF EXPORT:**
- Export permit issued by MTIB.

21

A Customs Offence occurs when:

- The '**description of wood**' and '**HS tariffs**' in Import or Export Declarations **are incorrect**.
- Woods are **imported or exported without** relevant **MTIB permits and/or CITES permit**.
- Woods are **imported or exported when** their importations/exportations are **absolutely prohibited**.

22

Important issues:

- **Customs officers are not experts** in identifying wood names or species names as in:
 - The Customs Duties Order 2007
 - International Trade in Endangered Species Act 2007
- **Customs relies very much on the expertise of MTIB officers** at the borders.

23

Important issues:

- Customs Prohibition Orders have not fully incorporated provisions of CITES provisions - Import, Export, Re-Export permits and transit provisions.
- The generally worded provisions in the Customs Prohibition of Export Orders allows Customs to enforce compliance on all species of wood.

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Record of Customs seizures

• 2008 - 2010

25

2008 – RMC 's 14 cases on record

Date	State	Place	Type	Offence
28/2/2008	Selangor	West Port	754 pcs sawn timber	Incorrect declaration
26/2/2008	Penang	NBCT	1 container rubber wood	Fraudulent evasion
26/2/2008	Penang	NBCT	1 container rubber wood	Fraudulent evasion
26/2/2008	Penang	NBCT	1 container rubber wood	Fraudulent evasion
28/2/2008	Selangor	West Port	4 containers mersawa sawn timber	Fraudulent evasion
18/2/2008	Kelantan	Peng Kubor	1680 pcs sawn timber	Importing prohibited goods
14/5/2008	Melaka	Seas off Melaka	470 pcs logs	Importing prohibited goods

2008 – RMC 's 14 cases on record

Date	State	Place	Type	Offence
16/12/2008	WP Labuan	Ship in Barter Trade Jetty	420 pcs sawn timber	Fraudulent evasion
16/12/2008	WP Labuan	Ship in Barter Trade Jetty	124 pcs sawn timber	Fraudulent evasion
16/12/2008	WP Labuan	Ship in Barter Trade Jetty	134 pcs sawn timber	Fraudulent evasion
16/12/2008	WP Labuan	Ship in Barter Trade Jetty	303 pcs sawn timber	Fraudulent evasion
16/12/2008	WP Labuan	Ship in Barter Trade Jetty	165 pcs sawn timber	Fraudulent evasion
16/12/2008	WP Labuan	Ship in Barter Trade Jetty	158 pcs sawn timber	Fraudulent evasion
16/12/2008	WP Labuan	Ship in Barter Trade Jetty	321 pcs sawn timber	Fraudulent evasion

2009 – RMC 's 9 cases on record

Date	State	Place	Type	Offence
1/4/2009	Selangor	Free Zone, West Port	Red Sanderswood	Fraudulent evasion
4/5/2009	Sabah	Sea off Lahat Datu	178 pcs 'Malam' wood	Fraudulent evasion
8/5/2009	Selangor	Free Zone, West Port	149 pcs Red Sanderswood	Fraudulent evasion
3/6/2009	Sabah	Tawau	300 pcs 'Kayu Meranti Bukit'	Fraudulent evasion
10/6/2009	Penang	ICD Prai	11.5 tonnes Red Sanderswood	Fraudulent evasion
11/7/2009	Sabah	Tawau	540 pcs sawn timber	Direct smuggling

2009 – RMC 's 9 cases on record

Date	State	Place	Type	Offence
31/7/2009	Selangor	Free Zone, West Port	Red Sanderswood	Fraudulent evasion
25/11/2009	Sabah	Tawau	0.5 m3 Kayu bantalan	Fraudulent evasion
19/12/2009	Sabah	Semporna	199 pcs Kayu Amara	Direct smuggling

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2010 – RMC 's 3 cases on record

Date	State	Place	Type	Offence
8/2/2010	N. Sembilan	West Port	348 pcs Sawn Timber	Incorrect declaration
13/4/2010	Sabah	Off the waters of Tg Pengelih	1206 pcs Sawn Timber	Importing
20/6/2010	Sarawak	Off the waters of Tawau	86 pcs kayu bantalan	Importing
23/6/2010	Johor	A construction site in Miri	68 pcs sawn timber	Possession

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3 CUSTOMS EXPERIENCES

ON

TRADE IN CITES CASES INVOLVING LOGS, SAWNTIMBER AND LSS

31

CASE I: 1 April 2009



- **Information from Indian Intelligence.**
- Seized a consignment of Red Sanders Wood, in a container in the Free Zone at the North Port, Port Klang.
- The Inward Manifest and the Bill of Lading revealed (1) a consignor from India, (2) a dummy consignee and (3) incorrect description of goods: 'Conveyor Belt of Relevant Synthetic Rubber'.

32

- Logs were confirmed with assistance from MTIB to belong to the species **Pterocarpus Santalinus**, commonly referred to as Red Sanders Wood.
- Red Sanders wood is (1) **listed under Appendix II CITES** and also (2) **listed in the Malaysian Customs Prohibition of Import Order.**
- This first seizure comes at the back of two earlier seizures by the Klang Port Authority.
- Customs documents contained incorrect information.
- The **consignment was not supported with a CITES Export Permit from India.**

33

CASE 2: 31 July 2009



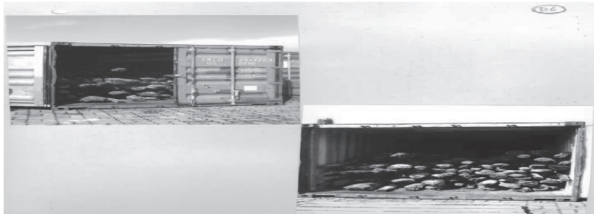
- **Information from Indian Intelligence.**
- Seized a container located in a warehouse in the Free Zone at the West Port, Port Klang.
- The Inward Manifest : Consignment of 46 bundles Hot Dipped Galvanized Tension Bars.
- The Bill of Lading, listed a different consignor in India and listed a warehouse in Malaysia as agents.

34

- Logs in the container verified with MTIB assistance to contain logs belonging to the species **Pterocarpus Santalinus**, commonly referred to as Red Sanders Wood.
- Red Sanders wood is (1) **listed under Appendix II CITES** and also (2) **listed in the Malaysian Customs Prohibition of Import Order**.
- Customs documents contained incorrect information.
- **The consignment was not supported with a CITES Export Permit from India.**

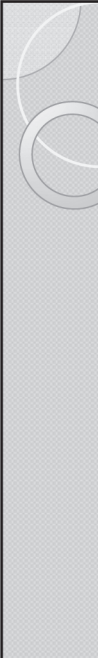
35

CASE 3: 3 August 2009



- **Information from Indian Intelligence.**
- Detained a container in the Free Zone at the North Port, Port Klang.
- The Inward Manifest and the Bill of Lading listed the consignment as furniture/parts.
- Customs examination: Red Sanders Logs.

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- 
- Similar modus operandi:
 - Presenting an incorrect declaration at Indian Ports and an incorrect inward manifest and bill of lading at Malaysian Port Authorities.
 - Red Sanders Wood listed under Appendix II CITES and requires an Export CITES Permit from the State of Export before it can be exported.

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**EXPERIENCES IN HANDLING
CITES CASES
(LOGS, SAWNTIMBER, LSS)
MMEA PERSPECTIVE**

CHRISTOPHER RAVINDRAN DASS
MALAYSIAN MARITIME ENFORCEMENT AGENCY
(MMEA)



Experiences in Handling CITES Cases (Log, Sawn timber, LSS) MMEA Perspective

National Workshop on Enforcement Compliance
for Trade in RAMIN (GONYSTYLUS SPP.)

8-10 Dec 2010

1



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Background

Organisation

Functions

Enforcement Jurisdiction

Assets

Arrests

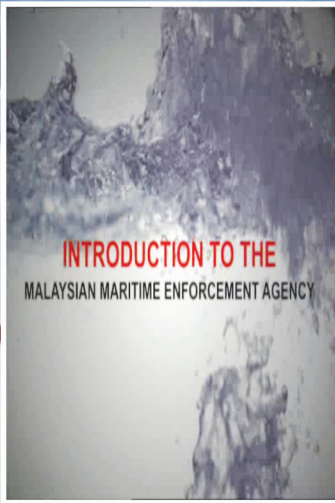
Analysis

Challenges

Recommendations



GUARD, PROTECT, SAVE



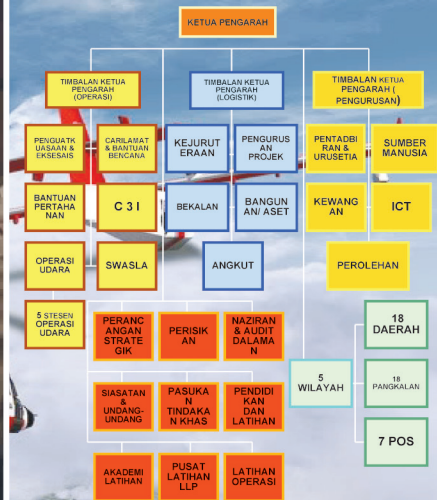
BACKGROUND



GUARD, PROTECT, SAVE



ORGANISATION STRUCTURE



GUARD, PROTECT, SAVE



Principal Agency to Maintain Law and Order, preservation of peace, safety & security, prevention & detection of crime, apprehension & prosecution of offenders, collection of security intel & coordinate SAR in MMZ

GUARD, PROTECT, SAVE

5



FUNCTIONS (Section 6 MMEA Act 633)

To enforce law and order under any federal law

To perform maritime SAR

To prevent and suppress the commission of an offence

To lend assistance in any criminal matters on request by a foreign State (Mutual Assistance Act 2002)

Controlling and preventing maritime pollution

To carry out air and coastal surveillance

To provide platform services to any relevant agency

Preventing and suppressing piracy

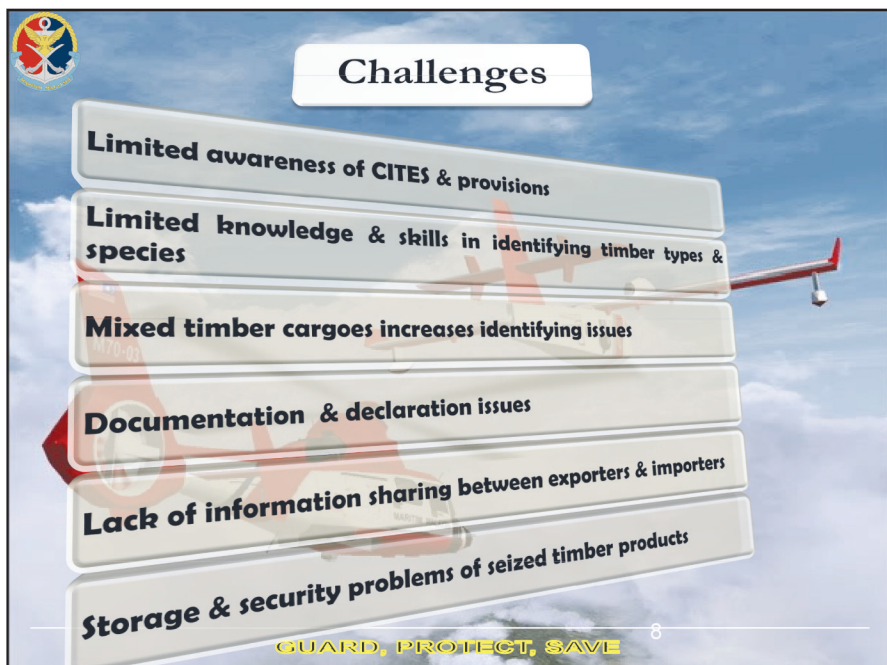
To establish and manage maritime institutions for training

To ensure maritime security and safety

Preventing and suppressing illicit traffic in narcotic drugs

GUARD, PROTECT, SAVE

6





Recommendations

Formulate common procedures in CITES implementation

Enforcement agencies participation in CITES & timber related activities

MTIB pursue continuous training on CITES & timber related for enforcement agencies

Existing mechanism for CITES implementation

GUARD, PROTECT, SAVE

9



Recommendations...cont

Tri-National engagement must continue. Enhance networking & information sharing through established POC

Close surveillance of illegal landing sites

Enforcement agencies must enhance capacity building

Strict compliance & implementation of CITES

GUARD, PROTECT, SAVE

10



Illegal sawmill using 'Rela' men as guards

By Sean Augustin
sean@nrt.com.my

KUALA LUMPUR: In a blitz on illegal wood factories on Monday, enforcement officers led by the Selangor Forestry Department were surprised to encounter a group of men claiming to be People's Volunteer Corps (Rela) members guarding a sawmill.

