

**ACTIVITY PROPOSAL TO THE
INTERNATIONAL TROPICAL TIMBER ORGANIZATION (ITTO)**

Submitted by the Government of Malaysia

TITLE: National Workshop on Enforcement Compliance for Trade in Ramin (*Gonystylus* species).

SUMMARY

The four-day Workshop aims to further enhance the understanding amongst the Malaysian CITES implementing agencies on the proper handling of trade in Ramin (*Gonystylus* spp.). The various agencies will established a special Task Force to expedite communication and operation in implementing CITES related matters for Ramin. The Workshop will also establish a focal point (a special committee) to coordinate enforcement related activities. The objectives of the Activity are (i) to understand Ramin enforcement and implementation mechanism under CITES; (ii) to develop common understanding and practices related to trade control for Ramin and related timber/plant species listed under CITES; (iii) to establish a Task Force to coordinate effective implementing of CITES regulation; and (iv) to establish effective networking and communication channel within the enforcement agencies in Malaysia directly or indirectly involved in Ramin trade. The expected outputs are (i) the understanding of the CITES Convention and proper enforcement of regulation by the various agencies in Malaysia; (ii) the implementation and extend the knowledge to enforcement personnel in the various agencies in Malaysia; (iii) the establishment of a special body that will act as the focal point for the enforcement and trade control of Ramin; and (iv) MTIB and SFC will be the Joint-Working agencies in addressing all matters related to the verification of CITES permits and certificates issued.

EXECUTIVE AGENCY Ministry of Natural Resources and Environment, Malaysia

IMPLEMENTING AGENCY Malaysian Timber Industry Board (MTIB)

COLLABORATING AGENCY Ministry of Plantation Industries and Commodities, Malaysia

DURATION 4 Days (preparation and completion of the Activity will take 4 months)

PROPOSED START DATE 2010

BUDGET AND PROPOSED SOURCES OF FINANCE

(a)	ITTO Contribution	US\$ 25,030.00
(b)	Government Contribution (direct and in-kind)	US\$ 19,790.00
(c)	Other Sources Contribution (specify)	-
	Total	<u>US\$ 44,820.00</u>

This Activity is submitted to ITTO for consideration under its Work Program activity "Ensuring international trade in CITES-listed timber species is consistent with their sustainable management and conservation", with primary funding provided by the European Commission and additional support from the USA, Japan, New Zealand and Norway.

PART I: CONTEXT

Origin/Background

Ramin (*Gonystylus* spp.) was listed in Appendix II of CITES by Indonesia in 2004 and Malaysia agreed to the listing and implemented substantive measures starting 1st January 2005. In this context, the Malaysian Timber Industry Board (MTIB) is the Management Authority for Ramin and Gaharu/Agarwood (*Aquilaria* spp.) listed in Appendix II of CITES for Peninsular Malaysia and Sabah. The Sarawak Forest Department (SFD) and the Sarawak Forestry Corporation (SFC) are the Management Authorities for Sarawak. Since the listing of Ramin in CITES, MTIB and SFC 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), Maritime Enforcement Agency (MEA) and the Marine Police (MP). Through enforcement activities, the personnel of the enforcement units of MTIB and SFC/SFD is facing difficulties in understanding the CITES enforcement mechanism, especially in identifying timber products of Ramin and non-Ramin due to their 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 control documents (CITES export and import permits and re-export certificates). Although efforts have been made to educate the enforcement personnel there is still a need to further train and re-train them because of the high mobility of transfer of staff in MTIB, SFC and SFD, and this has incurred heavy financial cost. This situation is also faced by the enforcement personnel of RMC, MEA and MP.

At present no efforts have been made to call all related enforcement agencies within Malaysia to undertake a special course or workshop to understand CITES enforcement mechanism and to establish a special task force to coordinate matters related to CITES enforcement. This is due to the difficulty in sourcing the appropriate fund from the Malaysian Government. Therefore, MTIB as the coordinating government agency proposes to conduct a National Workshop on Enforcement Compliance for Trade in Ramin (*Gonystylus* spp.). It is hoped that by conducting the Workshop the enforcement personnel of the implementing agencies will be equipped with the knowledge and tools in handling matters related to CITES.

