

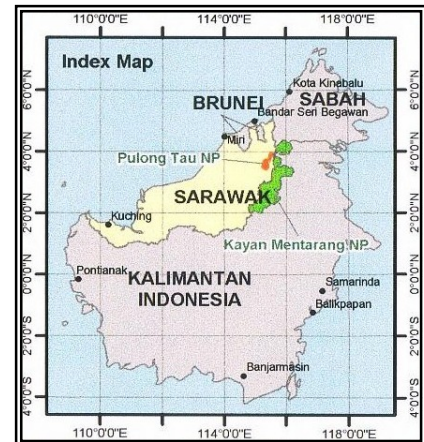
# ITTO Project Supervisory Mission: 1 – 9 March 2006<sup>1</sup> - PD 224/03: Transboundary Biodiversity Conservation: The Pulong Tau National Park, Sarawak State, Malaysia

## 1 Short description of the project<sup>2</sup>



The Pulong Tau National Park (PTNP) is located in the northeast of the Malaysian State of Sarawak, bordering Indonesia (see map). The project is concerned with the effective protection and management of a proposed protected area of 164,500 hectares, composed by an already gazetted area over 59,800 hectares of submontane and mountain landscapes (the so-called core area) and an additional 105,000 hectares that still need to be classified and protected (extended national park). The extension will allow connecting the PTNP to Kayan Mentarang National Park in Kalimantan, Indonesia, which is also supported by Swiss funding. The development objective of the project is to contribute to

the conservation of the last remaining mountain dipterocarp forests in the northern part of Borneo and to the sustainable development of the Kelabit, Penan and Lun Bawang communities living adjacent to the national park through the implementation of biodiversity conservation and support of local socioeconomic development activities. The project is planned over a time frame of 6 to 8 years. In its first phase of two years, the specific project activities are (1) to extend the park and initiate a process of sustainable management of the PTNP; and (2) to launch cooperation between Sarawak and Indonesia for the conservation of the transboundary ecosystems. The major thrust of the first phase of the project is to secure the boundaries of the core area of the park and confirm them with the local stakeholders and to propose a feasible extension of the park so that it can achieve transboundary conservation objectives. Baseline planning data will be gathered and priority management actions will be formulated in a management plan. It is expected that at the end of phase 1, in addition to a protected area management plan, there will be also a strategy in place to promote socioeconomic development of local communities and an agenda for collaboration in transboundary conservation with Indonesia.



### KEY ACHIEVEMENTS IN THE FIRST YEAR OF THE PROJECT

- Official launching conducted at highest level (Chief Minister)
- Inclusion of Batu Laui area in the national park introduced and favorably replied by administration, political process ongoing
- Major ecological, cultural, botanical and socio-economic studies undertaken, management plan for core area in preparation
- Stakeholder dialog with people living around the park successfully launched.

<sup>1</sup> The present mission was conducted by Jürgen Blaser, Head of the Forest-Environment Team of Intercooperation (IC), Bern, Switzerland. The project is co-financed by seco with a total amount of US\$ 300,000. The major donor is Japan (US\$ 407,000), minor donors are US and Norway (US\$ 20,000 each). **Copies of the report go to seco** (BIR, EGL), the Swiss Embassy in Malaysia (via seco), IC (file, JB, GA), the project (Chu, Jarina) and interested parties (as defined by seco).

<sup>2</sup> **Photo 1:** View on the main mountain strain in the core area of the Pulong Tau National park. **Photo 2:** Map showing the general situation of the Pulong Tau Area (in red) and far larger national park of Kayan Mentarang in Kalimantan, Indonesia.

## 2 Itinerary of the project supervisory mission

Arrival two days late due to problems with aircraft on the way from Zurich to Kuala Lumpur. Briefing of Mr. Schläfli from the Swiss Embassy in Kuala Lumpur on Saturday morning, 4 March in Hotel Marriott, Miri. In the afternoon, participation in the 3<sup>rd</sup> steering committee meeting of the project held in Mega Hotel in Miri. In the evening participation in the official launching<sup>3</sup> of the national park in conjunction with the closing of the Highland Convention. Sunday, 5 March, discussion with Forest Department, project staff and visit of Lambir Hills National Park. Leave by helicopter in the morning of Monday 6 to the Penan village of Ba Tik<sup>4</sup>; information meeting, exchange and dialog with various Penan families living in the north-western area of the Pulong Tau. In late afternoon, helicopter flight to Long Lellang, evening session with Penan and Kelabit communities living in the buffer area in the southern area of the PTNP. Night in Long Lellang. Tuesday, 7 March, helicopter flight to the Penan village Long Sabai at the southern border of the park. Information meeting, exchange of views and dialog with Penan representatives living in the south-western buffer area to the park. Flight over the buffer zone of the PTNP, western side, helicopter ride back to Miri in the evening.