Department assistant director (operations and enforcement) Mohd Yusoff Md Yusoff said his officers, working together with the Malaysian Anti-Corruption Commission and real Rela members, checked five sawmills in Hulu Langat, Selangor.

He said two sawmills were found to be operating without a licence.

At the second illegal sawmill, the 35-man raiding party was prevented from entering the premises by seven men wearing pants and T-shirts resembling those worn by Rela members.

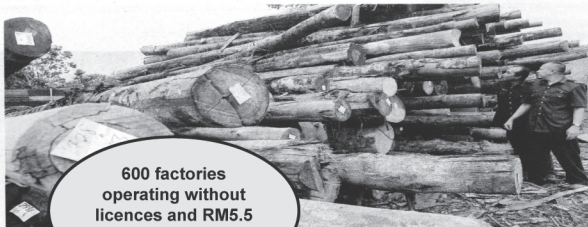
The seven, claiming to be Rela members themselves, said they were called by the mill's *tuanke* who was afraid that certain quarters were misusing Rela's name.

But when the raiding party ordered them to produce their authority cards, only four could do so.

It was discovered that the "platoon leader's" card had expired while the other three were not full members of Rela.

The remaining three were not even members of the corps.

Yusoff said the *New Straits Times* that all seven were detained to



Selangor Forest Dept. officers against illegal sawmills.

assist in investigations.

He said the two illegal sawmills would be fined RM50,000 under the state's recently amended Wood-Based Industry Enactment 1985.

Yusoff said previously, those found guilty would be fined only RM2,000.

The act had been amended earlier by the Selangor state assembly to include the stiffer penalty.

600 factories operating without licences and RM5.5 million worth of logs seized

found in a sawmill in Semeniyth during their operation

Yusoff

didn't expect the law.

"Hopefully now, the threat of the penalty will become a deterrent and sawmill operators will be more responsible," he said.

Yusoff also revealed that one of the two illegal sawmills had been raided a month ago for a similar offence. The owner was arrested by the MACC when he tried to offer a

RM15,000 bribe.

The department, backed by the MACC and Rela, had been clamping down on illegal wood factories lately.

It was reported yesterday that some 600 factories in Selangor were operating without licences.

It was also reported that the department had seized RM5.5 million worth of logs from 350 illegal sawmills statewide.

GUARD, PROTECT, SAVE

11



Logging squeeze

Revised Act to punish logging with RM1 million and jail term between 5 to 20 years

KUALA LUMPUR: The penalty for illegal logging will double to RM1mil and the jail term raised to between five and 20 years after amendments to relevant laws are made next year.

Currently, the penalty for illegal logging is RM500,000 while offenders can be jailed for between one and 20 years.

Deputy Prime Minister Tan Sri Muhyiddin Yassin said the decision was made yesterday to amend the National Forestry Act 1984 (Act 313) to curb illegal logging and forestry offences.

He said the Attorney-General's office would study the minimum penalty amount before

the Bill is passed in Parliament next year.

"It is hoped that this amendment to Act 313 will ensure that the forestry sector can progress in line with challenges and issues covering illegal logging and that forest conservation and preservation activities will be more effective," he said after chairing the 66th National Land Council meeting here yesterday.

Muhyiddin said the National Forestry (Amendment) Act 2010 would emphasise on transferring the burden of producing evidence from the prosecutors to those in possession of illegal logs.

"Through the principle of strict liability,

those suspected of being guilty have to prove that logs either at the premises or sites within or outside the permanent forest reserve were legally acquired," he said.

The annual meeting was also attended by Natural Resources and Environment Minister Datuk Seri Douglas Uggah Embas, Plantation Industries and Commodities Minister Tan Sri Bernard Dompok and Chief Secretary to the Government Tan Sri Mohd Sidek Hassan.

Also present were Pahang Menteri Besar Datuk Seri Adnan Yaakob, Negri Sembilan Menteri Besar Datuk Seri Mohamad Hasan, Malacca Chief Minister Datuk Seri Mohd Ali Rustam and Penang Chief Minister Lim Guan Eng.

GUARD, PROTECT, SAVE

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End of Brief



Thank you

GUARD, PROTECT, SAVE

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**EXPERIENCES IN HANDLING
CITES CASES
(LOGS, SAWNTIMBER,
LARGE SCANTLING AND
SQUARES-LSS)**

**SUPERINTENDANT PAUL KHIU KHON CHIONG
MARINE OPERATION FORCE (MOF),
ROYAL MALAYSIAN POLICE**

**NATIONAL WORKSHOP ON
ENFORCEMENT COMPLIANCE
FOR TRADE IN RAMIN
(*GONYSTYLUS SPP.*)**

**8 – 10 DECEMBER 2010
KUALA LUMPUR, MALAYSIA**

**EXPERIENCES IN
HANDLING CITES CASES
(LOG, SAWNTIMBER, LARGE SCANTLING
AND SQUARES-LSS)**

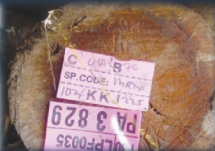
**By: Superintendent PAUL KHIU
Marine Operation Force, Royal Malaysia Police**

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**EXPERIENCE IN HANDLING
CITES CASES
(Log, Sawn-timber, Large
Scantling and Squares – LSS)**



**By: Superintendent PAUL KHIU
Marine Operation Force, Royal Malaysia Police**

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SCOPE

- 1) INTRODUCTION
- 2) ROLES AND RESPONSIBILITIES OF RMP
- 3) RMP ENFORCEMENT MECHANISM AND EFFORTS
- 4) SMALL SUCCESSES
- 5) CHALLENGES AND CONSTRAINTS HINDERING EFFORTS
- 6) SUGGESTIONS TO PONDER
- 7) CONCLUSION

3

INTRODUCTION

HISTORY

- **BORN : 01.09.1947, IN GELUGOR, PINANG ISLAND**
- **90 MEN & A FEW BOAT FROM “BRITISH NAVAL VOLUNTEER RESERVE”**
- **KNOWN AS “WATER POLIS” (“POLIS LAUT”)**
- **LOOK AFTER PORT SECURITY**



RMP's ROLES AND FUNCTIONS

Section 3(3) Police Act 1967 :

- In Malaysia & MTW

- ✓ Maintenance of law and order;
- ✓ Preservation of peace and security of Malaysia;
- ✓ Prevention and detection of crime;
- ✓ Apprehension and prosecution of offenders;
- ✓ Collection of security intelligence.



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MOF's FOCUS

FOCUS :

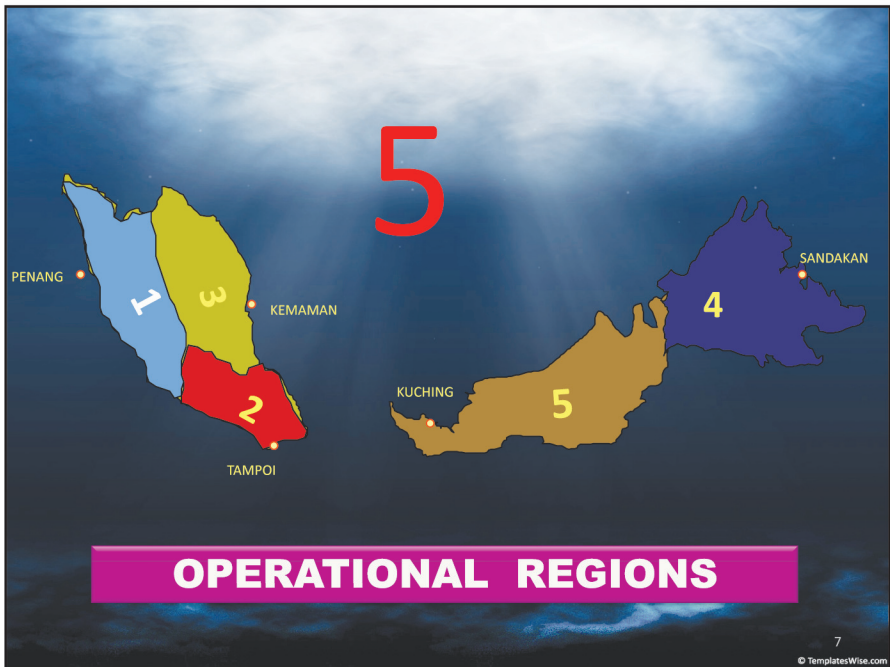
- INTERNAL SECURITY
- PUBLIC SAFETY
- LAW ENFORCEMENT
- NATURAL DISASTER RESPOND
- SEA TRANSPORTATION
- "Government Outreaching Agent"



- ✓ To face the emerging threats of National and International security

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RMP SECURITY MECHANISM & EFFORTS

— National level

- COOPERATION
 - Coast-guard
 - Navy
 - Others

A collage of images related to maritime security. It includes a small boat on the water, a meeting around a table with maps, and a large RMP vessel (labeled 'MARITIM MALAYSIA 2551') on the water. The text 'COOPERATION' and its sub-points are overlaid on a teal box.

RMP SECURITY MECHANISM & EFFORTS

— Regional Level



COOPERATION & COORDINATION WITH FOREIGN ENFORCERS

- Ship visit
- Courtesy Calls
- Close liaison & P2P contact

Cold Current

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RMP SECURITY MECHANISM & EFFORTS

— Regional Level



RMP SECURITY MECHANISM & EFFORTS

- International Courses / Seminars / Workshop / Convention
- Personnel Exchange Program
- Foreign Aid

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SUGGESTION TO PONDER

■ BETTER UNDERSTANDING OF CITES

- Workshops
- Seminars
- Programs
- Various level

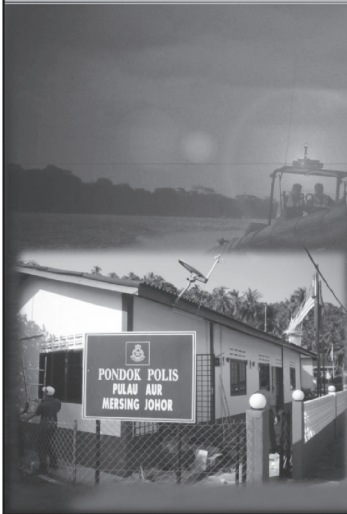


SUGGESTION TO PONDER

■ SHARING OF FINDINGS OF INVESTIGATION

- Syndicates' m.o.
- Reduce red-tape

SUGGESTION TO PONDER



- MOVING CLOSER TO CUSTOMER
 - More coastal police stations
 - Linkages with 837 police stations nation-wide

SUGGESTION TO PONDER



- MOTIVATIONAL PROGRAM
 - ITTO / MITB to reward timber thieves / smugglers busters

CONCLUSION



- **Multiple agencies provide check and balance and compliment each other.**
- **Patrols / Ops provide psychological and actual deterrent by limiting the parameters in which pirates can operate.**
- **Adds an element of uncertainty to their planning.**

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CONCLUSION

CLOSE COOPERATION

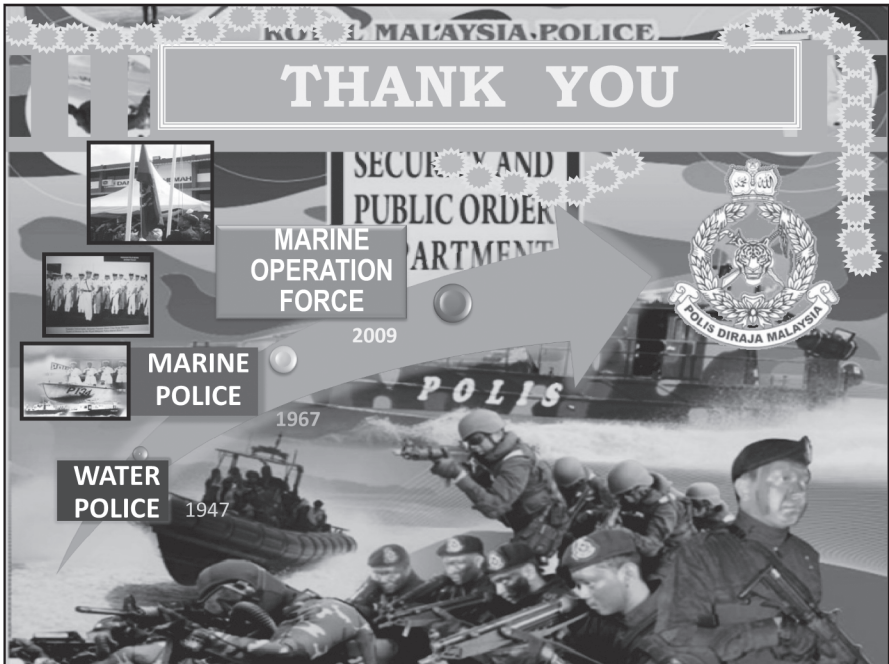
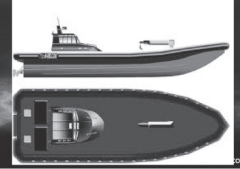
- **Close cooperation inter agencies between littoral states and is a matter of necessity, not a choice.**
- **Sincere cooperation among the littoral states - facilitate information and intelligence sharing.**

