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environmental investigation agency

Profiting from Plunder

How Malaysia Smuggles Endangered Wood

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Front cover (main picture): **Raft of illegal logs in Tanjung Puting National Park**

Front cover (Insets): **Illegal logger in Indonesian National Park; Container ship at Johor Port, Malaysia; Ramin wood blinds on sale in the UK**

Front cover (main picture): © Kirsten Tuson/Orangutan Foundation; *(insets):* © A.Valentinus/Environmental Investigation Agency/ Telapak; © Environmental Investigation Agency/Telapak; © David Sims/Environmental Investigation Agency/Telapak

Executive Summary

Indonesia is suffering rampant illegal logging which threatens to destroy its precious forests within a few years, and this devastation is being fuelled by uncontrolled demand for cheap tropical timber in consuming countries.

Hundreds of millions of dollars of illegal Indonesian timber are estimated to be entering neighbouring Malaysia each year, providing cheap raw materials to a voracious wood industry which can no longer be sustained by the country's own dwindling forest estate.

One particularly vulnerable tree species being illegally logged in Indonesia's precious National Parks is ramin, a valuable blond hardwood. In an attempt to garner the support of the world community in combating illegal ramin trade, in 2001 the Government of Indonesia listed ramin on an international convention designed to control the trade in endangered species – the Convention on International Trade in Endangered Species (CITES).

Since 2001 the Environmental Investigation Agency (EIA) and Telapak have repeatedly exposed how, despite being a signatory to CITES, Malaysia is wilfully failing to uphold its international commitments, and that illegal Indonesian ramin continues to be traded through the country with impunity.

Yet our previous findings pale into insignificance in light of recent EIA/ Telapak undercover investigations exposing wholesale laundering of ramin through Malaysia on an unprecedented scale. These have revealed how thousands of tonnes of endangered wood is being smuggled across the border every month by organised criminals and provided with documents including CITES permits certifying it as Malaysian origin – all this despite Malaysian promises to halt the trade.

Malaysia lies at the hub of a multi-million dollar web of illegal ramin trading which spans the globe and is being actively facilitated by local officials. As a result, products including baby furniture and pool cues made from stolen wood are reaching the homes of unsuspecting consumers in the EU, USA and around the world.

Introduction

Never before has the international timber business been under so much scrutiny. This follows decades of an unregulated and unscrupulous abuse of forests and trading mechanisms. Many importers admit to 'not wanting to know' where their supplies came from or how they were acquired. But in the last few years the international community has started to tackle the complex issues of sustainability and legality of supplies with a determination that was previously lacking.

The Indonesian Ministry of Forestry released figures towards the end of 2003 that put the rate of forest loss in the country at 3.8 million hectares per year – by far the worst in the world.[1] In an attempt to tackle an accelerating disaster, governments, civil society representatives, and some parts of the timber industry have focussed on the basic issue of legality of supplies. With illegal logging rampant throughout the world there is a strong recognition that the social and environmental impact of this scourge are too huge to ignore, and the criminal syndicates behind commercial illegal logging are growing in power as the forests are shrinking.

EIA and Telapak have repeatedly exposed the criminals behind this multi-billion dollar industry. In this report we expose the largest ever smuggling operation of the valuable and protected tree species ramin to Malaysia. This shocking evidence highlights Indonesia's continuing failure to bring to justice timber barons who supply and transport this illegal timber and Malaysia's callous complicity in protecting its own ramin processing industry. In Indonesia these criminals operate with high-level protection and we can only deduct that Indonesia's apparent inability to deal with them is because their supporters are members of the political and military elite.

Indonesia's enforcement failures are evident in all parts of society, but Malaysia's are not typical of this tightly controlled regime. It is hoped that the new Malaysian administration under Prime Minister Abdullah Ahmad Badawi can break away from the typical official denial and actually deal with its appalling failure to support international efforts to prevent trade in illegally sourced timber.

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***Above: Raft of* illegal logs on the Seruyan river near Tanjung Puting National Park, Indonesia**

There are few mechanisms currently available to regulate any timber trade, but through the Convention on International Trade in Endangered Species (CITES) it has been possible to control some tree species through a legal instrument that already exists. It is for this reason that in 2001 Indonesia decided to place ramin, *Gonystylus spp.*, on Appendix 3 of CITES to try to prevent the wholesale theft of this valuable species from its dwindling swamp forests and National Parks. These same Parks are revered around the world for their diverse fauna and flora including Asia's only Great Ape, the orangutan. Indonesia's move has been widely commended as a genuine appeal for help from the international community.

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Above: **Illegal logger in Indonesian National Park**

'origin Malaysia' must now be viewed as a cynical and fake attempt at respectability

Malaysia opposed the CITES listing from the start. As the only other range state with commercial supplies of ramin, it took out a reservation under the Convention on any regulation of ramin parts or derivatives other than logs and sawntimber and continues to oppose the use of CITES on other timber species. If Malaysia's ramin industry was acting legally there should have been nothing to worry about and no reason to take such a step. But as we know now, this was not the case and it appears that it was setting itself up for wholesale laundering.

The shocking results of our recent investigations clearly show that some traders and officials in Malaysia still profit from huge quantities of smuggled Indonesian ramin and fraudulently sell them onto the international market as 'origin Malaysia'. If this was previously seen as a mark of quality and reliability on the world market, it must now be viewed as a cynical and fake attempt at respectability. The smuggling uncovered by EIA/Telapak may be the tip of the iceberg, but nevertheless it represents more than double the amount of ramin Malaysia can produce itself annually. This is wholesale theft and clearly Malaysian ramin cannot be trusted on international markets.

For three years EIA/Telapak have carried out investigations in Malaysia and repeatedly found illegally sourced logs of mixed timber from Indonesia lying in front of customs or immigration offices - demonstrating the degree of official complicity in this appalling trade. EIA/ Telapak have always supplied its information to the authorities with varying results and responses.

Malaysia has disappointed the international community, including its regional neighbours, by its opposition to the East Asia Forest Law Enforcement and Governance (FLEG) process signed in a groundbreaking declaration in Bali in September 2001. Malaysia's formidable powers in diplomacy have been focused more on undermining this initiative than promoting regional cooperation. If Malaysia wished to be left alone to get on with its own business, this may have been reasonable. But Malaysia is a key hub in the global trade in illegal timber and relies upon the international community for its

business. It is therefore vital for Malaysia to genuinely cooperate if its claims of respectability are to begin to be believed.

What makes Malaysia so different from Indonesia in the world's eyes is the knowledge that Malaysia can enforce its laws, clean up its act and support its neighbours if it wants to. Indonesia on the other hand is going through a painful transition to democracy which since 1998 has created anarchy and lawlessness across the archipelago. Nonetheless, routes from West Kalimantan to Malaysian Sarawak and from East Kalimantan to Malaysian Sabah could be easily policed if officials from both countries were not corrupt.

The information gathered through these recent EIA/Telapak investigations also point the finger at China and other markets. China must act on this information and prevent further abuse of CITES by inspecting ramin factories and living up to its CITES responsibilities. The ramin consuming countries and blocks, largely Japan, the EU and the USA must be more questioning and pro-active in their investigations into ramin re-exported on to their markets by China and Malaysia. At this moment in time, EIA/Telapak believe that no ramin on the market can be trusted.

This highly critical but factual report is not published to blacken Malaysia's name, but to point to some real truths and ask Malaysia to face up to them as well. We all know Malaysia is capable of dealing with these issues if there is genuine interest in doing so, but to date this interest has only been self-serving. As Indonesia faces a critical juncture in its history some traders and officials in Malaysia are fuelling criminality and raiding Indonesia's forest resources like grave robbers at a funeral.

