



THE BORNEO PROJECT

We refer to Samling's response to the June 2021 Mongabay article titled, [Threat of legal action against Indigenous Borneans protesting timber company](#), and would like to make the following clarifications:

1. Samling's compliance with the Malaysian Timber Certification Scheme has been called into question by Indigenous communities themselves. SAVE Rivers' online portal and team is publicizing and following up on these concerns to ensure they are addressed in a satisfactory manner rather than dismissed. In May 2021, 36 communities of the Ulu Baram and Ulu Limbang filed official complaints against the certification of two logging concessions with the Malaysian Timber Certification Council (MTCC). These complaints can be found [here](#). MTCC has now opened an official case with its dispute resolution committee, which is welcomed by both communities and civil society organisations. We hope this matter can be resolved in a non-adversarial fashion through this mediation process, rather than through the courts.
2. Samling and Treeone Megapellet Sdn Bhd (formerly known as Samling Plywood) have directly threatened Indigenous communities in the Baram and Limbang regions of Sarawak with legal action. The Kenyah community of Long Moh and the Penan communities of Long Ajeng, Long Lamam, Long Murung, Long Benali, Ba Pengaran Iman, Ba Pengaran Kelian, Long Main, Long Kepang, Long Sabai and Ba Kerameu have received letters from Samling and Treeone Megapellet denying all community concerns and allegations, and stating "we reserve our rights to take legal action". Denying community concerns and threatening legal action suggest that Samling does not value open and constructive engagement with communities. These letters have been collated by The Borneo Project and can be shared on request. All of these communities have voiced concerns about Samling and its subsidiaries' operations on their lands.
3. [A full report](#) titled 'Complaints from the ground regarding the implementation of the MTCS in Sarawak, Malaysia' was submitted by a coalition of communities and civil society organisations in October 2020. This document explains in detail how logging concessions were granted without properly obtaining the free, prior and informed consent (FPIC) of all impacted communities, and without those communities having access to key documents about logging operations on their lands. This document also suggests how improvements can be made to the consultation and concession implementation processes. Neither SAVE Rivers nor affected communities have ever made any claim that MTCC or the auditors SIRIM QAS are involved in corruption of any sort.

We would like to thank the Business and Human Rights Resource Centre for allowing us to clarify these points and for highlighting this important case. More information about the #StopTheChop campaign can be found at borneoproject.org.