In the morning of Wednesday, March 7, meeting with Mr. Yong Nyan Sing from Samling Sdn. in the premises of Samling in Miri and with Mr. Wong from Shin Yan Sdn. in the premises of the Shin Yang holding in Miri. In the afternoon, discussion with Harrison Ndge, a local advocate and solicitor in Miri representing the concerns of rural communities in relation to land use claims. Meeting with Mr. Sepuang, responsible Forest Department Officer for ITTO for debriefing. Report writing in the morning of Thursday, 9 March. In the afternoon transfer to Miri airport, flight back to Kuala Lumpur. Debriefing telephone call with Mr. Schläfli from the Swiss Embassy in K.L. Flight back to Zurich in the night of the 9 to 10 March, arrival in Lyss on Friday, 10 March in the late morning.



### **SOME RANDOMLY COLLECTED CITATIONS FROM THE STAKEHOLDER MEETINGS WITH PENAN\***

- “We only need to speak together, then we can understand each other” (Penan, Long Lellang meeting).
- “This project is not only for Kelabit, but for all of us” (Recognition by the Kelabit headman of Long Lellang).
- “We, the younger generation, do not need the meat from the forests every day, but our fathers and grandfathers cannot survive without it” (Penan, Ba Tik meeting).
- “All think we are dumb and silly, the orang kelabit, the orang iban, the orang bandar. But they are the dump ones. “They go into the forests and get lost” (Penan woman, Long Sabai meeting).

\*Only few elements could be captured during the meeting because most of the discussion was conducted in Penan and translated in Malay, and I did not want to break the dynamics in permanently asking for additional translation into English. Nevertheless, a lot could be observed from the gestures and mimics of the people involved in the dialog.

<sup>3</sup> **Photo 3:** Official launching of the PTNP in conjunction with the closing of the Highland Convention. The Chief Minister of Sarawak, Yab Pehin Sri Haji Abdul Taib Mahmud receives a special gift from the Pemanca, the highest traditional authority of the Kelabits.

<sup>4</sup> **Photo 4:** View on participants of the Penan stakeholder meeting in BaTik, attended by representatives of 7 Penan groups.

### **3 Main findings of the mission**

#### **3.1 Issues addressed in the last report and responses by the project**

The project started its operational activities in March 2005. After one year of activities, a preliminary assessment of progress can be made at this stage. The second progress report of the project is attached. In this chapter, we assess the progress made on the issues identified in the last monitoring report (May 2005). In respect to the seven enumerated issues, the following observations can be made:

##### **Issue 1: Securing the boundaries of the gazetted Pulong Tau National Park (core area) as by notification No. 2174 of June 1998**

**Issue addressed in May 2005:** In 1998, an area of 63,700 hectares has been gazetted as the Pulong Tau National Park. This gazetted area (called subsequently the *core area* of Pulong Tau National Park) is substantially less than stated in the ITTO project submitted by the Government of Malaysia in 2003 (see Issue 2). Due to demands by Penan and Kelabit communities for Native Customary Rights (NCRs), several areas bordering the core area have been identified and proposed by the Forest Department to be degazetted from the National Park. These areas amount to approximately 3,900 hectares. Therefore, the actually gazetted core zone covers an area of 59,800 hectares. Preliminary interpretation of satellite imagery indicates that there is encroachment of logging roads and probably some logging activities happening within the core zone of the park, in the southeastern, western and northwestern division. There is urgency in demarcating boundaries in the field, securing such boundaries and eventually preparing a file of each violation for further procedures.

**Progress made up to March 2006:** The core area of the PTNP can be considered as secured at this stage, as field observations and satellite imagery do not show new logging or shifting cultivation encroachment in the park. The encroachment identified in the western part of the park was from a previous logging operation (Rimbunan Hijau Sdn.) that has ceased meanwhile. No claims can be made. Nevertheless, a new contractor is using the area (Shin Yang) and is undertaking relogging. Shin Yang has requested the Sarawak Forestry Corporation to clearly identify the park's borders. At this stage it can be presumed that the borders of the core areas are secured, nevertheless, new problems might occur<sup>5</sup>

##### **Issue 2: The proposed extension of the gazetted core zone to a total of approximately 164,500 hectares is most probably unrealistic**