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CONCLUSION

- ECONOMIC INCOME
- SUSTAINABLE TIMBER INDUSTRY
- EXPLORE NEW STRATEGIES
- INTEGRITY, COMMITMENT
- VIGILANCE, COOPERATION
-



**EXPERIENCES IN HANDLING
CITES CASES
(LOGS, SAWNTIMBER,
LARGE SCANTLING AND
SQUARES-LSS)**

SAC DATO' LAW HONG SOON
GENERAL OPERATION FORCE (GOF)
ROYAL MALAYSIAN POLICE

**NATIONAL WORKSHOP ON
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(LOG, SAWNTIMBER, LARGE SCANTLING AND SQUARES-LSS)
BY
SAC DATO' LAW HONG SOON
GENERAL OPERATION FORCE
BRIGADE SARAWAK
ROYAL MALAYSIA POLICE**



SCOPE OF BRIEFING

- 1. INTRODUCTION**
- 2. ENFORCEMENT OF ILLEGAL
TIMBER ACTIVITIES.**
- 3. MODUS OPERANDI.**
- 4. SMUGGLING OF TIMBER.**
- 5. ACHIEVEMENTS.**
- 6. CONCLUSION.**

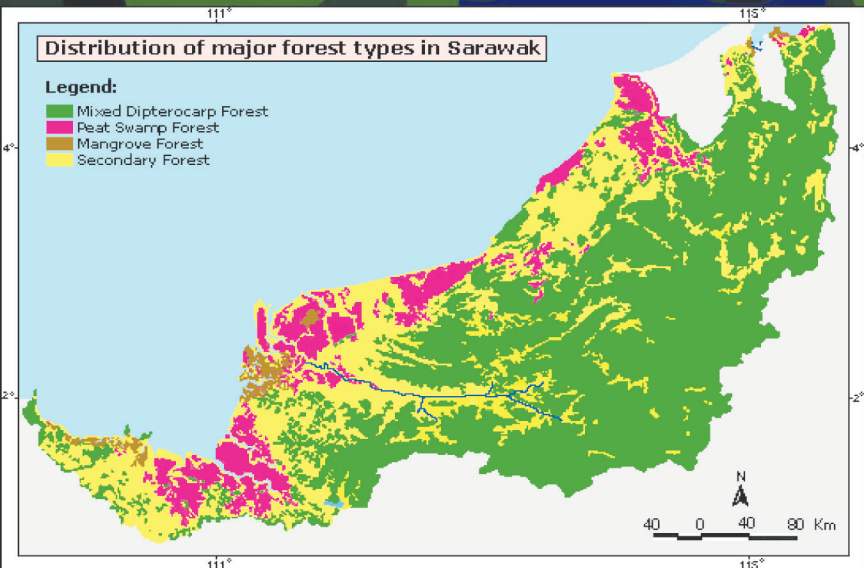
SARAWAK

SARAWAK IS LOCATED AT THE NORTHERN PART OF BORNEO AND HAS A 720 KM LONG SHORE LINE ALONG THE SOUTH CHINA SEA. BRUNEI DARUSSALAM IS LOCATED AT NORTH EASTERN TIP SHARING ITS EASTERN BORDER WITH THE STATE OF SABAH.

THE GEOGRAPHICAL AREA OF SARAWAK COVERS 125,000 SQUARE KM. IT IS THE BIGGEST STATE IN MALAYSIA WITH A POPULATION OF 2.26 MILLION.



FOREST TYPES IN SARAWAK

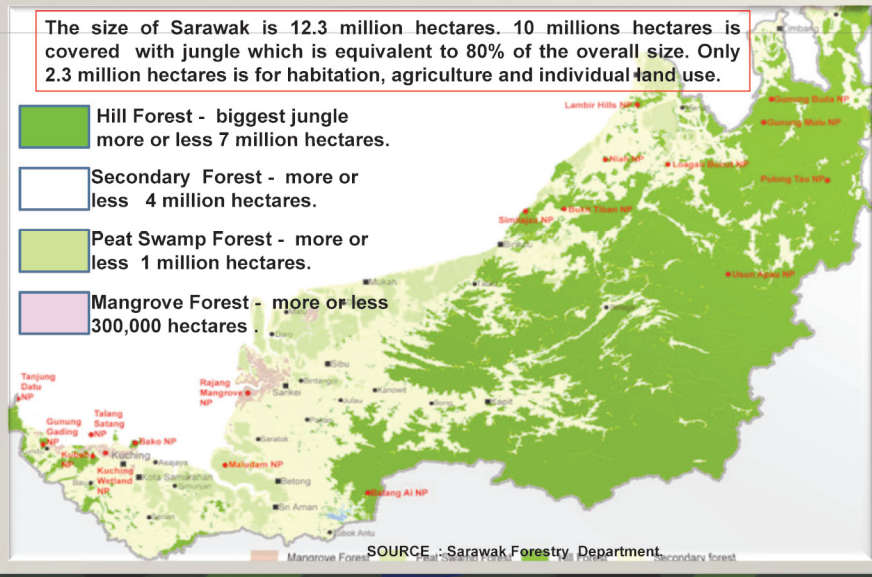


Source : Sarawak Forestry Corporation

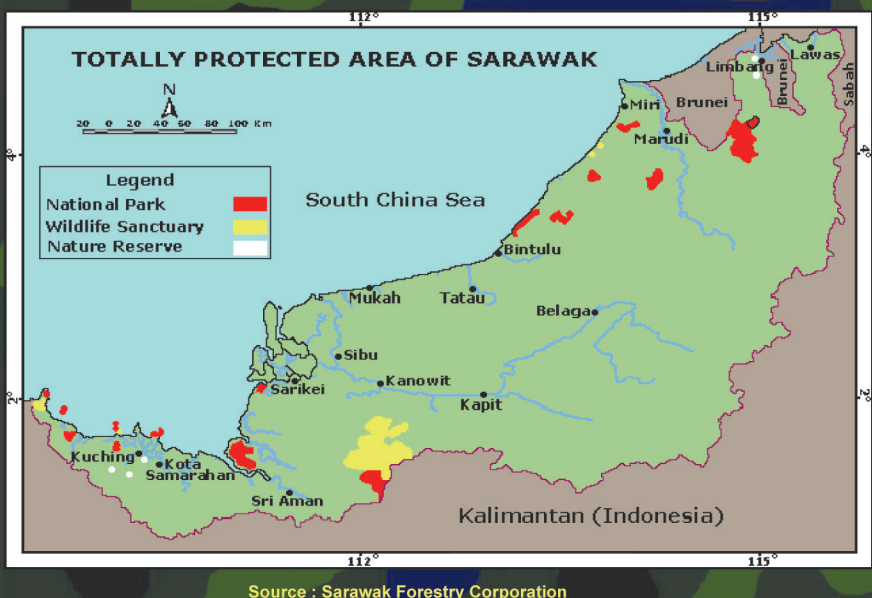
FOREST TYPES IN SARAWAK

The size of Sarawak is 12.3 million hectares. 10 millions hectares is covered with jungle which is equivalent to 80% of the overall size. Only 2.3 million hectares is for habitation, agriculture and individual land use.

- Hill Forest - biggest jungle more or less 7 million hectares.
- Secondary Forest - more or less 4 million hectares.
- Peat Swamp Forest - more or less 1 million hectares.
- Mangrove Forest - more or less 300,000 hectares.



PROTECTED AREA OF SARAWAK



GOF CONCEPTS OF OPERATION

1. **COLLATION OF INTELLIGENCE RESPECTING THE ILLEGAL LOGGING AND SMUGGLINGS ACTIVITIES .**
2. **PREVENTION OF ILLEGALLY OBTAINED TIMBER FROM NEIGHBOURING COUNTRIES AT THE ILLEGAL ENTRY POINTS ALONG THE BORDER.**
3. **CONDUCTING RAIDS WITH OR WITHOUT OTHER AGENCIES BASED ON INFORMATION RECEIVED AT THE NATIONAL PARKS / FOREST RESERVES.**
4. **CONDUCTING RAIDS AT THE SECONDARY FOREST AREA WITH OR WITHOUT OTHER AGENCIES TO ADDRESS ILLEGAL LOGGING ACTIVITIES AND ILLEGAL WORKERS BASED ON INTELLIGENCE RECEIVED .**



THE RELEVANT LAWS

OUR POWERS VESTED IN GOF POLICE OFFICERS

1. FOREST ORDINANCE 1958 .

- **SEC. 68- POWER TO ARREST
(ANY FOREST OFFICER / POLICE OFFICER WITHOUT A WARRANT MAY ARREST ANY PERSON REASONABLY SUSPECTED OF HAVING BEEN CONCERNED WITH OFFENCES UNDER THIS ORDINANCE)**
- **SEC. 71(1)- POWER TO SEIZE FOREST PRODUCE AND OTHER PROPERTIES.
(ANY FOREST OFFICER / POLICE OFFICER)**
- **SEC. 76 A- POWER TO STOP EXAMINE AND DETAIN FOREST PRODUCE.
(ANY FOREST OFFICER / POLICE OFFICER)**



CONCLUSION

Sarawak Brigade General Operations Force has been given the mandate and authority to prevent and contain the various threats which if left unchecked, would jeopardize the security, political stability and economy of the country. It is towards this end that I as the Commander of Sarawak Brigade General Operations Force would endeavour to continue the various taskings entrusted in me to stem out illegal entry, illegal logging, smuggling activities and other cross border crimes.



**THE END
THANK YOU**



Prepare by :-
Intelligence and Operation Branch SWAK Brigade GOF
gerakanbdeswak@yahoo.com

**EXPERIENCES IN HANDLING
CITES CASES
(LOGS, SAWNTIMBER,
LARGE SCANTLING AND
SQUARES-LSS)**

KOH CHIAN CHEAT
FREE ZONE AUTHORITY, PORT KLANG





NATIONAL WORKSHOP ON ENFORCEMENT COMPLIANCE FOR TRADE IN RAMIN

FREE ZONE AUTHORITY

PORT KLANG


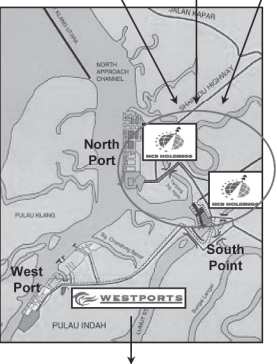
By
Mr. Koh Chian Cheat

8-10 December 2010

Kuala Lumpur, Malaysia

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Malaysia's Key Hub and Gateway

PNB Permodalan Nasional Berhad

misc MISC BERHAD

PORT KLANG malaysia

North Port

West Port

South Point


Westports

PULAU KLANG

PULAU INDAH

North Approach Channel

HPH



PORT KLANG AUTHORITY

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ROLE AND FUNCTIONS

- PORT PLANNING
- REGULATORY OVERSIGHT
- ASSET MANAGEMENT
- TRADE FACILITATION
- ONE STOP CENTRE
- FREE ZONE AUTHORITY



PORT KLANG AUTHORITY

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FREE ZONE AUTHORITY



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Free Zones Act 1990

Definition

- ***A Free Zone has the meaning assigned to it under Section 2 of the Customs Act 1967, Excise Act 1976, Sales Tax Act 1972, Service Tax 1975 and for the purpose of these Acts “shall be a place deemed to be a place outside Malaysia”.***



- Subject to this Act goods and services of any description, except those specifically and absolutely prohibited by law, may be brought into, produced, manufactured or provided in a free zone without payment of any custom duty, excise duty, sales tax or service tax.



TYPE OF FREE ZONE

- **A Free Commercial Zone (FCZ)**
for commercial activities which includes trading, breaking bulk, grading, repacking, relabelling and transit and;
- **A Free Industrial Zone (FIZ)**
for manufacturing activity



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FREE COMMERCIAL ZONES IN PORT KLANG

Klang Port Authority as the Free Zone Authority
to administer the Zone:

- North Port was gazetted as a FCZ on 1 April 1993
- West Port was gazetted as a FCZ On 20 June 1996 .
- South Point was gazetted as FCZ on 19 February 2004.
- PKFZ was gazetted as Free Zones (FCZ+FIZ) in June 2004



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CONCEPTS AND OBJECTIVES

- A Free Zone is an area declared by the Minister of Finance under the provision of Section 3(1) of the Free Zones Act 1990
- It is mainly designed to promote entreport trade and manufacturing industries producing goods essentially for export.



