

WRITTEN QUESTION E-1078/07  
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to the Commission

Subject: Visit by an EU delegation to Malaysia in the context of the VPA negotiations and recent developments

An EU delegation recently visited Malaysia in connection with the negotiations on the Voluntary Partnership Agreement (VPA). Although the Malaysian certification standard MTCC is regarded as controversial even in Malaysia itself, the EU still sees it as a possible standard for the licensing scheme designed to guarantee the legality of logging operations. At the same time, MTCC certification has been granted for forests which are still the subject of disputes between native peoples and logging companies, such as Samling in Sarawak. Since 1998 a legal dispute over property rights has been running between the company and the Penan tribe, who, in February 2004, set up a blockade to halt logging on what they regard as their land. During its visit to Malaysia the EU delegation held brief talks with members of the Penan communities in Long Laman which set up the blockade.

1. Is the Commission aware of the fact that the blockade which the Long Laman community had set up has now been forcibly ended by the police, that members of the community have been arrested and that Samling has resumed logging?
2. Is the Commission aware of the fact that the disputed concession received MTCC certification as an example of sound forest management, despite the long-running court case between the Long Laman community and the logging company over legal ownership of the forest?
3. Does the Commission take the view that forests which are the subjects of disputes over land ownership and/or legal cases concerning land rights should be granted certification before a court has handed down a judgment?
4. During the delegation visit the Commission stated its intention of paying greater heed to the interests of the Long Laman community. What practical form will this pledge take and does the Commission intend to discuss the resumption of logging in that area with its colleagues in Malaysia?
5. Has the Commission laid down requirements for the licensing scheme which is intended to guarantee the legality of timber produced under a VPA? Have details of these requirements been made public and does the MTCC certification scheme meet them?
6. Given that an existing scheme which does not yet meet those requirements has been taken as the standard for a VPA, how does the Commission intend to ensure that such a scheme is brought into line with European criteria?