Illegal logging is a human tragedy as well as an environmental one. The timber syndicates with untold financial resources are greedily grabbing as much illegal timber as they can as the world sits in air conditioned rooms and negotiates how to stop them. They're laughing at us. Any country failing to cooperate fuels this criminality that impoverishes the lives of forest dependent people, causes conflict and social disintegration and deprives countries of future wealth.

Ramin is but one of many tree species suffering at the hands of timber thieves, and CITES does not represent the only or the ultimate answer to the global problem of illegal logging and the international trade in illegally sourced timber. But if the intransigence of one country is to be allowed to critically undermine the effectiveness of this one small step then the ability of the world's governments to even begin to tackle these issues is called into question. Meanwhile, the sound of chainsaws continues to ring through the trees as time runs out for Indonesia's forests.

Dave Currey
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Hapsoro
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February 2004

Traders and officials in Malaysia are fuelling criminality and raiding Indonesia's forest resources

© Dave Currey/Environmental Investigation Agency/Telapak

Right: **Illegal logs in Tanjung Puting National Park, Indonesia**

© Faith Doherty/Environmental Investigation Agency/Telapak

The Illegal logging Scandal

Illegal logging and the international trade in illegally sourced timber have in recent years been acknowledged as amongst the most pressing environmental problems facing the world today. Over the last five years the governments of the world's largest timber producing and consuming countries have made repeated commitments in a number of international fora to take urgent steps to tackle illegal logging and to halt the trade in illegally sourced timber and wood products. At the G8 Group of major economies, the International Tropical Timber Organisation and the United Nations Earth Summit, nations including the US, UK, Japan, Russia, China, Indonesia and Malaysia have pledged to work together to tackle the scourge of timber theft.[2]

Illegal logging is not only destroying forests but is breeding corruption and hampering much needed development in numerous countries around the world. The natural resources of these countries are being plundered and the environment laid waste, while the profits are used to fuel conflicts or to enrich corrupt politicians as schools and hospitals are starved of funds. The sums involved are vast. One conservative estimate puts the annual losses in revenues and assets at US$10 billion.[3] Illegally sourced timber and wood products worth billions of dollars annually are in international trade.

Illegal logging is rampant in tropical and non-tropical forests across three continents, and much of this wood is destined for the rich consuming regions of North America, Europe and East Asia. More than three quarters of logging in Brazil is illegal,[4] while in Cameroon the figure is 50 per cent.[5] Up to a third of Russian timber is estimated to have been stolen.[6]

The Indonesian archipelago is home to ten per cent of the world's remaining tropical forests.[7] These forests are some of the most diverse ecosystems on the planet and are the habitat of numerous species threatened with extinction, including the Sumatran tiger and the orangutan, Asia's only Great Ape. But 70 per cent of Indonesia's frontier forest has already been lost, and what remains is being destroyed at an unprecedented rate.[8] An area larger than Taiwan is being lost every year.[9] The major driving force behind this devastation is illegal logging, which accounts for three quarters of log production in the country.[10]

Since 1999 investigations carried out by EIA and Telapak have revealed widespread illegal logging of the ramin tree species (see box) in Indonesia's protected areas, including the world famous Tanjung Puting National Park, one of the last sanctuaries for the endangered orangutan. EIA/ Telapak investigations have also shown how illegal ramin is smuggled out of the country and on to the world market.[11]

An area of Indonesian forest larger than Taiwan is being lost every year

Ramin Wood

Ramin (*Gonystylus spp*.) is a blond coloured tropical hardwood, native to the fragile peat-swamp forests of Indonesia and Malaysia. As the most valuable wood species in these ecosystems, ramin trees are usually the first target of illegal loggers, and selective logging of these trees is often the first step leading to forest clearance, as the tracks and roads built to access and remove the timber become entryways for further illegal cutting, while canals built to remove the logs drain the peat and lead to disastrous fires.

Ramin is prized for its appearance, fine grain and easy working properties, and processed ramin can fetch up to US$1000 per cubic metre.[12] The majority of the international trade in ramin wood is in semi-finished parts and products, and most ramin cut in Indonesia and Malaysia will eventually find its way into homes in the lucrative markets of Europe, East Asia and North America in the form of picture frames, wood blinds, cues, furniture, tool handles and decorative mouldings.

As a result of overcutting, ramin has now been logged-out in most of its range, and the quantity in trade has declined as the species has become increasingly scarce. Ramin has been placed on the World List of Threatened Trees and is classified by the World Conservation Union (IUCN) as vulnerable to extinction in the wild.[13]

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Above: **Ramin dowels on sale in Italy, August 2002**

Ramin and CITES

In response to growing concerns about illegal logging and trade in ramin, in April 2001 the Indonesian government banned all cutting and export of ramin. Seeking international help, they also listed the species on Appendix III of the Convention on International Trade in Endangered Species (CITES). This international convention, to which 155 countries including Malaysia are signatories, is designed to monitor and if necessary limit the trade in threatened species. In the absence of general laws prohibiting the import of illegally sourced timber and wood products, listings on CITES are currently the only legal mechanism by which importing countries can take action to halt shipments of such items.

The Appendix III listing, which came into effect in August 2001, means that consuming countries must only allow the import of ramin and ramin products with official CITES permits from the exporting government. While Indonesian ramin requires a CITES Export permit, ramin from the only other range state – Malaysia – requires a CITES Certificate of Origin guaranteeing that it did not originate elsewhere. All other CITES Parties are required to issue CITES certificates for any re-export of ramin or ramin products, and must only issue these if they are satisfied that the wood was imported legally with CITES documents. Since the end of December 2001 Indonesia has banned all exports of ramin, except for a small quantity of certified wood exported by one company.

These actions should in theory make it impossible for Indonesia's illegal timber barons to sell their stolen ramin overseas. Yet in August 2001 the Government of Malaysia entered an official Reservation against the listing of ramin parts and products, meaning that as regards these items Malaysia would opt out of its commitments under CITES. As it turned

out, the fact that no consuming country would accept ramin from Malaysia without CITES permits forced the Malaysian authorities to issue them regardless, while their justification for the Reservation – that implementation would be impossible – has since proven to be false. This step has nevertheless served to confuse the market as to the new requirements and has facilitated illegal trade. It also signals Malaysia's lack of support for the measure – a lack of support which EIA/Telapak investigations have since shown extends to complicity in undermining the effectiveness of the listing, and allowing illegal ramin trade to continue unhindered.