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VALUE ADDING

- Besides storage, the FCZ also allows you to carry out value adding processes on your cargo either to meet market or sales conditions or to conform with Government regulations. The following value adding activities are allowed in the FCZ:-
 - ✓ *Break-bulking*
 - ✓ *Packing/re-packing*
 - ✓ *Packaging/repackaging*
 - ✓ *Sorting/grading*
 - ✓ *Labelling/relabelling*
 - ✓ *Repair of Goods in storage and transit*
- Other than the above value adding activities more elaborate processing operations are possible on request, subject to the authorization of the Minister of Finance.



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BENEFIT OF USING FCZ

- **Lower your cost**
- **Less Restriction on Transshipment & Re-export**
- **Simple documentation & Procedures**
- **Paperless Transactions**
- **Storage, Consolidation & Regional Distribution**
- **Value Adding Services**
- **Staggered Importation to PCA**
- **Eliminate & Deferment of Duty**



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FREE ZONE DOCUMENTS



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- **ZB 1 (Import into Free Zones)**
- **ZB 1 (Re-export via Free Zones)**
- **ZB 1 (Transshipment)**
- **ZB 4 (To carry out activity)**
- **ZB 5 (To erect buildings)**
- **ZB 6 (Permission given for ZB 5)**



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PROCEDURES AND DOCUMENTATION INVOLVED IN MOVEMENT OF GOODS WITHIN FCZ, PORT KLANG

IMPORT	FCZ	PCA	BONDED AREA
<u>Scenario 1</u> Direct import into PCA via FCZ		K1	
<u>Scenario 2</u> Temporary storage (<30 days) subsequently imported into PCA		K1	
<u>Scenario 3</u> Import into FCZ, then imported into PCA (partial deliveries)	ZB1	K1	



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PROCEDURES AND DOCUMENTATION INVOLVED IN MOVEMENT OF GOODS WITHIN FCZ, PORT KLANG

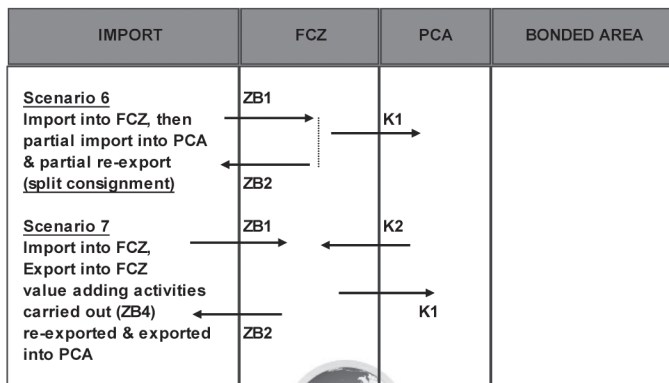
IMPORT	FCZ	PCA	BONDED AREA
<u>Scenario 4</u> Direct import into Bonded Area			K8
<u>Scenario 5</u> Direct import into FCZ, then subsequently re-exported.	ZB1		
	ZB2		



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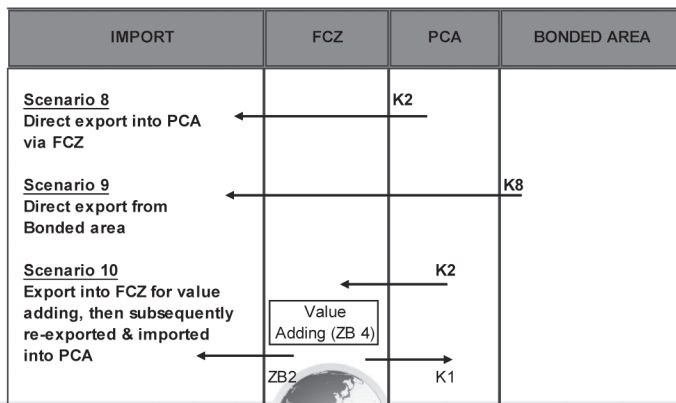
PROCEDURES AND DOCUMENTATION INVOLVED IN MOVEMENT OF GOODS WITHIN FCZ, PORT KLANG



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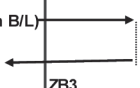
PROCEDURES AND DOCUMENTATION INVOLVED IN MOVEMENT OF GOODS WITHIN FCZ, PORT KLANG



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PROCEDURES AND DOCUMENTATION INVOLVED IN MOVEMENT OF GOODS WITHIN FCZ, PORT KLANG



TRANSSHIPMENT	FCZ	PCA	BONDED AREA
<u>Scenario 11</u> Transshipment (through B/L)			



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PROCEDURES AND DOCUMENTATION INVOLVED IN MOVEMENT OF GOODS WITHIN FCZ, PORT KLANG

Movement between Pen. M'sia and Sabah & Sarawak	FCZ	PCA	BONDED AREA
<u>Scenario 12</u> Goods from PCA to Sabah / Sarawak to PCA		K3	
<u>Scenario 13</u> Goods from Sabah / Sarawak to PCA			



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PROCEDURES AND DOCUMENTATION INVOLVED IN MOVEMENT OF GOODS WITHIN FCZ, PORT KLANG

Movement between Pen. M'sia and Sabah & Sarawak	FCZ	PCA	BONDED AREA
Scenario 14 Goods from 3rd country imported into FCZ, then onward to Sabah / Sarawak	ZB1 ZB2		
Scenario 15 Goods from Sabah / Sarawak to PCA but subsequently exported to 3rd country	K3 replaced with K2 K2		



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WORK TOGETHER WITH MTIB

- Documentary Control
- Inspection
- Risk Management



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Documentary Control



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Example – Import declaration

Form ZB (Import/Export Declaration) with fields for Import/Export, Declaration, and Declaration.

Form ZB (Import/Export Declaration) with fields for Import/Export, Declaration, and Declaration.

Form ZB (Import/Export Declaration) with fields for Import/Export, Declaration, and Declaration.

Form ZB (Import/Export Declaration) with fields for Import/Export, Declaration, and Declaration.



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zb_3prec_ZB3 Declaration - koh		zb_3prec_ZB3 Declaration - koh	
File Edit View Tools Respond		File Edit View Tools Respond	
Add Update Print Delete Ins Line Del Line Search Browse Details >		Add Update Print Delete Ins Line Del Line Search Browse Details Other >	
Registration No.	ZB3201000186321	Booking Ref.1:	097000003327 Currency Type
Message Ref No.	ZB3JDC C 32010003214274500002	Booking Ref.2:	Exchange Rate
Message Function	9 ORIGINAL	Booking Ref.3:	Date Of Exchange B13
Picks Id	10265000387		
Prev Picks ID			
Job No.	ZB3060003327	Mainfest Registration No.	74257.2500 KGM
Transaction Type		Gross Weight Measurement	148.5145 MTQ
Declaring Agent	GREENPEN FREIGHT SERVICE SB	Cargo Type	2 Container
Response Status	A APPROVED	No DT Package	3 UN
Message Status	0 OK	Marks & Nos:	NIL
Date Received	22/09/2010 B13	Description of Goods:	3 X 40' CONTAINER - TIMBER ←
Time Received	14:55:47	Charge Details	

zb_3prec_ZB3 Declaration - koh		
File Edit View Tools Respond		
Add Update Print Delete Ins Line Del Line S >		
Container Number	Type	Status
BIGU0115386	40' T FCL	
FQU0124817	40' T FCL	
FSCU0116201	40' T FCL	

<<K2 CHIT>>

[illegible][illegible]

Inspection



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- Joint inspection with MTIB at North Port Free Trade Zone for the trade of wood (Sandalwood / rosewood) after a container being detained because of no import permit



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- Inspection on timber trade (Sandalwood / rosewood) without import permit at West Port Free Zone. The picture shows the MTIB officer is taking wood sample for further verification purposes.



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Risk Management



PORT KLANG AUTHORITY

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Wednesday May 20, 2009



Rare red sandalwood seized at Westport

By EDWARD RAJENDRA

PORT KLANG: Exquisite red sandalwood worth RM4.5mil was seized at the Westport Free Zone, following weeks of surveillance by the Port Klang Authority and the Malaysian Timber Industry Board (MTIB).

Weighing 15 tonnes, the contraband wood is believed to be have been smuggled in from India and was on its way to China where it is in high demand.

The rare commodity, available only in two places – Cuddhpah and Chittoore – in Andhra Pradesh, is more valuable than gold. The cargo was exported from Haldia Port in Orissa, India. It was seized here on April 29.

MTIB director-general Dr Jalaluddin Harun said the huge demand for the rare sandalwood had enticed smugglers to use Westport as a transshipment route in the illegal trading of the exotic wood.

"The sandalwood was declared as galvanized iron. Cut as logs measuring 1.2m to 3.4m with a width of 20cm, all the 269 red sandalwood logs were stacked in a container," he said.

He added that smugglers had attempted to use Malaysia, Singapore and even Myanmar as transshipment hubs to bring the wood to China.

Red sandalwood known as *Pterocarpus santalinus* does not yield oil and is fragrant when fresh. It is used in the carving of statues of Chinese deities, altars, traditional musical instruments and furniture.

Dr Jalaluddin said from January to now, MTIB had uncovered seven smuggling cases involving red sandalwood worth RM19.2mil.

Port Klang Free Zone manager R. Sri Muhunan said the port risk management team would continue to be on high alert for such smugglers.

"We will work with the authorities and neighbouring ports to ensure that illegal trading of exotic wood is curbed."

PORT KLANG

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Thank you



Port Klang Authority
Mail Bag Service 202, Jalan Pelabuhan Utara, 42005 Port Klang, Selangor Darul Ehsan

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**EXPERIENCES IN HANDLING
CITES CASES
(LOGS, SAWNTIMBER,
LARGE SCANTLING AND
SQUARES-LSS)**

MOHD ZAHARI MOHD RUSJUNA
JOHOR PORT AUTHORITY

**NATIONAL WORKSHOP ON
ENFORCEMENT COMPLIANCE
FOR TRADE IN RAMIN
(*GONYSTYLUS SPP.*)**



by

**MR MOHD ZAHARI MOHD RUSJUNA
JOHOR PORT AUTHORITY**

8 – 10 December 2010

1

PRESENTATION SCOPE

1. Introduction
2. History
3. Location
4. Functions
5. Pasir Gudang Port
6. Tanjung Pelepas Port
7. Johor Ferry Services
8. Experiences in Handling CITES Cases (logs, sawntimber, large scantling & squares) in Johor Port



INTRODUCTION

JPA is acts as a regulatory body that oversees the ports operation and also committed to boost the commercial activities, port development and promoting its two major ports – Johor Port at Pasir Gudang and Port of Tanjung Pelepas at Gelang Patah.



HISTORY

- 1976** - Establishment of JPA under Ports Authority Act 1963
- 1977** – Operation started
- 1984** – Gazette as Free Trade Zone, first port received such title in Malaysia
- 1993** – Corporatization of JPA, functions changed to Regulatory Authority, and manage ferry terminals
- 1995** – Pasir Gudang Port fully privatised
- 2000** – PTP officially launched



LOCATION



FUNCTIONS

The functions and responsibilities in accordance with powers under:

- i. Port Authorities Act 1963
- ii. Privatization Act 1990
- iii. JPA By-Law
- iv. Port Privatization Agreement
- v. Operating License issued to port operators
- vi. IMDG Code
- vii. Safe Transport Of Dangerous Cargoes And Related Activities In Port Areas



FUNCTIONS

As a regulatory body, JPA is responsible:

- 1.To ensure that port operations follow the rules and regulation laid down by the government;
- 2.To ensure that security in port operations and port limits are as specified in the relevant acts and areas of authority;
- 3.To ensure ports land are managed and developed in accordance with the Port Master Plan and National Development Policy;
- 4.To control port tariffs imposed by port operators on all port users;
- 5.To set standard of ports' performance;



FUNCTIONS – Cont.

6. To facilitate trade and promotion campaign;
7. To regulate companies runs maritime related services within port area
8. To maintain high competency of pilots serving with port operators
9. To regulate activities and development of private jetties along Port Water Limits
10. To manage ferry services from Tanjung Belungkor to Changi



**PASIR GUDANG PORT
(JOHOR PORT BERHAD)**



PASIR GUDANG PORT - FACILITIES

Land Area	1,000 acres
BREAK BULK TERMINAL	
Wharf length	12 wharves (2289 metre)
Draught	6 – 13.5 metre
LIQUID BULK TERMINAL	
Wharf length	8 wharves (1705 metre)
Draught	9 – 13 metre

PASIR GUDANG PORT – FACILITIES (Cont.)