PART II: THE ACTIVITY

1.0 Activity Objectives

The Activity objectives are as follows:

- (i) Objective 1: To understand the CITES Convention and its trade enforcement mechanism and implementation related to Ramin.

(ii) Objective 2: To develop common understanding and practices related to trade control for Ramin and related timber/plant species listed under CITES.

(iii) Objective 3: To establish a Task Force to coordinate effective implementation of CITES regulation.

(iv) Objective 4: To establish effective communication channel and networking within the enforcement agencies in Malaysia directly or indirectly involved in Ramin trade.

2.0 Justification

2.1 Problems to be Addressed

CITES Management Authorities personnel from MTIB, SFC, SFD, the Forestry Department Peninsular Malaysia (FDPM), Sabah Forestry Department, and the Plant Quarantine Unit are having difficulties in understanding CITES rules and regulation, especially in implementing CITES export and import permits, and re-export certificates. The other non-Management Authorities for CITES, such as the Royal Malaysian Customs, Maritime Enforcement Agency and the Unit of Police Marine (Royal Malaysian Police) are also having difficulties in understanding the 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.

Enforcement personnel from the various government agencies and bodies have not addressed adequately CITES trade and enforcement requirements. They have less understanding in managing international trade movement of endangered timber species listed under the CITES Appendices. Many thought that the action only involve the issuance of CITES export permit and CITES re-export certificate for timber and timber products originated from Malaysia, namely Ramin, Gaharu/Agarwood and Damar Minyak (*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). For example, shipment of Red Sandalwood (*Pterocarpus santalinus*) from India and Pakistan and the Big Leaf Mahogany (*Swietenia macrophylla*) from Mexico and Peru had entered Malaysian ports through trans-shipment. 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 in Malaysia.

2.2 Intended Situation after Activity Completion

The successful implementation of this Activity will strengthen CITES enforcement compliance systems for relevant personnel in Malaysia in addressing listed endangered timber/plant species as difficulties in managing compliance systems are due to the lack of knowledge and skills among the personnel of the implementing agencies. The Workshop will provide better understanding to the various enforcement agencies on proper trade control for Ramin and other timber/plant species listed under CITES. The enforcement agencies will utilize proper channel for communication through a special body (task force) on matters related to the trade in Ramin. The enforcement agencies will impart knowledge and skills on CITES enforcement implementation to their own personnel through further in-house training.

2.3 Target Beneficiaries

The target beneficiaries of the Workshop will be the CITES Management Authorities enforcement personnel of MTIB, SFC, SFD, FDP, Sabah Forestry Department and the Plant Quarantine Unit of the Agriculture Department. The other likely important beneficiaries are the non-Management Authorities personnel for CITES, such as the RMC, Maritime Enforcement Agency (MEA) and the Police Marine Unit (Royal Malaysian Police), as well as the Malaysian Port Authorities which assist in screening consignment on trans-shipment.

It is envisaged that a Special Coordinating Body/Task Force will be established during the Workshop to improve communication, enforcement operation and understanding among the implementing enforcement agencies in Malaysia. More enforcement coordinating meetings will be held to enhance the successful implementation of the CITES enforcement mechanisms.

The implementing body for CITES in Malaysia and the other enforcement agencies will establish a focal point which is expected to be appointed during the Workshop to spearhead and coordinate enforcement related activities. The focal point will conduct regular meetings to address problems and issues, and to plan related activities.

2.4 Risks

There is no risk involved in implementing this Activity as it is only a tailored Workshop to impart knowledge on CITES implementation for Ramin and to establish proper mechanisms in Malaysia for trade controls.

3.0 Outputs

3.1 Objective 1: To understand the CITES Convention and its trade enforcement mechanism and implementation related to Ramin.

Output 1 Understanding of the CITES Convention and proper enforcement regulation by the various agencies in Malaysia.

3.2 Objective 2: To establish common understanding and practices related to trade control for Ramin and related timber/plant species listed under CITES.

Output 2 Understanding of the implementation and extend the knowledge to enforcement personnel in the various agencies in Malaysia.