Below: **Illegal logs from Indonesia at the Malaysian port of Melaka, August 2001**

© Dave Currey/Environmental Investigation Agency/Telapak

An Appetite for Forest Destruction

Malaysia is by far the largest exporter of tropical timber in the world. Malaysia exports more tropical logs, sawn timber, plywood and veneer than Africa and South America combined – exports which in 2000 were worth in excess of US$2.4 billion.[14] Malaysia also exports around US$1 billion of wooden furniture each year.[15]

As Malaysia's own forests have dwindled, its huge timber industry has become increasingly reliant on imports of illegally logged Indonesian wood. In the early 1990s Malaysia's domestic log production stood at 40 million cubic metres annually, but by 1999 it had almost halved to 22 million cubic metres.[16] Yet while log supply has fallen, the country's wood processing industry has maintained an installed capacity of 40 million cubic metres a year, with over 1000 sawmills still in operation.[17]

An independent analysis carried out in September 2002 concluded that legal felling and legal imports accounted for only 60 per cent of Malaysia's total consumption and export of timber the previous year. The study concluded that the balance "was in all probability acquired illegally".[18]

Over the last three years EIA/Telapak investigators have confirmed these suspicions, and have documented countless trucks and ships carrying illegal Indonesian wood entering Malaysia in dozens of locations across the country, including official government border checkpoints. An armada of wooden ships ferry stolen timber from Sumatra to ports along the west coast of Peninsular Malaysia, while fleets of trucks shuttle contraband wood to and from the long land border between Indonesian Borneo and the Malaysian state of Sarawak.[19] In recent months banned squared logs have also been filmed arriving in Tawau in Sabah from Indonesia's East Kalimantan province, while an aerial survey revealed several illegal logging

roads stretching across the border.[20]

Although a significant proportion of this flood of smuggled timber is ramin, most is other less threatened species. Indeed, Malaysia's continuing consumption and trade in stolen Indonesian wood is a broad problem which CITES alone is not equipped to tackle. The example of ramin serves to dramatically expose Malaysia's unwillingness to act – and since it is the only species Malaysia currently has an international legal obligation to control, if ramin from Malaysia cannot be trusted to be legal, then no wood can.

Malaysia's Timber Supply Deficit, 2001

	m^3 (000s) RWE*
Legal cut	18 892
Legal imports	1 955
TOTAL LEGAL TIMBER SUPPLY	20 847
Exports	24 949
Domestic Consumption	9 243
TOTAL CONSUMPTION	34 242
DEFICIT (and approximate Malaysian illegal timber consumption)	13 395

*Round Wood Equivalent

Adapted from Dr David W. Brown, September 2002; Figures from USDA Global Agricultural Information Network

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© Sam Lawson/Environmental Investigation Agency/Telapak

© Mardi Minangsari/Environmental Investigation Agency/Telapak

© Sam Lawson/Environmental Investigation Agency/Telapak

A History of Timber Theft: Illegal Indonesian Logs Imported into Malaysia, 2001-2003

Right (top): **Illegal Indonesian logs arriving in Melaka, Peninsular Malaysia, August 2001**

Right (upper middle): **Illegal Indonesian logs being unloaded in Kuala Linggi, Peninsular Malaysia, May 2002**

Right (lower middle): **Illegal Indonesian logs in the port of Muar, Peninsular Malaysia, April 2003**

Right (bottom): **Illegal squared logs from Indonesia arriving at the customs-controlled Barter Trade Jetty at Tawau, Sabah, Malaysia, October 2003**

Most of Malaysia's ramin swamp forests have been logged at least once

Malaysia's Reliance on Illegal Ramin

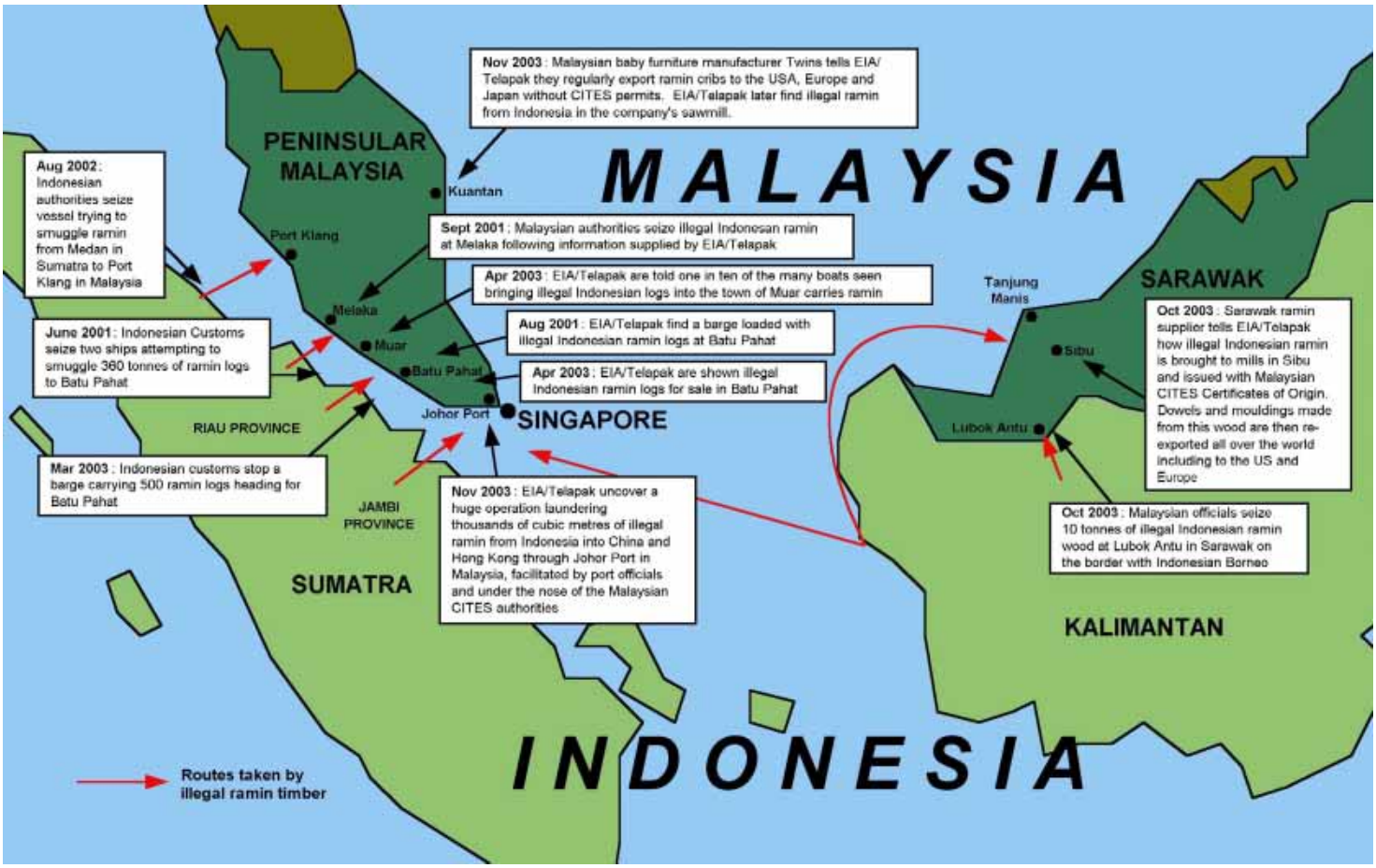
Cutting, processing and export of ramin wood formed the basis of the large-scale timber industry in Malaysia in the early 1960s and fuelled a boom in the sector which expanded rapidly over the next three decades. Ramin exports peaked in the 1980s and by the 1990s most of Malaysia's peat swamp forests had been logged at least once, and over-cutting coupled with poor natural regeneration had dramatically reduced the legal supply of ramin logs in the country.(21) Ramin has never been successfully grown in plantations,(22) and while much of the industry turned to alternative species, many companies which had become reliant on ramin turned to the only other remaining source – the forests of neighbouring Indonesia.

When the Indonesian ban and CITES listing came into effect, independent industry consultants estimated that as much as 60 per cent of Malaysia's ramin exports were being sourced in Indonesia, with as much as 120 000 cubic metres of ramin logs needing to be imported legally and illegally each year to feed the Malaysian ramin industry.(23) Yet the level of ramin exported from Malaysia has remained steady since the beginning of 2002 when legal Indonesian exports ceased.(24) Given that ramin production in Malaysia has continued to drop, the only possible explanation is that illegal ramin from Indonesia continues to be imported unhindered by the new controls or Malaysia's commitments under CITES. EIA/Telapak investigations since August 2001 have repeatedly proven that this is indeed the case.