CONTAINER TERMINAL

Wharf length	3 wharves (759 metre)
Draught	13.5 metre
Annual capacity	1.2 mil TEUs
Container yard area	178,000 sq m
Container yard capacity	5,500 ground slots
Gantry crane	7 units
RTG	19 units

TANJUNG PELEPAS PORT



TANJUNG PELEPAS PORT – FACILITIES

Land Area	2,000 acres
Wharf length	14 wharves (4 km)
Draught	15 - 19 metre
Annual capacity	8 mil TEUs
Container yard area	1.2 mil sq m
Container yard capacity	30,000 ground slots
Gantry crane	36 units
RTG	127 units

JOHOR FERRY SERVICES TANJUNG BELUNGKOR & CHANGI



JOHOR FERRY SERVICES

- Operation launched in September 1993
- Linking Tanjung Belungkor – Changi
- JPA act as terminal manager, services provide by private company
- Land area – 7 acres
- Draught – 6 meters
- Distance Tanjung Belungkor – Changi 7 nautical mile, 45 minutes per trip



CITES Cases in Johor Port

- 20 February 2004 in Johor Port Berhad Free Zone
- The MTIB inspected sawn timber stored amongst other goods in four warehouses, with full co-operation from Johor Port Bhd and the Customs Department stationed in Pasir Gudang
- The transshipment documents from Indonesia declared the wood as sawntimber without specifying the species
- The MTIB found a total of 3,879.38 tonnes of sawntimber of which 1636.88 tonnes (2,317.82 m3) or 42% were of Ramin timber species, believed to be of Indonesian origin
- Ramin has since August 2001 been listed, on a request by Indonesia, in Appendix III of CITES, making it a legal requirement for Indonesian Ramin to be imported only with an Indonesian CITES Permit

- Other sawntimber found were of Kempas, Jelutong, Balau, Nyatoh and other red-coloured wood species
- The Port Authority has been notified to seize the Ramin sawntimber which were brought in illegally, since no CITES Permit could be produced for the Ramin cargoes
- The shipper involved in the trading of illegal Indonesian Ramin has been asked to cease operations in Johor Port Bhd's premises
- MTIB has contacted the CITES MA of Indonesia on 23 February 2004 as provided under Article VIII of the text of the CITES to seek the Indonesian MA's response for the return of sawntimber

QUESTION AND ANSWER



**EXPERIENCES IN HANDLING
CITES CASES
(LOGS, SAWNTIMBER,
LARGE SCANTLING AND
SQUARES-LSS)**

ZULKEPLI ABD RANI
MALAYSIAN TIMBER INDUSTRY BOARD (MTIB)

NATIONAL WORKSHOP ON ENFORCEMENT COMPLIANCE FOR TRADE IN RAMIN (*GONYSTYLUS* SPP.)

8 – 10 DECEMBER 2010

**Experiences in handling CITES cases (log, sawntimber,
large scantling and square-LSS)**

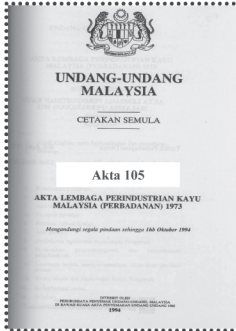
By

Mr. Zulkepli Abd Rani

Malaysian Timber Industry Board (MTIB)

SCOPE OF PRESENTATION

- **MTIB Establishment**
- **Regulatory**
- **CITES Regulations**
- **Enforcement**
- **Collaboration with other agencies**
- **Challenges**
- **Conclusion**



1 June 1973

Statutory body under the Ministry of Plantation Industries and Commodities

BACKGROUND

- **Malaysian Timber Industry Board (MTIB) - authority to regulate and develop timber industry in Peninsular Malaysia and Sabah**
- **The MTIB Act empowers MTIB to register all timber exporters, suppliers, processors and graders**
- **Only timber suppliers and processors licensed by the Forestry Department will be register**

BACKGROUND

- Power delegated by the Royal Malaysian Customs to issue export/import licenses for timber products since 1980 (for Peninsular Malaysia and Sabah)
- The power to issue export/import licenses for timber products in Sarawak was delegated to Sarawak Timber Industry Development Corporation (STIDC)

Rules & Regulations

- Malaysian Timber Industry Board (Incorporation) Act 1973 (Act 105)
- Customs Act 1967, Customs (Prohibition of Export) Order 2008
- Customs Act 1967, Customs (Prohibition of Import) Order 2008
- Timber Industry (Registration) Rules 1991
- International Trade in Endangered Species Act 2008 (Act 686)

LOCATION OF MTIB OFFICES



ENFORCEMENT STAFFS STRENGTHS FOR PENINSULAR MALAYSIA & SABAH

MTIB Offices- regional/state	NUMBER
Headquarters – Enforcement Unit	12
Port Klang -	13
Kota Bharu	5
Rantau Panjang	6
Kuala Terengganu	4
Kuantan (office)	4
Kuantan (Port)	6
Johor Bharu (office)	6
Complex Customs, Tg Puteri, Johor	5
Pasir Gudang Port	7
Kompleks KIK Sultan Abu Bakar, Gelang Patah	2
Tanjung Pelepas Port, Johor	2
ICT , Ipoh	4
Bukit Kayu Hitam	4
Butterworth (Northern Region)	12
Sabah	20
TOTAL	112

REGISTRATION RULES

Timber Exporter Shall Only:-

- Export timber supplied by a supplier registered under the Act
- Export the types of timber specified in the certificate of registration.



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ISSUANCE OF EXPORT LICENCES

- Customs Act 1967, Customs (Prohibition of Export) Order 2008
- MTIB issues export licenses for the following timber and timber products:

44.01; 44.03; 44.04; 44.05; 44.06; 44.07; 44.08; 44.09;
44.10; 44.11; 44.12; 44.13 and 44.20

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ISSUANCE OF IMPORT LICENCES

Under the Customs (Prohibition of Import) Order 2008 – Fourth Shedule, MTIB issue import licenses for the following products;

- Logs and Baulks imported from all countries (excluding Indonesia)
- Logs and Baulks of Ramin imported from all countries (excluding Indonesia) after getting import CITES permit
- Sawn timber of Ramin imported from all countries after getting import CITES permit
- Poles of Bakau (*Rhizophora spp.*) imported from all countries

Customs (Prohibition of Import) Order 2008 – First Schedule

- **Import of logs and baulks from Indonesia are absolutely prohibited**
- **include coconut and oil palm logs**

EXPORT & IMPORT LICENSES ISSUED IN 2008 - 2009

MTIB Offices	No of import Licenses		No of Export Licenses	
	2008	2009	2008	2009
Headquarters	562	258	10,597	9,239
Johor Bahru		82	24,886	13,468
Kuantan		12	4,635	3,667
Port Klang		98	11,154	9,803
K. Terengganu		-	1,030	978
Kota Bahru		-	8,088	8,196
Butterworth		46	4,998	5,109
Kota Kinabalu		26	3,958	3,439
Sandakan		-	2,027	1,733
Tawau		1	4,765	4,088
TOTAL	562	523	76,138	59,720

ICNet



Source: MTIB

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REGULATORY

IMPORT BY ENTRY POINT IN 2009 (BY PRODUCTS)

PORT/ENTRY POINT	YEAR - 2009		
	LOGS (m3)	LSS (m3)	BAKAU (PCS)
Kuala Lumpur	-	-	36,454.92
Port Klang	6,871.04	555.27	-
Johor Bahru	2,881.14	249.33	-
Kuantan	1,403.27	111.92	-
Butterworth	1,148.74	301.07	1,345.20
Kota Baharu	-	-	-
Kuala Terengganu	-	-	-
Kota Kinabalu	-	4,869.96	-
Tawau	102.54	-	-
Sandakan	-	-	-
TOTAL	12,406.73	6,087.55	37,800.12

ICNet



CITES REGULATIONS

- ❖ Malaysia officially became Party to CITES : 20 Oct 1977
- ❖ Currently the Ministry of Natural Resources and Environment is the Scientific Authority (SA)
- ❖ Management Authorities (MA):
 - 1) Malaysian Timber Industry Board (MTIB)
 - 2) Forestry Dept. of Sarawak & Sarawak Forestry Corporation (SFC).
 - 3) Department of Wildlife and National Parks
 - 4) Department of Fisheries
 - 5) Department of Agriculture
 - 6) Sabah Wildlife Department
 - 7) Sabah Fisheries Department

CITES REGULATIONS

- ❖ 6 August 2001 - MTIB was appointed the Management Authority (M.A) for Peninsular Malaysia and Sabah whilst Sarawak Forestry Department and Sarawak Forestry Corporation are the M.A for Sarawak.
- ❖ 10 August 2001 - Ramin was listed in Appendix III, CITES by the CITES Secretariat.
- ❖ Malaysia as a party to CITES agreed to abide by its commitments to enforce regulations on issuance of CITES Certificates of Origin for logs and sawn timber exported from Malaysia.

CITES REGULATIONS

- ❖ The 13th CITES COP meeting (Oct 2004) decided that Ramin (*Gonustylus spp.*) be up listed from Appendix III to Appendix II Annotation #1.
- ❖ Effective from 12 January 2005 all trade of Ramin is subjected to Appendix II Annotation #1 CITES regulations
- ❖ Karas (*Aquilaria spp.*) was listed in Appendix II Annotation #1 CITES regulations since 1995
- ❖ Podo (*Podocarpus spp.*) was listed in Appendix II CITES regulations since 1980s

CITES REGULATIONS

- ❖ Annotation #1 designates all parts and derivatives, except seeds, spores and pollen (including pollinia); seedling or tissue cultures obtained in vitro, in solid or liquid media, transported in sterile containers; and cut flowers of artificially propagated plants.
- ❖ The regulation cover specimens or products such as logs, sawn timber, plywood, veneer and include parts and derivatives such as mouldings, furniture components and finished products.

CITES timber species;

- ❖ Ramin (*Gonystylus spp.*)
- ❖ Karas /Gaharu(*Aquilaria spp.*)
- ❖ Podo (*Podocarpus spp.*)

Ramin (*Gonystylus spp.*)

- 6 species commercially valuable (*G. affinis*, *G. forbesii*, *G. macrophyllus*, *G. maingayi*, *G. velutinus* and *G. bancanus*)
- *G. bancanus* is the most commonly traded
- Wood is creamy yellow or white colour
- look-alike species are Rubberwood,Pulai, Petai, Kasah, sesendok, Mersawa, Karas, Mempisang, Kembang Semangkok & Jelutong

CITES TIMBER SPECIES

Karas /Gaharu (*Aquilaria spp.*)

- Wood of Karas is white in colour, light density, soft to cut
- Gaharu is the resin-impregnated deposits formed inside & produced an aromatic smell when burnt

Podo (*Podocarpus spp.*)

- Softwoods found in Malaysia
- Wood is light yellow with greenish tinge or light golden brown

TRADE

EXPORT OF RAMIN & GAHARU FROM P. MALAYSIA & SABAH IN 2005 - 2009

Year	Ramin		Gaharu	
	Quota (m3)	Export (m3)	Quota (kg.)	Export (kg.)
2005	35,000	25,569	-	260,184
2006	23,000	11,643	-	284,987
2007	20,000	6,409	180,000	147,821
2008	20,000	6,122	170,000	170,000
2009	20,000	3,078	200,00	189,378

- ❖ Registered timber exporter and supplier
- ❖ Export and import licenses
- ❖ Physical inspection for export & import
- ❖ conform to CITES Regulations
- ❖ Conduct regular inspections and monitoring on timber activities along Malaysia - Thailand border, exporter premises , private jetty, ports, in the FTZs, and transshipment ports
- ❖ Conduct joint monitoring surveillance with other related enforcement agencies and the port authority

Common entry points

Common entry points for Indonesian sawn timber: at Kuala Linggi and Sungai Rambai in Melaka, Muar and Batu Pahat in Johor and a few private jetties in Port Klang.

TRADE OF CITES SPECIMEN

- ❖ CITES Export Permit, CITES import Permit, CITES Re-Export Certificate
- ❖ Application for CITES Export Permit/ Certificate should be accompanied with a supporting document to verify the source of timber such as removal pass (RP)

- In accordance with Conf. 9.10 (Rev.) confiscated parts and derivatives of Appendix II species should be disposed of in the best manner possible to benefit the enforcement and administration of the convention
- Article VIII of the Convention requires Management Authority to return any confiscated specimen to the state of export after consultation with the State of export and at the expense of that State.
- Article IV of the Convention, the confiscated specimens as a result of attempting to import or export illegal and that have been subsequently sold by the M.A shall require the prior grant and presentation of an export permit and indicated as 'I' for the confiscated specimens.

