

Brief Report on the National Workshop on Enforcement Compliance for Trade in Ramin (*Gonystylus* spp.)¹

8 - 10 December 2010, Kuala Lumpur, Malaysia

by

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1.0 INTRODUCTION

1.1 The National Workshop on Enforcement Compliance for Trade in Ramin (*Gonystylus* spp.) was held in Kuala Lumpur, Malaysia from 8-10 December 2010. A total of 46 participants from the Malaysian Timber Industry Board (MTIB), the Sarawak Forestry Corporation (SFC), the Sarawak Forest Department, the Forestry Department Peninsular Malaysia (FDPM), the Sabah Forestry Department, the Sabah Wildlife Department and the Malaysian Quarantine Inspection Services (MAQIS) representing the CITES Management Authorities (MA) in Malaysia participated. The non-Management Authorities (non-MA) of CITES in Malaysia such as the Royal Malaysian Custom Department (RMCD), the Malaysian Maritime Enforcement Agency (MMEA), the Marine Operation Force (MOF) and the General Operation Force (GOF) of the Royal Malaysian Police also participated in the Workshop. Others who participated in the Workshop included representatives from the Forest Research Institute Malaysia (FRIM), the Department of Agriculture, the Department of Wildlife and National Parks, Peninsular Malaysia (PERHILITAN), the Malaysian Anti-Corruption Commission (MACC), and the Malaysian Timber Council (MTC).

1.2 The aim of the Workshop was to establish common understanding and practices related to trade control for ramin and related timber/plant species listed under CITES. This was to ensure that trade in ramin (*Gonystylus* spp.) and the other plant and timber species listed in Appendix II of CITES were consistent with the sustainable forest management practices of Malaysia. The Workshop also aimed to impart knowledge on the requirements of CITES and those of the Malaysian International Trade in Endangered Species Act 2008 (INTESA 2008) to agencies and departments appointed as MA and to the non-MA in Malaysia.

1.3 The specific objectives of the Workshop were, first, to understand the CITES Convention, mechanism, permits and annotations; second, to understand ramin (*Gonystylus* spp.) implementation under CITES laws and the INTESA 2008; third, to deliberate on issues and problems of different enforcement mechanisms by various agencies in handling ramin and other timber listed species; fourth, to understand the INTESA 2008; fifth, to create and coordinate proper enforcement mechanism for matters related to CITES among agencies and on a regional basis; and sixth, to deliberate on the establishment of a Malaysian Coordinating Unit for enforcing matters under CITES.

¹ Based on the "Proceedings of the National Workshop on Enforcement Compliance for Trade in Ramin (*Gonystylus* spp.); Editors – Norchahaya Hashim, Che Jumat Ahmad, Md Yusoff Ismail, Zulkepli Abd Rani & Mohd Zulhairi Mohd Nazir.

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2.0 WORKSHOP DELIBERATION

2.1 A total of 8 presentations were deliberated in plenary by participants of the Workshop. This included presentations from the representatives from the Ministry of Natural Resources and Environment Malaysia (MNRE); the CITES Secretariat; TRAFFIC - South East Asia; MTIB; and FRIM. The topics covered ranged from the implementation of the INTESA 2008; CITES policy, objectives, and implementation mechanism, as well as trees and plants listed in CITES Appendices; ramin population, distribution, ecology and harvest in Malaysia; and ramin trade, permits and imported species; to the work of the Tri-National Task Force on Trade in Ramin and the ASEAN Expert Group Meeting on CITES. Experiences in handling CITES cases were also presented by representatives from the RMCD; MMEA; GOF and MOF of the Royal Malaysian Police; the Free Zone Authority of Port Klang; the Johor Port Authority; and MTIB.

2.2 Four syndicated discussions were also carried out in groups based on four agreed issues. The issues were, first, the understanding of CITES requirements and the INTESA 2008; second, the problems on CITES implementation faced by the various enforcement agencies in Malaysia, including the establishment of local implementation body and proper mechanisms and procedures; third, the communication problems and establishment of mechanisms to communicate effectively; and fourth, the establishment of tailored capacity building by each agency in understanding and implementing CITES procedures and the INTESA 2008 within a specific time-frame.

3.0 IMPLEMENTATION STRATEGIES/RECOMMENDATIONS

3.1 A number of implementation strategies/recommendations were identified to further strengthen the compliance of trade in ramin (*Gonystylus* spp.) in Malaysia, especially among the enforcement authorities which are directly or indirectly involved in the management and trade in ramin. These were as follows:

- (i) MTIB to receive advice, guidance and support from the Ministry of Plantation Industries and Commodities Malaysia (MPIC) on the proper way to establish its own referral centers or permanent “desk officers” for addressing matters related to CITES procedures and the INTESA 2008;
- (ii) 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 the INTESA 2008;
- (iii) Lead MA to plan and execute regular briefing and explanations to all MA and non-MA enforcement personnel pertaining to CITES procedures and the INTESA 2008;
- (iv) 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. These would become a special tool and guide

for enforcement personnel in handling CITES procedures and the INTESA 2008;

- (v) MTIB to communicate with all MA and non-MA in establishing active networking on matters related to the INTESA 2008 for timber species listed under CITES Appendices;
- (vi) all MA and non-MA to propose their training needs for understanding the implementation of CITES procedures and the INTESA 2008;
- (vii) all MA and non-MA to establish networking with industry players and forwarding agents with the aim of educating them on the proper trade requirements through understanding CITES procedures and the INTESA 2008 requirements;
- (viii) 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 to the requirements of CITES procedures and the INTESA 2008;
- (ix) Lead MA to include Customs under the INTESA 2008 in controlling the entry and exit points and to coordinate with all MA to control trade of all CITES-listed species;
- (x) issues raised in the Workshop were related to the understanding of CITES procedures and the INTESA 2008, as well as in enforcing their rules and regulation. Proper steps and mechanism would be applied to address the issues accordingly;
- (xi) with regard to the establishment of a special Task Force and referral center, 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 with all MA and non-MA. Some of the related issues had been addressed under different national task forces; and
- (xii) MTIB and FRIM to provide training on timber species identification.

4.0 FIELD VISIT

4.1 With the support of the RMCD, the MAQIS, and Westport Sdn. Bhd., a field visit was organized by MTIB to the Custom Inspection Station at the West Port in Port Klang, Selangor to observe the inspection activities carried out on imported and exported timber and plant materials.

4.2 A visit to Scenic Moulding Sdn. Bhd. plant in Rawang, Selangor was also organized by MTIB to enable participants to understand the procedures to be followed in the export of picture frames made from ramin.

5.0 CONCLUSION

5.1 The gathering of enforcement regulators of MA and non-MA had provided a platform for sharing of experiences and in elaborating better and effective ways to address issues related to CITES and the INTESA 2008.

5.2 The Workshop had further raised the awareness of the participants on the need for ramin trade to be complied with CITES procedures and the requirements of the INTESA 2008, as well as in providing insight and knowledge to enforcement personnel of the MA and non-MA in combating illegal trade of CITES-listed timber species.

5.3 Difficulties in managing standard and compliance as instituted by the INTESA 2008 which were due to lack of knowledge and skills were addresses during the Workshop.

5.4 NRE as the Lead MA would address the weaknesses faced by the MA and non-MA in implementing CITES procedures and the INTESA 2008, as well as in holding nationwide briefings to the enforcement personnel manning the country entry and exit points.