In June 2001 Indonesian Customs intercepted two ships, the *KM Aiwan Jaya* and the *KM Iqbal*, carrying 360 tonnes of ramin en route from Riau in Sumatra to Batu Pahat, on the west coast of Peninsular Malaysia.(25) In August, after the ramin CITES listing came into effect, EIA/ Telapak investigators found the trade in illegally sourced Indonesian ramin to Batu Pahat remained unaffected. On 9th August an Indonesian barge fully loaded with ramin logs from Kalimantan was observed moored at the wharf of Malaysian company E.S. Ng Holdings Sdn Bhd just outside the town. The barge had arrived that day. Immigration facilities for Indonesian seamen were seen at the timber yard,(26)

Right: **Kalimantan barge 'Sumber Mas XV' laden with ramin, docked near Batu Pahat, 9th August 2001**

© Dave Currey/Environmental Investigation Agency/Telapak



Above: **Mounting evidence of Malaysia's trade in stolen Indonesian ramin, June 2001 to November 2003**

where unmarked Indonesian logs were being measured and labelled by a uniformed official on a later visit.[27]

Also in August 2001, EIA/Telapak uncovered a thriving trade in illegal logs from Indonesia, including large quantities of ramin, in the historic Malaysian port town of Melaka, just north of Batu Pahat. Conversations with one of the crewmen on the timber vessels revealed that those companies involved in trading the ramin were able to make a profit of around US$200 on every cubic metre shipped.[28]

While Malaysian officials acting on information supplied by EIA/Telapak made a seizure of illegal Indonesian ramin at Melaka in August 2001,[29] EIA/Telapak are not aware of any action being taken by the authorities in Batu Pahat and it was obvious that the trade in illicit ramin was being allowed to continue relatively unabated. The import operations for illegal logs from Indonesia at Melaka moved to a new, larger but less conspicuous location up the coast,[30] and a year later the Indonesian authorities were continuing to intercept wooden vessels in the Melaka straits attempting to smuggle ramin to Malaysia – this time squared logs en route to Port Klang.[31]

Despite the information provided by EIA/ Telapak, Batu Pahat also remained a hub for the trade in smuggled ramin. A night raid by customs officers from Riau in Sumatra in late March of 2003 netted a vessel carrying more than 500 ramin logs which was heading for Batu Pahat.[32] It quickly became apparent that this was far from an isolated case when a week later, EIA/Telapak investigators found ramin logs from Indonesia at two separate landing areas on the shores of the river in the town, locations which can only by reached by passing police and customs vessels.[33]

Investigators posing as timber dealers met with the boss of one Malaysian timber company charged with overseeing the landing of logs at one of the busiest wharfs in Batu Pahat. Staff from the company showed investigators fresh ramin logs piled openly on the wharf in the centre of town which the company had recently purchased from Indonesia, and gave investigators a tour of a nearby mill where the ramin was

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Above: **Illegal ramin logs from Indonesia in Batu Pahat, Malaysia , April 2003**

Far right: **Copies of CITES permits were obtained from US authorities**

By the end of 2003 it was clear that Malaysia's ramin export industry was continuing to feed on ramin stolen from Indonesia's forests

being sawn and moulded for export.[34]

Also in April 2003, EIA/Telapak were informed by local people that about one in ten of the dozens of Indonesian vessels bringing illegal logs into the town of Muar on the coast of Peninsular Malaysia each day were carrying ramin. These boats were filmed queueing at a customs and immigration facility in the centre of town before being allowed to move upstream to unload their illicit cargo.[35]

Above: **Seizures in Sumatra of ramin en route to Malaysia, June 2001 & August 2002**

With mounting evidence showing the movement of illegal Indonesian ramin into Malaysia, the document trail also began to paint a picture of how this illegal ramin was entering world markets. EIA compared CITES permits received by US customs authorities for shipments of ramin from Malaysia between September 2001 and May 2002 with imports of items described as ramin in shipping documents during the same period. This analysis showed that of almost 8000 cubic metres of ramin dowels, mouldings and other items which arrived from Malaysia during the nine months in question, almost two thirds – just under 5000 cubic metres – had been shipped from Malaysia and arrived in the USA illegally without CITES permits.[36]

United States Department of the Interior

By the end of 2003 it was clear that Malaysia's ramin export industry was continuing to feed on ramin stolen from Indonesia's forests, and that the illegal Indonesian ramin seen being imported into Malaysia was being shipped on to the main consumer markets of China, Japan, Europe and the US. Recent investigations by EIA/ Telapak now show the true scale and sophistication by which illegal Indonesian ramin is being actively laundered through Malaysia and on to unsuspecting CITES Parties with the collusion of some Malaysian authorities. Such fraud is making the consumers of ramin products unwitting accessories to forest crime.

A Lesson in Laundering

In April 2003 EIA/Telapak exposed a smuggling operation moving illegal Indonesian sawn ramin from Jambi in Sumatra through Singapore to China. During these investigations one Singaporean timber dealer was introduced to undercover investigators as a timber smuggler and 'mafia'.[37] Six months later a major Indonesian timber baron sent a letter to enforcement authorities and journalists in Indonesia detailing the activities of a timber smuggling syndicate involving the same man – Mr Frankie Chua of the company Century Wood Products Pte Ltd. Chua was named as a key figure involved in the large scale smuggling of illegal logs from Indonesia's West Papua province to China.[38]

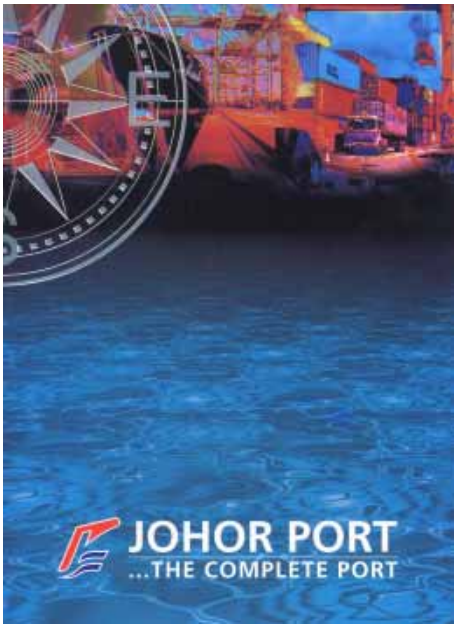
Recent EIA/Telapak investigations now confirm the involvement of organised crime syndicates in large scale ramin laundering. They also reveal how the Singaporean ramin smuggling operation uncovered in early 2003 has since expanded dramatically and moved across the Johor Straits to Malaysia, where the illicit business has found a warm welcome and a ready partner in the authorities involved in running one of Malaysia's major ports.

In early November 2003, EIA/Telapak investigators posing as executives of a company interested in transshipment business visited Johor Port on the tip of the Malaysian peninsula, within sight of Singapore. The port, also known as Pasir Gudang, is twinned with a large container terminal a few miles along the coast called Tanjung Pelapas. These ports were developed by Malaysia as part of a deliberate move to win business from nearby Singapore, which is one of the busiest ports in the world.