CITES CASES

P. MALAYSIA & SABAH:
Number of seizures from 2004 - 2009

Year	Import	Export	*FTZ	TOTAL
2004	126	10	2	138
2005	86	7	0	93
2006	264	6	0	272
2007	30	6	0	36
2008	16	11	1	28
2009	5	8	7	20
TOTAL	527	48	10	585

IQNet

Source: MTIB



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CITES CASES

- **Number of Offences related to export and import of timber declining since 2006 - 2009**
- **Offences related to export & import of species listed under CITES declined since 2005**
- **Offences related to CITES detected at FTZs in 2009 increased compared to offences detected in 2008.**

IQNet



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Experiences in handling cases

Case 1: Ramin

- No case detected in 2008 & 2009
- 15 cases detected in 2004 - 2007 were confiscated by RMC, prosecuted under Customs ACT 235 and hand over to MTIB for action under CITES Regulations. The timber s were disposed through auction.
- One case in 2007 involved 34 pieces (18 m3) of logs was failed to disposed through auction due to bad condition after being exposed to the weather. The logs were processed into sawn timber and send to MTIB training centre after exporting country refused to take back the timbers.

Experiences in handling cases

Case 2: Gaharu

- 3 import cases were detected in 2009 by MAQIS at the air port and at entry point by sea. The specimens were hand over to MTIB for further action under CITES. All specimens were put under MTIB custody after MA CITES of exporting country show no interest in taking back the specimen.

Experiences in handling cases

Case 3: Red Sandalwood (*Pterocarpus santalinus*)

- 7 cases detected by RMC and Port Authority in 2009 involved transshipment. Total quantity involved were 77 m3.
- All cases were referred to MTIB for identification and clarification with MA CITES of exporting country which is India.
- 5 out of 7 cases were referred to MA CITES of India to take back the timber and was given 14 days to reply. The due date was extended another 14 days upon request by the authority. Unfortunately no decision made until due date.
- Prosecution were made under Customs Act by RMC since no prohibition under MTIB Act.
- The timbers are allowed to export after getting export license and CITES Certificate of re-export from MTIB

CHALLENGES

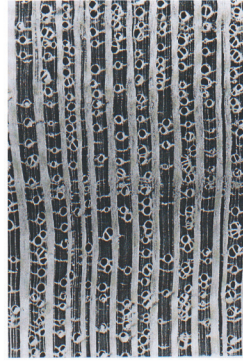
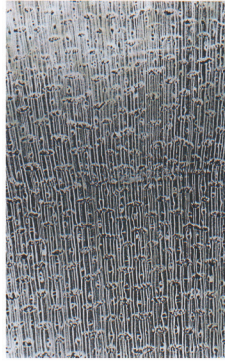
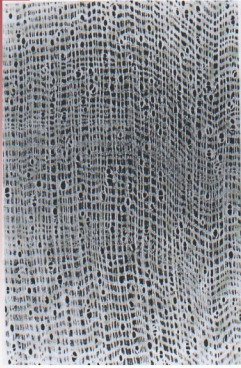
- Identification of Ramin timber, Gaharu and other specimen listed under CITES
- Interpretation of the related rules and regulations
- Inspection of products manufactured from combination of CITES listed species and other timber species
- Insufficient personnel
- Time consume for verification of documents and samples
- Constraints faced in terms of storage, security and deterioration of confiscated specimens

MTIB worked very closely with the Port Authority, Royal Malaysian Customs (RMC), Malaysian Maritime Enforcement Agency (MMEA), Malaysian Quarantine and Inspection Services (MAQIS), General Operation Force (PGA), the forestry department, MAs and SA in Malaysia and other relevant enforcement agencies.

The collaboration is enhanced through;

- Discussion and briefings
- Joint inspection work and operation





Kandis

Karas

Meransi

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Gaharu - Identification

GAHARU



HS: 3309



HS: 1211

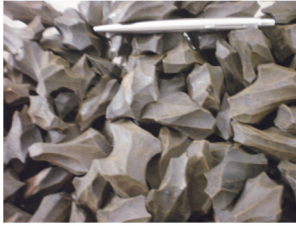


HS: 1211

Gaharu - Physical inspection



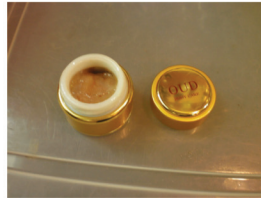
Gaharu - Identification



MHW wood chips HS: 4401

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Gaharu products



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Handling CITES case - Ramin

DISPORSAL OF RAMIN LOGS AND SAWN TIMBERS



Handling CITES case - Ramin



Handling CITES case - Ramin

Ramin sawn timber



Handling CITES case - Gaharu



Handling CITES case – Red sandalwood



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Red sandalwood (*Pterocarpus santalinus*)



Courtesy : Mr Chew



Courtesy : Mr Chew



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CONCLUSION

As the Management Authorities (M.A) of CITES in Malaysia, MTIB worked very closely with MAs and Scientific Authority in Malaysia with regards to implementation of CITES rules and regulations to ensure that action taken are in accordance to the prohibitions.



QUESTION AND ANSWER

QUESTION AND ANSWER

Understanding CITES Objective, Policy, Mechanisms, Implementation and Progress

Question

How is decision making in CITES on the resolution and regulation because sometime it has conflict with the national law against the international law. Some issues that arises are on the concept of sustainable forest management, communication not clear, regarding trade of Ramin internationally, species listed in Appendices, identification of CITES-listed species, etc.

Answer

Decision making are discussed in the International meetings of CITES and involved 175 Parties. The meetings are discussed in the Plant Committee, Animal Committee, Standing Committee and finally decision and resolution by the Conference of Parties (CoP).

Question

Malaysia has practice sustainable forest management, carry out NDF and certification of timbers. Can CITES accept this document in the international trade especially for CITES-listed species?

Answer

CITES acknowledge SFM practice in Malaysia and certification of timbers. For NDF report, the purpose is to carry out study on the population of CITES species and determination of cautious harvest quota from the forest especially to determine the annual export quota. This is to ensure the international trade and survival of the scheduled species are managed properly and controlled. In conclusion, CITES requirement and certification/SFM is two different issue and to be consider separately. There is no restriction on Ramin trade but to comply CITES requirements will have easily access to the international market.

Question

What is the procedures and mechanism to trade for plantation species especially involving Agarwood which is now being widely planted in Malaysia?

Answer

Plant Committee will held meeting in April 2011 to discuss on the technical aspects of plantation species example for Agarwood. CITES had interpreted plantation as artificially propagated and this issue will be discuss further in the next 3 years. Malaysia to prepare inputs to discussed related issues.

Remark

ITTO explained that certification should be applied for all species in the forest. Suggest to produce NDF for the all species, provide documentation for legality proof of sources and verification on social compliance to ensure in line with CITES requirements.

CITES and Plants : Understanding Permits, Listing and Annotations

Question

1. What are the ways to differentiate artificially propagated plant source from the wild and existing vegetation stand?
2. How to enforce on scheduled species under Appendix 1 use in musical instrument for so long had in business.

Answer

CITES had the interpretation about artificially propagated and will get further information about this matter.

Ramin Distribution, Population, Trade, Permits and Imported Species for Peninsular Malaysia and Sabah

Question

Illegal laundering on importing of timber from Indonesia whereby they are reprocessed and exported together with legal timber from Malaysia. How do MTIB overcome this monitor and handle this situation?

Answer

Indonesia to produce original CITES Export Permit. MTIB will verify the permit and endorsed. MTIB will issue CITES Import Permit based on the specification detailed in the permit. Physical checking is done at the entry point on the consignment and documents. After processed at time of export, MTIB will issue CITES Re-Export permit with reference to the original CITES Export Permit from Indonesia and must not more than the volume stated in the permit. MTIB do monitors and controls the trade of CITES-listed species and prevent illegal trade. MTIB have good collaboration and cooperation with other enforcement agencies like customs, maritime, marine police and MAQIS.

Remark

Ramin (*Gonystylus spp.*) was listed in CITES Appendix III by Indonesia in 2001. At the 13th meeting of the Conference of Parties of CITES in Bangkok, Malaysia together with other Parties agreed to Ramin being uplisted to Appendix II, Annotation #1 (designates parts and derivatives) and entered into force on 12 January 2005. The Ramin export quota was then set at 35,000 m3 for Peninsular Malaysia and Sabah following the Ramin population assessment under the NDF requirements obtained from Fourth National Forest Inventory (NFI-4). It is apparent that since the listing of Ramin was initiated by Indonesia, it is logical for Indonesia to also institute controls to curb illegal trade in Ramin.

Ramin Identification and Look-A-Like Species

Question

The enforcement officers from the customs or other agencies at the entry/exit point are handling all sort of products and are not familiar or specialise with their varieties. For Ramin products, how is it can be simply identified?

Answer

For Ramin identification, it is advisable for them to attend a short one-day course to have some knowledge and to be familiar with the ways to identify Ramin. Participants will be taught on the theoretical and practical aspects of wood identification, and analysing the physical and structural features of the wood by using a simple instrument, a 10X magnification hand lens and sharp knife. Ramin are identified by its white colour wood and fine wing-like aliform parenchyma. In addition, Ramin look-alike species will also be taught in the course.

Remark

FRIM and MTIB had been organising the course on wood identification course for all timber species, including Ramin, and willingly to offer his expertise to any enforcement agencies to know Ramin. TRAFFIC also supported to conduct on the Ramin identification, include wild life too, and for funding may be able to provide. ITTO request agencies to submit draft proposal through ASEAN Regional coordinator if agencies need funding for the course with supported from the higher authority.

Status on Meeting of the Tri-National Task Force on Trade in Ramin

Question

Malaysian Custom Department had been involved in international meeting related to timber and need exposure on the international issues and trade in order to participate in the discussion. For timber issues, expertise are required for the discussion in the meeting example ASOF Meeting. Custom to be invited in ASOF meeting and other ASEAN level meeting related to timber trade and international issues.

Remark

NRE had form a Task Force to discuss this issues headed by MPIC and members of the related agencies including NRE. Prior to this matter, NRE will have a prep-meeting to discuss all issues before the Task Force meeting being held. At regional level, ASEAN-WEN had discussed the issues related. Other meetings at ASEAN level were held by the relevant agencies.

Implementation of the Malaysia International Trade in Endangered Species Act 2008

Question

1. Section 19 refer to enforce officer whereby not mention in Custom Provision Order and has limitation to custom officer.
2. Act 686 to balance with custom provision order on the interpretation of transit (Section 3) scheduled species listing Agarwood (pg 107), export permit issuance.
3. Appoint of MA and EA and their power. Suggest custom not to be MA and in line with section 6.

Remark

1. MMEA had section 6, Act 633 to enforce laws and order in enforcement.
2. RMC has similar law with maritime but custom do not apply Maritime power.

Question

Section 19 where EO must associated with MA. How to include other EO, under Section 3 or Section 2? How will the investigation being carry out? Do MA. and EO need to carry authority card in their work?

Answer

Police, custom, maritime are EO under Act 686 even though not under their provision. They can use their own Act or CPC law. First and Second Schedule can be change if there a need to include the agency and will be decided by the Ministr. CITES Authority card and is under Act 686 and agency can apply investigation under their Provision Act. Seizeable arrest is under CPC.

Remark

NRE propose to amend schedule had to bring to the Parliament.
MMEA Act recognised their power to take action.

Question

1. Section on penalty and rescue centre need to be explained.
2. MA and EA should be a different agency.

Answer

1. Compounded law had been gazetted. For public concern, use own judgement and restriction for compounding offences.
2. MA and EA appointment takes into considerations on the expertise of the agency.

Remark

The rescue centre under CITES is that it is an institution designated by the management Authority (MA) to look after the welfare of living specimens, particularly those that have been seized or confiscated.

The INTESA (Act 686) also have the objective to coordinate the activities of agencies on roles and responsibilities in governing, controlling, enforcing regulations on international trade of endangered species.

Experiences in Handling CITES Cases

Klang Port Authority

Question

In a Free Zone area, what are the role of Custom since some issues are not in the knowledge of custom. Only Port Authority handle the issues without notify the custom.

Answer

LPK was given the power to control and monitor any activities in the Free Zone. If anything related to consignment or specific issues that cannot be solved, LPK will refer the matter to relevant agencies or enforcement authorities

Malaysian Timber Industry Board (MTIB)

Question

1. Had noticed a barge carries logs at sea and ship on the vessel. Do MTIB had Personal to inspect the logs in the sea?
2. What action shall MMEA do if it happens?

Answer

The inspection is only done in the country. Once the consignment is exported, MTIB have no power.

Remark

RMC propose to follow section 49 under customs where stated "require a permit for barge".

MMEA had power to control within 12 nautical miles.