3.3 Objective 3: To establish a Task Force to coordinate effective implementation of CITES regulation.

Output 3 Establishment of a special body that will act as the national focal point whereby all matters related to enforcement and trade control will be addressed accordingly and in a speedy manner by the Ministry of Natural Resources and Environment, Malaysia (NRE).

3.4 Objective 4: To establish effective communication channel and networking within the enforcement agencies in Malaysia directly or indirectly involved in Ramin trade.

Output 4 MTIB and SFC will be the Joint-Working agencies in addressing all matters related to the verification of CITES permits and certificates issued. Both agencies will report to NRE.

4.0 Activities

4.1 Workshop Participants

The participants for the Workshop will consist of enforcement personnel from MTIB, SFC, SFD, the Sabah Forestry Department, all the State Forestry Departments in Peninsular Malaysia, the Plant Quarantine Unit, Royal Malaysian Customs, Royal Malaysian Police (Police Marine Unit) and the Maritime Enforcement Agency.

The Ministry of Plantation Industries and Commodities, Malaysia (MPIC) and NRE will provide advice and guidance for the conduct of the Workshop. A representative from the CITES Secretariat will be invited to join the Workshop as a resource person and to deliberate on CITES enforcement mechanisms and implementation. A representative from ITTO will also be invited to provide technical support to the Workshop. TRAFFIC Southeast Asia will be invited to share its knowledge and experience, especially on the ASEAN Wildlife Enforcement Network (WEN) mechanism.

Other related agencies and corporations that will be participating in the Workshop include the Malaysian Timber Council (MTC), Malaysian Timber Certification Council (MTCC), Sarawak Timber Industry Development Corporation (STIDC), and the Department of Wildlife and National Park (PERHILITAN). Various port authorities, such as the Klang Port, Johor Port, Penang Port, Kuantan Port, Kuching Port, Miri Port, Sibu Port, Kota Kinabalu Port, Sandakan Port and the Tawau Port will also be invited to attend the Workshop. The timber trade associations in the Peninsula, Sabah and Sarawak will also be invited to participate in the Workshop.

A total of 45 participants is expected to attend the Workshop, while the Workshop Secretariat, including rapporteurs and editorial staff, is about 15.

4.2 Workshop Program

Day 1

- (i) Understanding CITES' Objectives, Policy, Mechanisms, Implementation and Progress. (by the CITES Secretariat).
- (ii) Ramin Ecology, Harvest and Trade – Is it Sustainable? (by TRAFFIC).
- (iii) Trees and Plants Listed in CITES Appendices: Understanding Implementation of CITES Permit, Certificate and Annotations for International Trade. (by the CITES Secretariat).
- (iv) Distribution, Population and Ramin Inventory in Malaysia. (by FDPM, Sarawak FD and Sabah FD).

(v) Information from (a) Tri-National Task Force on Trade in Ramin; (b) ASEAN Expert Group Meeting on CITES; (c) CITES Plant Committee Meeting, Standing Committee Meeting and Conference of the Party. (by MPIC/MTIB).

(vi) Implementation of the Malaysian “International Trade in Endangered Species Act 2008 (Act 686)”. (by NRE).

(vii) Ramin Products and Its Trade Dynamic. (by MTIB and SFC).

(viii) Procedure in handling CITES Permit for Ramin and Enforcement Cases. (by MTIB and SFC).

(ix) Facilitated Plenary Discussion.

Day 2

(i) Experiences in Handling CITES Cases (Ramin log, sawntimber and large scantling and square).

(a) Royal Malaysian Customs;

(b) Maritime Enforcement Agency;

(c) Police Marine Unit

(d) Johor Port Authority; and

(e) Port Klang Authority.

(ii) Breakout Session - 4 Groups on:

(a) Matters on understanding CITES requirements and the Malaysian “International Trade in Endangered Species Act 2008 (Act 686)”, and recommendations;

(b) Sharing problems of CITES implementation by the various enforcement agencies in Malaysia and establish focal implementing body and proper mechanisms and procedures;

(c) Discuss communication problems and establish mechanism to communicate effectively; and

(d) Discuss establishment of tailored capacity building by each agency in understanding and implementation of CITES and the Malaysian “International Trade in Endangered Species Act 2008 (Act 686)”, with specific time-frame.