Both the Johor ports, as well as the nearby airport, are owned via a web of paper companies by Syed Mokhtar Albukhary, one of Malaysia's richest men and a close associate of former Prime Minister Mahathir.[39] Mokhtar is no stranger to controversial business, having recently purchased a controlling stake in the much-criticised Bakun dam project in Sarawak.[40] The ports are large by any standard, and have been designed with a single purpose in mind – to aid the free movement of goods as cheaply as possible and with an absolute minimum of interference from the authorities. In line with this, both have Free Trade Zones (FTZ) where goods can be stored and transshipped outside of customs control.[41]

© A. Valentinus/Environmental Investigation Agency/Telapak

Above: **Illegal Indonesian ramin seized in Singapore in October 2002—the ramin smugglers have since moved their operations to Malaysia**



Left: **Johor Port advertising brochure**

© Environmental Investigation Agency/Telapak

Right: **An Indonesian wooden cargo vessel moored at Johor Port**

Far right: **Mr Abbas, Director of the Break Bulk Department of the privatised Johor Port Authority**

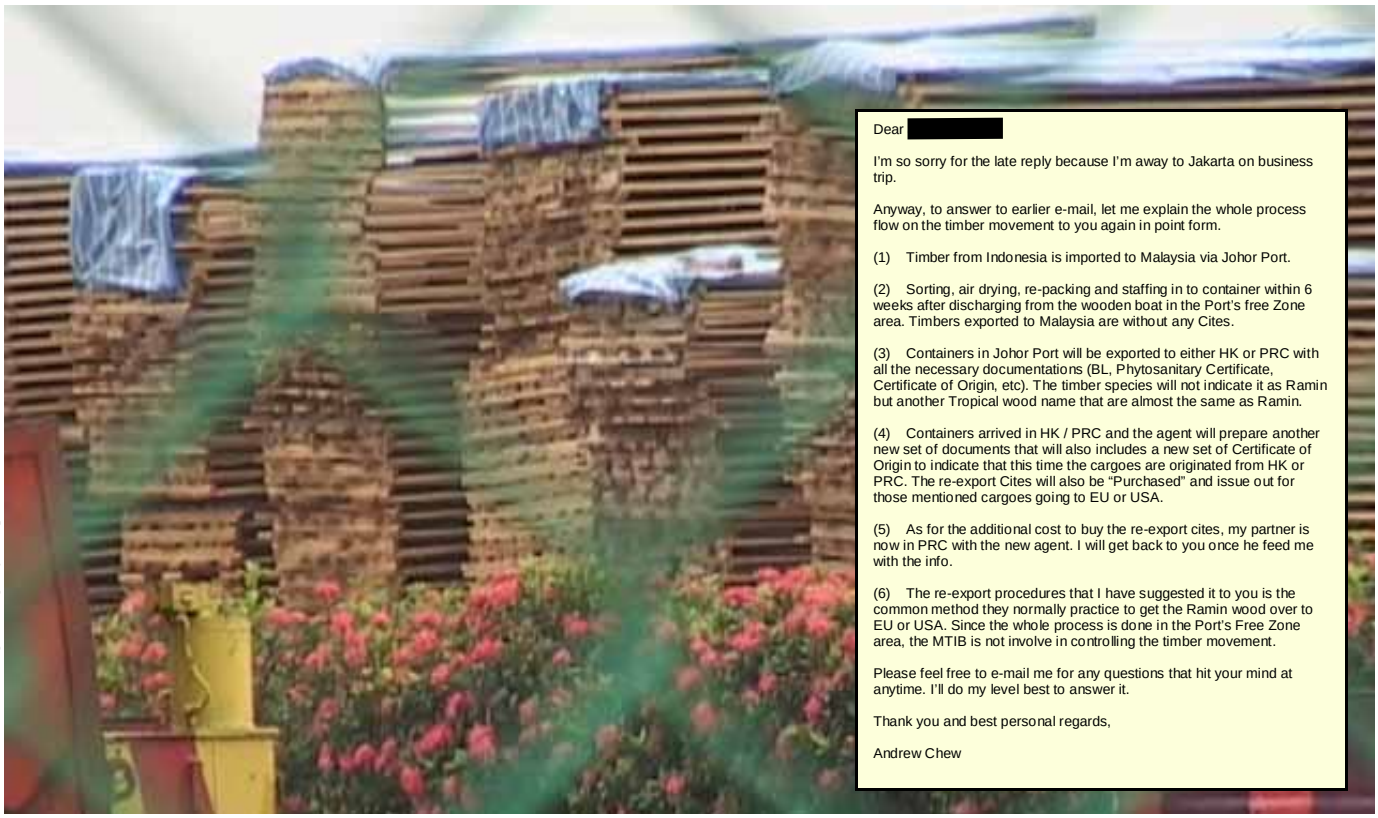
EIA/Telapak investigators were given a guided tour of Johor Port's facilities by staff of the privatised Port Authority. These facilities include a container terminal visited by numerous shipping lines mostly serving East Asia, a gigantic palm oil terminal, as well as ample facilities for non-containerised bulk goods. Staff bragged of how little paperwork was involved in transshipping goods through the port and described the FTZ as 'like a third world country'.[42]

During the tour three huge warehouses were seen within the FTZ filled with sawn ramin wood. Investigators later met the port official in charge of bulk goods and a representative from the shipping agents handling the timber on behalf of the four or five local companies which own the ramin. The port official, Jack Abbas, confirmed that all the sawn timber observed was ramin from Indonesia. He explained how wooden vessels, each carrying around 150-200 cubic metres of ramin, arrive at the port from Sumatra every day. The unloaded ramin is stored in the warehouses for two to four weeks to allow it to air-dry, and is then packed into containers for transshipment to Hong Kong, Taiwan and mainland China.

Abbas further revealed that in the spring of 2002 he visited Singapore to persuade companies involved in ramin transshipment to switch their business to Johor, which

Below: **Ramin air-drying outside a warehouse in Johor Port, November 2003**

Inset: **Email from the shipping agent, dated 20th December 2003, explaining the laundering process**



Dear [redacted]

I'm so sorry for the late reply because I'm away to Jakarta on business trip.

Anyway, to answer to earlier e-mail, let me explain the whole process flow on the timber movement to you again in point form.

(1) Timber from Indonesia is imported to Malaysia via Johor Port.

(2) Sorting, air drying, re-packing and staffing in to container within 6 weeks after discharging from the wooden boat in the Port's free Zone area. Timbers exported to Malaysia are without any Cites.

(3) Containers in Johor Port will be exported to either HK or PRC with all the necessary documentations (BL, Phytosanitary Certificate, Certificate of Origin, etc). The timber species will not indicate it as Ramin but another Tropical wood name that are almost the same as Ramin.

(4) Containers arrived in HK / PRC and the agent will prepare another new set of documents that will also includes a new set of Certificate of Origin to indicate that this time the cargoes are originated from HK or PRC. The re-export Cites will also be "Purchased" and issue out for those mentioned cargoes going to EU or USA.

(5) As for the additional cost to buy the re-export cites, my partner is now in PRC with the new agent. I will get back to you once he feed me with the info.

(6) The re-export procedures that I have suggested it to you is the common method they normally practice to get the Ramin wood over to EU or USA. Since the whole process is done in the Port's Free Zone area, the MTIB is not involve in controlling the timber movement.

Please feel free to e-mail me for any questions that hit your mind at anytime. I'll do my level best to answer it.

Thank you and best personal regards,

Andrew Chew

© Environmental Investigation Agency/Telapak

EXPORT FLOW CHART

INDONESIA (IMPORT)
Ramin wood.

↓

MALAYSIA (EXPORTER)
Declare in the Malaysian Certificate Of Origin as any white tropical wood to China or Hong Kong.

↓

CHINA / HONG KONG
Agent in China or Hong Kong to "get" the Re-Export Cites Certificate to re-export the containers to EU or USA

↓

FINAL DESTINATION (EU / USA)
POP the Champagne!!!!!!