WORKING GROUP DISCUSSION

- A) Understanding of CITES Requirements and INTESA 2008
- B) Problems on CITES Implementation by the Various Enforcement Agencies in Malaysia, Establishment of local Implementation Body and Proper Mechanism and Procedures
- C) Communication Problems and Establishment of Mechanisms to Communicate Effectively
- D) Establishment of Tailored Capacity Building by Each Agency in Understanding and Implementing CITES Procedures and INTESA 2008 within a Specific Time Frame

WORKING GROUP DISCUSSION

GROUP 1

Understanding of CITES requirements and INTESA 2008

Issues raised

- Understanding of CITES procedures and INTESA 2008 amongst enforcement personnel of MA and non-MA.
- Advisory and guidance on CITES and INTESA 2008 implementation mechanisms for enforcement personnel of MA and non-MA.
- Clear directives in exercising legal action (stoppage, confiscation, seizure and establishing *prima facie*) within personnel of non-MA.
- Proper instruction and guidance on Standard Operation Procedure (SOP) for action taken on confiscated goods regulated under CITES appendices.
- Difficulties amongst non-MA enforcement personnel in differentiating Ramin timber from any other look-a-like timber species.
- Proposal to list other enforcement authorities concerned under the INTESA 2008 to regulate and control Ramin trade for Peninsular Malaysia, including MMEA, RMP and Sabah Forestry.
- Proposal for issuance of the “authority card” to relevant agencies and enforcement authorities by the NRE Minister.
- Proposal to list under the Customs Order 2008 (Prohibition for Import) on the requirement to submit CITES export permit produced by the MA in the country of export.
- Pertaining to Column 14 and 15 of CITES Permit, the requirement of clarification and endorsement from the authorities carrying last inspection before release for shipment.

Recommendations

- Lead MA to embark on nationwide road show to explain details of INTESA 2008 to MA and non-MA enforcement personnel.
- Lead MA to disseminate mechanism or Standard Operating Procedures on enforcement and implementation on INTESA 2008 to MA and non-MA enforcement personnel.
- MTIB to have regular discussions with RMC, MMEA, RMP (MOF and GOF) to work out solutions in solving matters related to confiscated CITES specimen or contraband.

- MTIB to assist and train non-MA enforcement personnel on visualising and identifying Ramin and other timber species listed under CITES appendices.
- MTIB to establish “call centre” for other MA and non-MA to inquire matters related to Ramin and other timber species under CITES appendices.
- Lead MA to study the proposal to list under the Second Schedule of INTESA 2008 to enlist more enforcement agencies, including MMEA, RMP and Sabah Forestry, to support control of Ramin trade.
- Lead MA to advise and provide justification on the power bestowed unto the NRE Minister on the issuing of “authority card”. Customs and MMEA propose that every Head of agency should be accorded the power to lessen the workload of the Minister.
- Lead MA to access and provide direction to the rightful authorities to endorse Column 14 and 15 of the CITES permit.

GROUP 2

Problems on CITES implementation by the various enforcement agencies in Malaysia, establishment of local implementation body and proper mechanism and procedures

Issues raised

- MMEA laws only have control jurisdiction at sea, canals, rivers and estuaries. The laws have no jurisdiction when specimens or contrabands or goods have landed on land.
- GOF has encountered some difficulties in establishing the demarcation border between Malaysia-Indonesia and Malaysia-Thailand whereby some specimens or contrabands can escape during enforcement operations by being moved to the other country unnoticed.
- Customs and MMEA are familiar with Ramin and Karas/Gaharu/Agarwood under CITES but they have no experience with the other 15 timber species under CITES appendices originating from other countries.
- Some cases involve occurrence of movements of CITES specimens or contraband CITES timber in Free Zone areas at the ports. Customs have no control jurisdiction in Free Zone areas. Some port authorities (Penang, Johor and Port Klang) do not have the skill and experience in identifying Ramin and other CITES listed timber entering the Free Zone area in the occasion of transit activities.
- There is no Task Force to foresee and handle related CITES procedure implementation amongst the MA and non-MA.
- NRE, MA and non-MA have not realised the importance of establishing a referral point or “desk officer” to communicate effectively concerning comings-in and goings-

out of CITES specimens. At present, information received by MA from other sovereign countries is not handled in a fast and appropriate manner to hinder interception activities effectively.

Recommendations

- To look into the problems faced by customs, MTIB, MMEA, MAQIS and Agriculture Department on transit activities at Free Zone areas within the ports. Many cases of illegal entering of specimens or goods of CITES listed species have been cleared unnoticed by port operators.
- Various agencies and ministries to establish referral points or “desk officers” to communicate effectively and also share information related to CITES procedures and INTESA 2008. This is a very heavy task which needs agreement and support from Ministries and Head of agencies.
- Participants were reluctant to be named as the referral officer for their particular agencies as they didn’t have the mandate to propose their names without the consent from the Ministries or Head of agencies.
- MTIB to get the consent from the Ministry for support and make a request to NRE to call for a meeting at the National level for the establishment of a Task Force or referral centre point at national level.
- Some MA and non-MA personnel are having difficulties in implementing their respective laws and understanding and implementing CITES procedures and INTESA 2008 in an expeditious manner without proper exposure.
- Inconsistencies between CITES procedures, INTESA 2008 and respective agencies’ laws will create implementation difficulties amongst MA and non-MA and these need to be resolved.
- To review customs coding to include timber species named under relevant headings and sub-headings as there are difficulties in capturing CITES trade data with regard to the coding.
- To develop a “National Strategy Plan” on tackling issues and to involve all MA and non-MA in the National Committee especially on issues related to capacity building, special training programmes for investigation and prosecution and handling conformance of laws between CITES procedures, INTESA 2008 and respective agencies’ legislations. The NSP to establish a special Task Force to review all agencies’ laws which are inconsistent with CITES procedures and INTESA 2008. The NSP to have clear outcome and involvement in relevant agencies, to tackle issues raised by MA and non-MA and to ensure the expected output will be handled correctly by individual agencies.

GROUP 3

Communication problems and establishment of mechanisms to communicate effectively

Issues raised

- Lead MA to establish a clear permanent national referral centre for enforcement personnel of MA and non-MA to establish urgent contact and to get fast advice and direction settlement of cases. At present, the RMP, army defense forces, immigration and Department of National Security have established referral centres through the Ministry of Home Affairs.
- At present, many agencies have established “desk officers” for matters related to non-CITES matters. There is not much emphasis given to establishing “desk officers” for matters concerning CITES procedures. There is limited communication from different MA and non-MA “desk officers” in data information and methodology sharing in solving cases related to CITES procedures and INTESA 2008.
- The MA do not make it a priority to establish a specific portal on their agencies’ web-sites pertaining to CITES procedures and INTESA 2008.
- There are no channels for intelligence or public informers to the MA. The agencies should establish a contact hotline to get information from “whistle blowers” and to some extent to reward them.

Recommendations

- To establish “desk officers” and a national referral centre so that communication and instruction can be transmitted in a fast and expeditious manner.
- All agencies to have permanent “desk officers” to manage their referral centre so that fast action could be taken at national and international levels.
- All agencies and NRE to establish specific portals on their websites to inform the public on matters related to trade of CITES listed timber species.
- Lead MA to coordinate quarterly meetings to close gaps on issues related to difficulties in implementing the CITES procedures and INTESA 2008.
- Lead MA to provide a complete list of MA and non-MA enforcement personnel contact details and to appoint permanent “desk officers” to coordinate and manage the networking.
- Lead MA to circulate easily understood “Terms of Reference” or “Standard Operating Procedures” on CITES procedures and INTESA 2008 to all MA’s and non-MA’s.
- Lead MA to determine time-line of each action plan on effective communication to ensure all MA’s and non-MA’s are clear and act in a transparent manner. Lead MA also to establish short and medium term action plans.

GROUP 4

Establishment of tailored capacity building by each agency in understanding and implementing CITES procedures and INTESA 2008 within a specific time frame

Issues raised

- Awareness of CITES procedures and INTESA 2008 among enforcement personnel of MA and non-MA.
- All agencies (MA and non-MA) require further assistance in understanding of CITES procedures and INTESA 2008 in terms of guidance, advisory and legal support.
- All agencies (MA and non-MA) need legal officers that are well versed in implementing CITES procedures and INTESA 2008 and able to conduct briefings to explain them to their enforcement personnel.
- Establishing adequate budget within all MA and non-MA to hold regular briefings and capacity building on CITES procedures and INTESA 2008.
- Lead MA to organise discussions and capacity building among all MA and non-MA related to updates on CITES procedures and INTESA 2008 at a regular and annual basis.

Recommendations

- All agencies to allocate the budget to hold capacity building regularly on CITES procedures and INTESA 2008.
- All MA and non-MA to get legal advisory and correct procedures on handling of enforcement cases for their enforcement personnel.
- All agencies to establish short term and long term plans for courses and workshops pertaining to understanding of CITES procedures and INTESA 2008.
- All agencies to create a pool of resource and expert personnel on conducting investigation and in handling prosecution in court.
- Related MA and non-MA to work together and coordinate to conduct regular inspections and provide training at any entry or exit point at the border area.
- Lead MA to establish inter-Ministries meetings to discuss and integrate implementation of CITES procedures and INTESA 2008 on a twice annually basis.

IMPLEMENTATION STRATEGIES/RECOMMENDATIONS

- MTIB to get advice, guidance and support from MPIC for a proper way to establish their own referral centres or permanent “desk officers” for matters related to CITES procedures and INTESA 2008.
- Lead MA to establish a special Task Force involving all MA and non-MA to handle communication matters and related enforcement cases on CITES procedures and INTESA 2008.
- Lead MA to plan and execute regular briefing and explanation to all MA and non-MA enforcement personnel pertaining to CITES procedures and INTESA 2008.
- Lead MA to establish adequate references and Standard Operating Procedures in handling enforcement cases from interception, seizure, investigation, prosecution procedure, goods auction and release of specimen or contrabands. It will become a special tool and guide for enforcement personnel in handling CITES procedures and INTESA 2008.
- MTIB to communicate with all MA and non-MA in establishing active networking on matters related to INTESA 2008 for timber species listed under CITES appendices.
- All MA and non-MA to propose their training needs for understanding of implementation of CITES procedures and INTESA 2008.
- All MA and non-MA to establish networking with industry players and forwarding agents, with the aim of educating them on proper trade requirements through understanding CITES procedures and INTESA 2008 requirements.
- All MA and non-MA including the Lead MA to establish a portal or special caption in their own websites pertaining to understanding and abiding requirements under CITES procedures and INTESA 2008.
- Lead MA to include Customs under INTESA 2008 in controlling the entry and exit points and to coordinate with all MA's to control trade of all CITES listed species.
- Issues raised in this workshop relate to understanding of CITES procedures and INTESA 2008 and also on enforcing their rules and regulations. Proper steps and mechanism to be applied to address these issues accordingly.
- With regard to the establishment of a special Task Force and referral centre, Lead MA to seek advice from the Ministry's legal advisor and from the Attorney General. Lead MA to coordinate meetings to address this matter to all MA and non-MA. Some of the related issues have been addressed under different national task forces.
- MTIB and FRIM to provide training on timber species identification.

BENEFITS TO AGENCIES

- Acquiring of more knowledge and understanding of CITES procedures and INTESA 2008.
- Understanding and experiencing sharing of insights on the enforcement implementation by different MA and non-MA.
- Non-MA having a clear understanding and insight on CITES procedures and INTESA 2008 and fully supporting and providing assistance to MA.
- MPIC gaining insight on MTIB's tasks and responsibilities on CITES matters and being responsible in implementing INTESA 2008. MPIC to support and assist MTIB in its activities and to coordinate CITES related meetings at international and national levels.
- Non-MA acquiring from MTIB and FRIM special courses in identifying timber listed species under CITES appendices.
- Sharing of enforcement issues with CITES Secretariat and ITTO on implementation aspects faced by the industry and the exporter and having a better understanding of handling and controlling of CITES permits and issues from MTIB.
- All issues discussed in this workshop will be highlighted by NRE at the "National Retreat on Implementation of INTESA 2008" in Belum Forest Resort, Perak.

CONCLUSION

- The aim of the national workshop was to provide adequate information on CITES procedures and INTESA 2008 to MA's and Non-MA's personnel in Malaysia. Participants acquired knowledge and understanding of control of international trade for timber/plant of endangered species listed under CITES and Act 686.
- The gathering of enforcement regulators of MA's and Non-MA's provided a platform to share experiences and find better ways in handling issues related to CITES and INTESA 2008.
- Difficulties in managing standards and compliance as instituted by NITESA 2008 which were due to lack of knowledge and skills were addressed during the workshop. NRE as the Lead MA will undertake activities of implementing nationwide briefings to the enforcement personnel manning the country's entry and exit points.
- The national workshop provided awareness, insight and knowledge in combating illegal trade of CITES timber species to enforcement personnel of MA's and Non-MA's.
- Efforts to provide continuous training to upgrade the skills of MA and Non-MA personnel in managing investigation and prosecution must be taken seriously by the Lead MA (NRE).
- NRE as the Lead MA and other MA's will undertake recommendations related to its function and responsibilities and address weaknesses and short comings faced by the MA's and Non-MA's on the implementation of CITES procedures and INTESA 2008.