(iii) Facilitated Plenary Discussion.

Day 3

(i) Field Trip

(a) Visit a Ramin felling site in Kuala Selangor;

(b) Visit a factory producing Ramin products; and

- (c) Visit a Ramin consignment inspection at Klang (West Port or North Port).

Day 4

- (i) Sharing of findings from the Breakout sessions (4 Groups).
- (ii) Facilitated Plenary Discussion.
- (iii) Recommendations and establishment of a Focal Point, including its role and responsibilities.
- (iv) Conclusion and Closing.

5.0 Work Plan

It is envisaged that the Workshop will be held in Kuala Lumpur, Malaysia between May and July 2010. It will be a 4-day Workshop, including a one day field trip to a Ramin felling site and a Ramin production factory, as well as undertake Ramin inspection at a port prior to export. However, the Activity will be carried out over a period of 4 months from preparation to publication of the Workshop proceedings as shown in the Work Plan.

6.0 Budget

6.1 Workshop Budget

(i) ITTO Contribution

USD

Accommodation for secretariat/technical committee
- USD 70 x 10 pax x 5 days 3,500.00

Conference Package
(food, drinks, breakout rooms, Conference kits and
bags, banner, backdrop, nametags, etc.)
- USD 96 x 50 pax 4,800.00

Conference Papers
- USD 3 x 18 papers x 70 pax 3,780.00

Welcoming Dinner
- USD 25 x 60 pax 1,500.00

Logistics/Field Trip
- Bus rental and food (lunch) - 1 bus 1,500.00
- Rental photocopy machine (3 days) 1,100.00

Technical committee members (honorarium)
- USD 200 x 1, USD 150 x 6 1,100.00

Secretariat staff (honorarium)
- USD 100 x 8 pax 800.00

Rapporteurs (honorarium)
- USD 100 x 7 pax 700.00

Prepare and present Workshop papers
- USD 150 x 18 papers 2,700.00

Editorial committee for publication of Workshop proceedings (editors)
- USD 350 x 3 pax 1,050.00

Printing of Workshop proceedings and CDs
- USD 25 x 100 units 2,500.00

Total ITTO Contribution **25,030.00**
or Total MYR 87,605.00 (1 USD = MYR 3.5)

(ii) Malaysia Government Contribution (direct and in-kind)

USD

Accommodation (hotel for 45 participants)
- USD 70 x 45 pax x 4 nights 12,600.00

Airfares for enforcement personnel (participants) within Peninsular Malaysia, from Sabah and Sarawak	
- USD 262 x 20 pax	5,240.00
Providing 1 van and 1 car for Secretariat use (drivers and petrol)	
- USD 100 x 4 days	400.00
Providing 1 van for Field Trip (driver and petrol)	
- USD 50 x 1 day	50.00
Closing/Departing Dinner	
- USD 25 x 60 pax	1,500.00
Total Malaysia Contribution	<u>19,790.00</u>
or Total MYR 69,265.00 (1 USD = MYR 3.5)	

PART III: OPERATIONAL ARRANGEMENTS

1.0 Management Structure

This Activity will be implemented by MTIB with the assistance from SFC. The NRE will be the Executing Agency while the MPIC will be the Collaborating Agency. The other Government agencies that will provide assistance in terms of resource persons and supporting staff are the FDPM, SFD, STIDC, Forestry Department Sabah, Forest Research Institute Malaysia (FRIM), Royal Malaysian Customs and the Maritime Enforcement Agency.

A technical committee comprising personnel from NRE, MPIC, MTIB, SFC, SFD, STIDC, FDPM, Forest Department Sabah, FRIM, Customs, Maritime Agency, Marine Police and the port authorities will be formed to manage the implementation of the Activity, provide technical guidance and ensure related activities are progressing towards achieving the objectives of the Workshop.

2.0 Monitoring, Reporting and Evaluation

A special editorial team will prepare the Workshop proceedings, including the Workshop findings and recommendations, within two weeks after the conclusion of the Workshop. Publication of the Workshop proceedings will be carried out and a final completion report together with the proceedings will be submitted to ITTO within two months after the holding of the Workshop.