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Above: **Ramin laundering flow chart supplied by Mr Chew, seen in front of stacks of air-drying Indonesian ramin at Johor Port**

they began doing in September of that year. He estimated that around 4 500 cubic metres of sawn ramin was now passing though the port each month, mostly to Shanghai and Hong Kong. In order to aid the business further he was planning to invest in a kiln to speed up the drying process and so increase the volume of timber which could be handled.

Abbas and the shipping agent, Andrew Chew, drove investigators to view the ramin timber, and demonstrated how each bundle of timber was dated to show when it arrived – most of the dates seen being from October 2003. The two men stated that there was no red tape involved in transshipping the timber and no permits were required, and described how the FTZ authority issue paperwork which disguises the origin of the wood as Malaysian. Abbas explained that there were controls on the Indonesian side, but indicated that the exporters were able to bypass these with money. The Indonesian ships have false port clearance documents stating their destination as the Indonesian island of Batam near Singapore, but change course at the last minute for Johor.

Most of the illegal ramin seen at Johor comes from an area around the borders of Jambi and Riau provinces in Sumatra, where illegal logging of ramin has been recorded in the protected areas of Berbak National Park and the Kerumatan Wildlife Reserve.[43]

In a follow up meeting Chew revealed the full details of the operation and those behind it. He told how "ninety-nine percent of this ramin is smuggled", that all of it was "CITES-free" and explained how the port authority assists in constructing false paper trails including Bills of Lading to disguise the origin of the wood. Although Chew admitted they were not able to obtain Malaysian CITES permits for the ramin, he claimed he was able to supply Certificates of Origin from the Malaysian Ministry of Agriculture.

The Malaysian Timber Industry Board (MTIB), the government department charged with implementing the ramin CITES listing in Malaysia, have an office in Johor Port. Yet it was apparent that it had failed to stop thousands of tonnes of illicit ramin wood which had been blatantly passing through the port for over a year. Indeed, Chew confirmed to investigators that the staff of the office have been well aware all along that Indonesian ramin without CITES permits was being transshipped through the port. The shipping agent also claimed to have been told by the timber trade authorities that as long as the ramin did not pass Customs in Malaysia there would be no problem.

Chew revealed that all the ramin passing through the port was purchased from one man in Sumatra, whom he called the "ramin king". Named by another source as 'Jambi Lee', this mysterious figure owns a fleet of more than sixty wooden ships used for smuggling ramin and illegal squared logs to Malaysia. Described as the 'number 3' in an ethnic-Chinese

"Ninety-nine per cent of this ramin is smuggled ... all this ramin that you see is CITES-free"

Andrew Chew, Shipping Agent at Johor Port, November 2003

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Above: **Container vessel at Johor Port, November 2003**

Below: **Ramin picture frame moulding on sale in the UK**

Almost twice as much illegal Indonesian ramin is being laundered through Johor Port than is legally produced in the whole of Malaysia

Indonesian organised crime ring, he was reputedly a dollar millionaire by the age of thirty and owns mansions in Sumatra, Batam and Singapore.

Chew told of meetings with 'Jambi Lee' at a seafood restaurant near Johor Port, and had also met the crime syndicate's 'number 2'. He also described how the syndicate has bought off local Indonesian customs officials and harbour masters and uses its influence to have any attempted shipments by competitors stopped.

It was later confirmed in writing that the sawn ramin in the port is mostly shipped to Shanghai and Hong Kong, with an average of more than 150 twenty and forty foot shipping containers being transferred to the two destinations each month. The shipping agent explained that the ramin, mostly in 4 inch widths, is used to manufacture picture frames and pool & billiard cues in China for re-export.

Most of the world's wooden cues are manufactured in China by Taiwanese-run companies. In the US, more than 80 000 illegal ramin billiard cues from China worth more than US$ 1 million have been seized over the past two years in five separate hauls.[44] Court cases are currently pending against one large US cue distributor accused of importing Chinese ramin cues into the west coast port of Seattle without CITES permits twice in the space of just two months.[45] In the UK EIA surveys in 2003 have also revealed continuing imports by major distributors of ramin cues without the proper legal documents.[46]

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Though ramin trees are now rare and endangered, cues made from the wood are amongst the cheapest available in western markets. One UK dealer told EIA that he was unable to match the low prices offered for ramin cues by competitors, which retail in bulk for as little as US$2.[47] Large numbers of cheap pre-formed ramin picture frames made in China can also easily be found on sale in Japan, Europe and the US. The large scale laundering of stolen Indonesian ramin timber seen at Johor is masking the true cost of these consumer products by providing raw materials at a black-market discount.

In subsequent communications Chew went on to explain in detail how it would be easy to further launder the illegal ramin through China, where he claimed shipping contacts have in the past been able to 'buy' the CITES re-export permits needed to bring it to Europe or the US. He even provided a flowchart to illustrate the laundering process, ending with the legalised ramin safely arrived in the USA or Europe and an invitation to 'pop the champagne'.

Overall, as much as 70 000 cubic metres of banned Indonesian ramin is being smuggled to China and Hong Kong through Johor Port each year in as many as 2000 shipping containers. Malaysia's own supply of legal ramin is estimated to be in the region of 80-90 000 cubic metres of logs per year,[48] which alone could produce no more than 35-45 000 cubic metres of ramin sawn timber. Almost twice as much illegal Indonesian ramin is being laundered through Johor Port each month, under the watchful eyes of the authorities, than is legally produced in the whole of Malaysia.

Sarawak – State-Sanctioned Smuggling

The Malaysian state of Sarawak is the birthplace of the ramin industry, but by 1990 a mission by the International Tropical Timber Organisation (ITTO) reported that ramin in Sarawak was being heavily overcut,[49] and by the turn of the century, vast tracts of Sarawak's peat swamp forest had been converted into palm oil plantations, while most of the remainder was logged out.[50] Despite the current scarcity of productive ramin forest concessions in Sarawak many ramin dealers in the industry centre of Sibu continue to do substantial business. EIA/ Telapak investigations have shown that, just as in Peninsular Malaysia, this is because Sarawak's shrinking ramin reserves are being supplemented by illegal wood from Indonesia.

Vast quantities of illegally sourced Indonesian wood enter Sarawak each day, mostly through three checkpoints run by the Harwood Company, a subsidiary of the government-run Sarawak Timber Industry Development Corporation (STIDC).[51] In late 2001, industry sources estimated that between 10 and 20 per cent of the half a million cubic metres of timber passing through Harwood's depots was ramin.[52] This includes ramin illegally logged in the protected wetland area of Danau Santarum, in Indonesia's West Kalimantan state, which is brought into Sarawak through the Harwood facility at Lubok Antu.[53] As recently as October 2003, a truck loaded with illegal Indonesian ramin wood was seized in the town.[54]

All of the ramin timber originating or brought into Sarawak is destined for export, either in raw form or as semi-finished mouldings and dowels (wooden rods). Most of the shipment records obtained by EIA for imports of ramin wood into the USA are for shipments of dowels and mouldings from Sarawak, and more than half are from one company based in Sibu called Koh Ying Sdn Bhd. Regular US importers of ramin from Koh Ying identified in shipping data include the companies H. Arnold Wood Turning, the Hermitage Trading Company and Indowood Forest Products. [55]

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Above: Mr Ha of Allied Lumber

Though there is no evidence these companies have been acting illegally, it seems they may unwittingly have been receiving products made from stolen wood.