LIST OF ANNEXES

Annex 1 : Workshop Programme

Annex 2 : List of Participants

Annex 3 : Committee Members

Annex 4 : Photos

Annex 1

WORKSHOP PROGRAMME
National Workshop On Enforcement Compliance For Trade In Ramin
(*Gonystylus spp.*)
8 – 10 December 2010
Kuala Lumpur, Malaysia

Day 1 (8 December 2010, Wednesday)

0830 – 0900	Registration
0900 – 0930	Opening Session <ul style="list-style-type: none">• Welcome Remark by Director General MTIB – Dr Jalaluddin Harun• Speech by ITTO Representative – Miss Tong Pei Sin• Speech by CITES Representative – Miss Milena Sosa Schmidt• Opening Address by Secretary General MPIC - Y. Bhg. Datuk Wira Ismail Salleh
0930 – 0945	Tea Break
0945 – 1045	Understanding CITES Objective, Policy, Mechanisms, Implementation and Progress (CITES Secretariat)
1045 – 1115	Ramin Ecology, Harvest and Trade. Is it Sustainable? (TRAFFIC Southeast Asia)
1115 – 1200	CITES and Plants : Understanding Permit, Listing and Annotations (CITES Secretariat)
1200 – 1230	Ramin Distribution, Population, Trade, Permits and Imported Species for Peninsular Malaysia and Sabah (MTIB)
1230 – 1300	Ramin Distribution, Population, Trade and Permits for Sarawak (Sarawak Forestry Department)
1300 – 1400	Lunch Break
1400 – 1430	Ramin Identification and Look-a-Like Species (FRIM)
1430 – 1500	Status on Meeting of The Tri-National Task Force on Trade in Ramin (MTIB)
1500 – 1545	Implementation of the Malaysian International Trade in Endangered Species Act 2008 (NRE)
1545 – 1600	Tea Break
	Experiences in Handling CITES Cases (Log, Sawntimber, Large Scantling and Squares) by :
1600 – 1620	a). Royal Malaysian Custom (RMC)
1620 – 1640	b). Malaysian Maritime Enforcement Agency (MMEA)
1640 – 1700	c). Marine Operation Force (MOF-RMP)
1700 – 1720	d). General Operation Force (GOF-RMP)

1720 – 1805	e). Klang Port Authority
	f). Johor Port Authority
1805 – 1830	g). Malaysian Timber Industry Board (MTIB)
2000 – 2145	Welcoming Dinner

Day 2 (9 December 2010, Thursday)

0900 – 1215	Visit Scenic Moulding Sdn Bhd, Rawang, Selangor
1215 – 1330	Lunch Break
1400 – 1600	Visit Custom Inspection Station at West Port, Port Klang, Selangor
1600 – 1700	Travel back to Hotel
1900 – 2020	Dinner

Day 3 (10 December 2010, Friday)

0830 – 1030	Breakout Session – 4 Groups to Discussed on : a). Understanding CITES Requirements and INTESA 2008 b). Problems on CITES Implementation by the Various Enforcement Agencies in Malaysia, Establishment of Local Implementing Body and Proper Mechanisms and Procedures c). Discuss Communication Problems and Establish Mechanism to Communicate Effectively d). Discuss Establishment of Tailored Capacity Building by Each Agency in Understanding and Implementation of CITES and INTESA 2008 with specific time-frame
1030 – 1100	Group Presentation of Findings from the Breakout Sessions - Recommendation and Way Forward
1100 – 1115	Tea Break
1115 – 1215	Establishment of Focal Point for Communication Channels and Networking. Discuss Format References, Responsibilities and Planning of Related Activities.
1215 – 1430	Lunch Break
1430 – 1530	Continuation
1530 – 1600	Conclusion
1600 – 1630	Closing

END

Annex 2

LIST OF PARTICIPANTS
National Workshop On Enforcement Compliance For Trade In Ramin
(*Gonystylus spp.*)
8 – 10 December 2010
Kuala Lumpur, Malaysia

No.	Name	Agencies/Organisation	Position
1.	Abdul Harith Mustafa Ahmad Khairati	Malaysian Maritime Enforcement Agency (MMEA) Labuan, Sabah, Malaysia	Maritime Commander
2.	Aida Farihan Md Salleh	Forestry Department Peninsular Malaysia (FDPM) Kuala Lumpur, Malaysia	Legal Officer
3.	Ani Sulaiman (Dr.)	Forest Research Institute Malaysia (FRIM) Kuala Lumpur, Malaysia	Senior Wood Anatomy Officer
4.	Azean Ahmad	CITES Management Division Department of Agriculture Kuala Lumpur, Malaysia	Assistant Director
5.	Azmi Yahya	Malaysian Timber Industry Board (MTIB), Johor, Malaysia	Head of MTIB, Johor
6.	Chai Kam Ching	Malaysian Timber Council (MTC), Kuala Lumpur, Malaysia	Senior Executive
7.	Che Jumat Ahmad	Malaysian Timber Industry Board (MTIB) Kuala Lumpur, Malaysia	Deputy Director Registration
8.	Christopher Ravindran Dass	Malaysia Maritime Enforcement Agency (MMEA) Putrajaya, Malaysia	Principal Assistant Director

9.	Fauziah Othman	Malaysian Quarantine Inspection Services (MAQIS) Putrajaya, Malaysia	Deputy Director
10.	Harry Yong	Forestry Department Peninsular Malaysia (FDPM) Kuala Lumpur, Malaysia	Principal Assistant Director - Management
11.	Hasnol Mhd Yassin	Malaysian Timber Industry Board (MTIB), Northern Regional Office, Pulau Pinang, Malaysia	Assistant Head, MTIB Northern Region
12.	Hayda Faridzal Abu Hassan	Ministry of Natural Resources and Environment (NRE) Kuala Lumpur, Malaysia	Senior Legal Advisor
13.	Ismail Rahman	Royal Malaysian Custom (RMC) Putrajaya, Malaysia	Senior Assistant Director
14.	Jaya Gopi S. Narayanan	Royal Malaysian Custom (RMC) Putrajaya, Malaysia	Senior Assistant Director
15.	Jose Ampiu	Department of Wildlife and National Parks Peninsular Malaysia (PERHILITAN) Kuala Lumpur, Malaysia	Wildlife Officer - Legal Department
16.	Kartini Karim	Ministry of Natural Resources and Environment (NRE) Putrajaya, Malaysia	Principal Assistant Secretary
17.	Koh Chian Cheat	Free Zone Department Port Klang Authority West Port, Klang Selangor, Malaysia	Senior Executive

18.	Law Hong Soon (Dato')	General Operation Force (GOF), Royal Malaysian Police Kuching, Sarawak, Malaysia	Brigade Commander Sarawak
19.	Malcom Demies	Sarawak Forestry Corporation (SFC), Kuching, Sarawak Malaysia	Senior Officer
20.	Mazree Iman	Malaysian Timber Industry Board (MTIB), Kota Kinabalu, Sabah	Head of MTIB Sabah
21.	Milena Sosa Schmidt	CITES Secretariat CITES Geneva, Switzerland	Scientific Officer
22.	Mohd Hariri Mohd Aziz	Malaysian Anti Corruption Commission (MACC) Putrajaya, Malaysia	Assistant Commissioner
23.	Mohd Shahbudin Sabki	Sarawak Forestry Corporation (SFC), Kuching, Sarawak Malaysia	Deputy Director
24.	Mohd Zahari Mohd Rusjuna	Johor Port Authority Pasir Gudang, Johor	Science Officer
25.	Md Yusoff Ismail	Malaysian Timber Industry Board (MTIB), Kuala Lumpur, Malaysia	Deputy Director Licensing
26.	Muhamad Suhairy Hussain	Malaysian Maritime Enforcement Agency (MMEA) Putrajaya, Malaysia	Lieutenant Commander
27.	Nor Azman Jamal	Marine Operation Force (MOF) Royal Malaysian Police Kuala Lumpur, Malaysia	Assistant Superintendent
28.	Noor Laila Mohamad Halip	Malaysian Timber Industry Board (MTIB), Kuala Lumpur, Malaysia	Director Strategic Planning

29.	Noorainie Awang Anak	TRAFFIC-South East Asia Petaling Jaya, Selangor Malaysia	Environment Officer
30.	Norchahaya Hashim	Malaysian Timber Industry Board (MTIB), Kuala Lumpur, Malaysia	Director Enforcement and Licensing
31.	Nurul Ilyani Mohamad Tamam	Ministry of Natural Resources and Environment (NRE) Putrajaya, Malaysia	Legal Advisor
32.	Paul Khiu Khon Chiong	Marine Operation Force (MOF) Royal Malaysian Police Kuala Lumpur, Malaysia	Superintendent
33.	Rahim Buang	Malaysian Timber Industry Board (MTIB), Central Region Office Klang, Selangor, Malaysia	Head MTIB Central Region
34.	Ramli Mohd Khanafiah	Malaysian Timber Industry Board (MTIB), Kuantan, Pahang Malaysia	Head MTIB Pahang
35.	Razali Abdul Rahman	Forestry Department Pahang State, Kuantan, Pahang Malaysia	Assistant Director - Forest Management
36.	Sailun Aris	Sabah Wildlife Department (SWD), Kota Kinabalu, Sabah Malaysia	Wildlife Officer
37.	Salmiah Ujang (Dr.)	Forest Research Institute Malaysia (FRIM) Kuala Lumpur, Malaysia	Senior Wood Anatomy Officer
38.	Sharipuddin Mohd Halidi	Malaysian Quarantine Inspection Services (MAQIS) WestPorts, Port Klang, Selangor Malaysia	Assistant Director

39.	Sharman Ibrahim	General Operation Force (GOF) Royal Malaysian Police Kuching, Sarawak, Malaysia	Assistant Superintendent
40.	Suhaimi Kamaruddin Wee	Malaysian Anti Corruption Commission (MACC) Putrajaya, Malaysia	Assistant Commissioner
41.	Thang Hooi Chiew	International Tropical Timber Organization (ITTO) Yokohama, Japan	Regional Coordinator for Asia (Kuala Lumpur)
42.	Tong Pei Sin	International Tropical Timber Organization (ITTO) Yokohama, Japan	Senior Executive
43.	Yew Chin Heong	Royal Malaysian Custom (RMC) Free Zone Area, WestPorts Port Klang, Selangor Malaysia	Senior Assistant Director
44.	Yeong Kah Yen	Malaysian Timber Council (MTC) Kuala Lumpur, Malaysia	Senior Executive
45.	Zahari Hamid	Malaysian Timber Industry Board (MTIB), Kuala Lumpur, Malaysia	Senior Enforcement Officer
46.	Zulkepli Abd Rani	Malaysian Timber Industry Board (MTIB), Kuala Lumpur, Malaysia	Deputy Director Enforcement

Annex 3

COMMITTEE MEMBERS
National Workshop On Enforcement Compliance For Trade In Ramin
(Gonystylus spp.)
8 – 10 December 2010
Kuala Lumpur, Malaysia

Advisor : Dr Jalaluddin Harun			
Chairman : Norchahaya Hashim			
Secretariat : Che Jumat Ahmad			
Registration, Venue and Workshop Proper	Workshop Kit and Working Papers	Rapporteur and Publication	Transport and Field Trip
Zulkepli Abd Rani	Sunita Muhamad	Md Yusoff Ismail	Azro Jusoh
Robiyah Husin	Mohammad Khair Puteh	Othman Mohamad	Mohd Tarmin Ismail
Zanariah Othman	Siti Aminah Abd Rahman	Mohd Zamakhsyary Mustafa	Zulhelmi Mohd Ali
Zahari Hamid	Mariyam Zainal	Shafinaz Abdul Rashad	
	Samat Husain	Afrinawati Abu Bakar	
		Almizi Ibrahim	

Annex 4:

Photos



Figure 1 : Opening of Workshop
From left : Miss Milena (CITES), Dr. Jalaluddin (MTIB DG's), Mr. Sanuri (MPIC) and Miss Tong (ITTO).



Figure 2 : Speech by Miss Milena (CITES Secretariat).



Figure 3 : Participants attending the workshop.



Figure 4 : Ms. Milena delivering her presentation.



Figure 5 : Presentation of group discussion and recommendations.



Figure 6 : MTIB Officers on duty at mini exhibition of Ramin products.

Photos



Figure 7 : Group discussion on specific task and resolutions.



Figure 8 : Working group discussion in progress.



Figure 9 : Question and Answer Session.



Figure 10 : Working group discussion in progress.



Figure 11 : Inspection of Ramin products at West Port, Port Klang, Malaysia



Figure 12 : Field visit to Customs scanning area.





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