Comparison of shipping data with permits received by US Customs indicates around half of the shipments of ramin from Sarawak arriving in the USA are unaccompanied by Malaysian CITES documents, including around 35 per cent of

Below: Ramin seized by Sarawak authorities at Lubok Antu, October 2003

Ramin seized by SFCSB enforcement officers, at Lubok Antu entry point

The Koh Ying Connection

Right: **Philip Law, Managing Director of Koh Ying**

Below: **Malaysian CITES permit issued to Koh Ying for a shipment of ramin dowels which was exported to the USA**

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Below right: **The 6000m³ of ramin in Koh Ying's warehouse in Sibu, from the company's brochure**

Comparison of registered imports into the US of ramin dowels and mouldings from Koh Ying in Sarawak with CITES permits received for these shipments by US authorities

Imports recorded at US ports	Aug 01—Jun 02	3155 m^3*
CITES permits received	Aug 01—Jun 02	2033 m^3
DEFICIT		**1122 m^3**

*Converted from weight using 680kg/m^3
Source: US Port Import Export Reporting Service; CITES permits obtained from US Fish and Wildlife Service

Koh Ying's shipments (see table above).[56] Indeed, another company supplied with ramin dowels by Koh Ying, Mohawk Handle of Canada, have already had one shipment of illegally sourced ramin wood products seized by US authorities.[57] While most of the shipments made by Koh Ying to the companies mentioned above are nevertheless accompanied by the correct paperwork, EIA/Telapak have now learned how even those shipments with Malaysian CITES Certificates of Origin may be of illegal Indonesian origin.

Koh Ying are supplied with much of their ramin sawn timber by a company called Allied Lumber, also based in Sibu.[58] In October 2003, undercover EIA/Telapak investigators jointly met with executives from Allied Lumber and Koh Ying, and toured Koh Ying's large factory complex, which was filled with the sound of ramin being machined as workers prepared shipments of dowels for the US, Europe and Japan and artist's paintbrush handles for shipment to France. While Philip Law, the owner of Koh Ying, was quick to

assure us that all of his ramin is Malaysian and that he can easily obtain Malaysian CITES permits, Ha Tung Hoo of Allied Lumber later explained how much of the stockpile of 6000 cubic metres of ramin stored in Koh Ying's warehouses is laundered Indonesian wood.

Ha admitted to importing illegal ramin from Indonesia in the past, and explained in detail how Indonesian ramin is laundered through the Sibu mills. He explained how cargo vessels bring the ramin from Indonesia to the port of Tanjung Manis, a new development downstream from Sibu, despite STIDC rules which state that timber from Indonesia may only be brought in by sea at the town of Sematan, 200 kilometres away. He alleged that Malaysian customs are paid to allow the illegal shipment through, and the vessels then sail on to unload at mills on the Sibu river. Staff from STIDC in Sibu, which is the local branch of the Malaysian CITES Management Authority, then apparently come to the mill and for a payment issue CITES permits certifying the ramin as origin Malaysia, despite being well aware of the true origin of the wood. Koh Ying then allegedly buys the already laundered Indonesian wood to supplement its local supplies, and obtains CITES permits from STIDC in turn for the mouldings they produce from it.

The process described by Ha was corroborated in testimony to EIA from an independent industry source.[59] Ha told investigators that he believes around 30-40 per cent of the ramin exported from Sarawak as origin Malaysia is actually illegal Indonesian wood laundered in this manner. This represents at least 2000 cubic metres of sawn timber every month, plus approximately the same quantity of dowels and mouldings.[60]

In 2002 US customs seized a shipment of 100 000 ramin dowels worth an estimated US$10 000 which had arrived from Malaysia without a CITES permit.[61] Yet it seems this shipment of around 12 cubic metres was the tip of the iceberg. If Ha's figures are correct, the USA alone is receiving approximately 150 cubic metres of laundered Indonesian ramin from Sarawak with bogus Malaysian CITES permits each and every month, in addition to the 500 cubic metres which apparently arrives without any documentation at all.

Ha told investigators that 30-40 per cent of the ramin exported from Sarawak as origin Malaysia is laundered Indonesian wood

Below: **Ramin peat swamp forest**

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Right: **Ramin logs at Twins' sawmill**

Illegal Malaysian Ramin Furniture

Twins Furniture is a Malaysian manufacturer of wooden baby furniture based in Kuantan in Peninsular Malaysia. It is one of the world's top five producers of baby furniture and exports products all over the world. It specialises in the production of wooden baby cribs or cots, most of which are made with ramin wood. Twins currently exports around 60 shipping containers a month to its main markets of Europe, the US, Japan and Australia.[62]

EIA/Telapak investigators posing as potential buyers visited Twins in November 2003 and were shown around the company's large network of factories. The marketing manager repeatedly assured them that no special permits would be needed to export ramin cribs to the UK or USA, and the company owner, Stanley Goh, confirmed that Twins regularly exports ramin cribs to these and other destinations without CITES export permits.[63]

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Below: **Ramin crib parts inside one of Twins' factories in Kuantan**

Inset: **Twins' brochure**

© Environmental Investigation Agency/Telapak

Details of CITES permits received by Customs in the USA and the UK obtained by EIA show no legal imports of ramin baby furniture from Malaysia,[64] further confirming the illegality of these shipments. While Malaysia has officially refused to stand by its CITES commitments regarding ramin parts and products, these shipments are nevertheless illegal.

While admitting to exporting ramin furniture without CITES permits, Twins' executives were careful to reassure EIA/Telapak investigators that all of the company's ramin wood raw material was sourced from legal forest concessions in Peninsular Malaysia which they operate themselves. This claim is difficult to believe, as while Goh told investigators that the company have 8000 tonnes (11 000 cubic metres) of ramin in stock which originated in the local forests of Pahang state, figures show the entire annual legal supply of ramin logs from the forests of Peninsular Malaysia could barely supply half this amount.[65]

Indeed, when investigators located the company's sawmill they found squared ramin logs which a mill worker stated had come from Indonesia. While local Malaysian ramin logs were seen, a worker explained that these are supplemented by regular truck loads of Indonesian ramin which arrive via barges into the nearby

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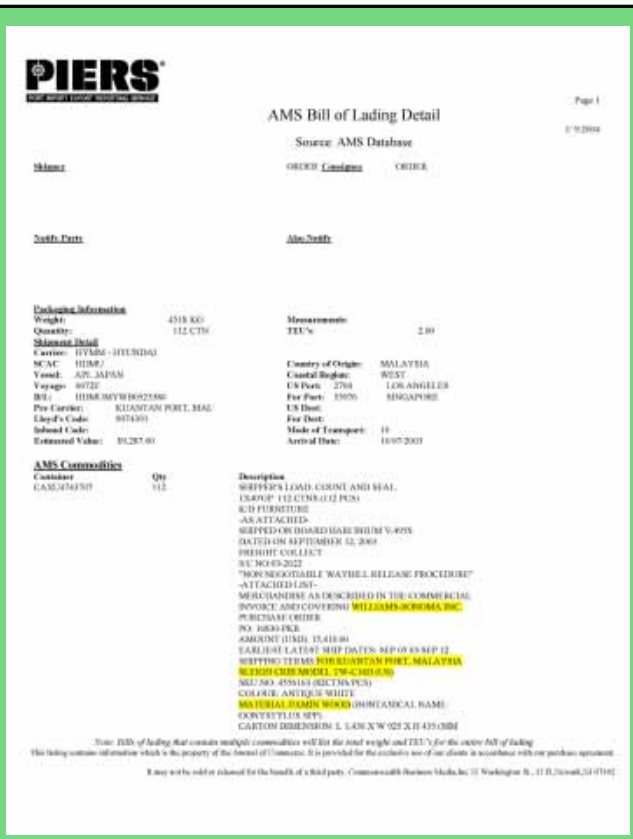
pottery barn kids



PIERS

AMS Bill of Lading Detail

Source: AMS Database

Above and right: **The 'Sleigh' crib on sale at a 'Pottery Barn Kids' store in the US. Shipping documents show the crib was imported from Kuantan in Malaysia, is made of ramin and has a Twins' Furniture product code.**

port of Kuantan. Such shipments must be of illegal origin. It also seems that the world of illegal ramin trade is a small one: a recent visitor to Twins' factory as recorded in their visitor's book was a Roland Ha of Allied Lumber in Sarawak – the elder brother of the very man who only two weeks earlier had described in detail to EIA/Telapak investigators the process by which illegal Indonesian ramin is brought into Malaysia and provided with bogus CITES permits.[66]

Twins claim to supply products to a number of retailers in the UK either direct or via UK agents or middlemen, including a major UK distributor called Cosatto. Tiny Kins, a UK mail order supplier, offer a Cosatto ramin 'toddler' bed for £99.99. Tiny Kins stated to EIA investigators that Cosatto had informed them the bed came from Malaysia, where Twins is the only supplier of such products.[67]

US import data supplied by PIERS shows two companies, Dream on Me, Inc. of New York and GD Products Ltd of Canada, have recently imported baby cribs from Twins, though it is not clear what species of wood these were manufactured from. A third company, Williams Sonoma Inc, have been shipping ramin cribs from Kuantan in Malaysia where Twins' factory is based. Though the source company name has been withheld, the product code matches that of one of Twins' products. Williams Sonoma are the parent company of the major US children's retailer Pottery Barn Kids.[68] While Pottery Barn have recently discontinued one line of ramin cribs, another known as the 'Sleigh' crib continues to be sold in stores. Although clearly identified in PIERS import data as manufactured from ramin wood, the bed, which retails for US$700, is advertised as being manufactured from maple.[69]

While there is no evidence to suggest that the UK and US retailers named above have knowingly broken any law, EIA/Telapak's investigations have shown that these products are likely to have been imported without the proper CITES permits, and they may also have been manufactured from endangered trees stolen from Indonesia's national parks.

Importers and consumers of ramin, especially in the major markets of North America, Europe and East Asia must not buy any ramin or ramin products

Recommendations

- Importers and consumers of ramin, especially in the major markets of North America, Europe and East Asia must not buy any ramin or ramin products at this time.
- Malaysia must investigate and prosecute those persons, companies and officials found to have been involved in the smuggling and laundering of illegal ramin. Malaysia must withdraw its reservation to the ramin CITES listing and take urgent steps to halt all imports, transhipments and re-exports of illegal Indonesian ramin.
- The government of Malaysia must formally endorse the East Asia Forest Law Enforcement and Governance (FLEG) Declaration and draw up an action plan to pursue the commitments made within it.
- The government of Indonesia must improve enforcement of the ban on ramin cutting and export, and must investigate, arrest and prosecute 'Jambi Lee' and any other persons including corrupt officials involved in smuggling ramin.
- The governments of Indonesia and Malaysia should hold a ministerial-level meeting to discuss and resolve the illegal trade in timber between the two countries.
- Customs and CITES authorities in Singapore, China, and Taiwan must carry out thorough investigations into their ramin business.
- CITES parties should authorize a technical and political mission to Malaysia to investigate the illegal trade in ramin.

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Right: **Sawmill near Tanjung Puting National Park processing ramin**

Opposite: **Ramin tree**

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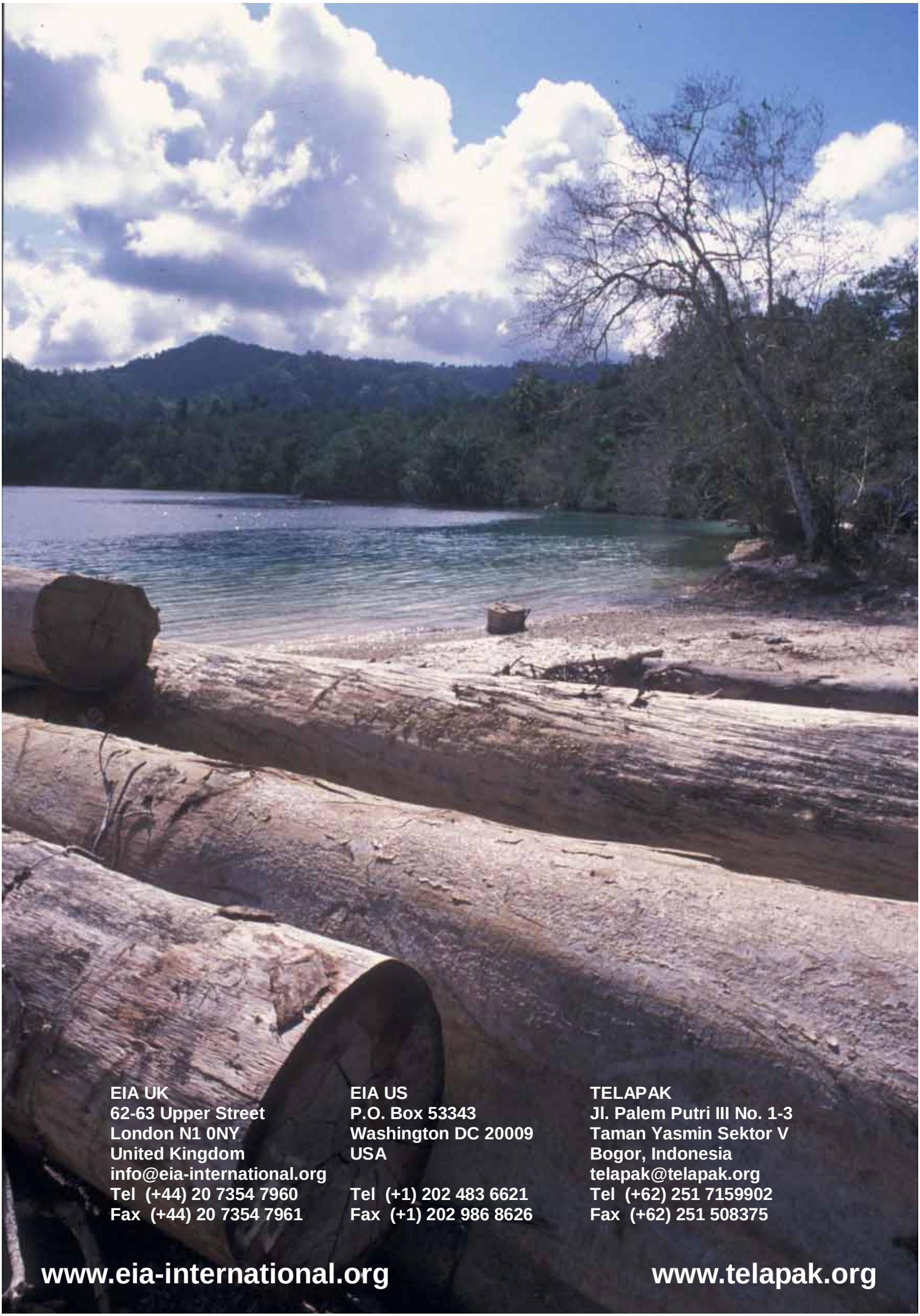
Back cover: **Illegal logs in West Papua, Indonesia**

Back cover picture: © Dave Currey/Environmental Investigation Agency/Telapak



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