**Issue addressed in May 2005:** The project document, as formulated by the FDS and IC, endorsed by the Government of Malaysia and submitted to ITTO for further consideration and funding was overoptimistic on the possibility to officially classify the entire area of the Kelabit highlands and the Batu Lawi area as a national park (see sketch map in Annex 3 of the March 2005 report). It is a fact that, with the exception of the main valley around Bario, the entire area around the core zone of the park has been allocated to forest concessions. Besides Samling Sdn., that operates under different enterprises (Raven Scott, S.I.F. Sdn. Bhd; Marawa, ...) legal timber concession rights of the area surrounding the park have been given to Interhill, Shin Yang, Taann and KTS, all known contractors with huge financial interests<sup>6</sup>. Some of these concession rights have been allocated several years ago, particularly in the area south, west and north of the park, but other areas have been allocated only recently. Some of the concessions might expire soon, others will last until the year 2017. As the concessions are legal, there are mainly two approaches possible: To wait until the concessions have expired and then classify the area; or to define hot spot areas, that have not been logged yet and to start negotiation to integrate these areas in the extended park as soon as possible. The Kelabit community is aware that under the present circumstances, it will be impossible to classify the proposed 164,500 hectares. Nevertheless, in those areas where logging will happen over the coming 12 years, they requested the support of the project to classify and help to enforce the protection of their cultural and spiritual sides. In the western parts of the park, nearly the entire area has been logged over, with the exception of the northeastern and northwestern part of Batu Lawi<sup>7</sup>. We are of the opinion that the second approach should be followed with urgency. To do so, all stakeholders

---

<sup>5</sup> Since 2004 and up to 2007, Shin Yang reenters the former Rimbunan Hijau concession, only 3 years after the last coupe. The relogging surrounds the area of the Penan settlements of Ba Tik, Ba Tik B and Long Lobang and can eventually create problems.

<sup>6</sup> The information given in the last report, that Samling possesses all timber rights of the area surrounding the park was wrong. More recent information confirms that at least 5 companies with distinct ownership are involved in logging around the PTNP

<sup>7</sup> The core area of the Batu Lawi remains unlogged. According to the landmark publication 'National Parks of Sarawak', for which the Chief Minister wrote the foreword noted in 2001 that "the scenic and spectacular rock pinnacle of Batu Lawi and its surrounding landscape needs to be included in the (proposed) Pulong Tau National Park".

need to be fully involved, starting with the Chief Minister of Sarawak who has asked ITTO to support the creation of the PTNP, the States Planning Ministry, the Forestry Department, Samling company, Penan and Kelabit communities, ITTO and international donors. We must be aware that such a consultation process is probably one of the most challenging ever undertaken in Sarawak. It will need time and effort to succeed.

**Progress made up to March 2006:** Project staff and Forest Department have made a tremendous effort in the past 10 months to progress on the issue of extension of the park. An unlogged area of 10,300 hectares has been proposed in the Pa Lungan area (within the concession area of Samling Sdn.) to link PTNP with Kayan-Mentaran in Indonesia. In a meeting on March 8, the inclusion of this area in PTNP has been informally introduced to Samling, but the FDS will still need to undertake the necessary official steps to secure this area to the park before the end of phase 1 of the project. Furthermore, the FDS has introduced to its authorities the extension of the PTNP in the Batu Laui area over a total of 37,370 hectares (see annex 1). This area includes the unlogged core area of Batu Laui and logged and unlogged forests in two concession areas of Samling Sdn. The proposal has been officially announced to Samling Sdn. by the FDS and informally discussed on March 8, 2005. Samling Sdn. refused the claim so far for legal reasons. It was said by the representative of Samling in the meeting that it is understood that the Batu Laui area should become part of the PTNP. Nevertheless, Samling will not renounce on logging the major concession area allocated to them (Raven Scott, in the north of Batu Laui). The proposal made here is to secure the unlogged core area of Batu Laui as part of the park until end of 2006, in addition to a already logged concession area (ex. Marawa) situated in between Batu Laui and the core area of the PTNP. Such a process would secure an area of approximately 17,000 hectares which could immediately be integrated in the park. The remaining 20,000 hectares can most probably only be considered once logging has ceased (date to be checked in the books of the FDS). A third extension area (54,400 hectares) is proposed in the south-eastern end of PTNP but will only be considered in a latter stage (part of Samling's concession area in the Kelabit highlands).

### **Issue 3: Securing user rights for Penan and Kelabit communities in the gazetted core zone and the possible extended PTNP**

**Issue addressed in May 2005:** The National Park, as officially gazetted today, does not include traditional user rights, in particular hunting and gathering of other forest products for local Kelabit and Penan communities<sup>8</sup>. Such rights are generally not allowed in national parks in Malaysia, but an exception had been made in the past for the second largest national park in Sarawak, the Muru National Park near Miri. In that national park, Penan can continue to use forest resources for their livelihoods. The issue has also been mentioned by the Kelabit community, particular in respect to timber for local use, firewood and wild boar hunting. As sufficient areas will be excluded from the park, the question of timber and firewood can be resolved through the sustainable management of buffer zone areas. In respect to hunting and gathering of NWFP by Penan, the issue has first to be taken up with the communities living adjacent to the park. This should be done at the same time when the boundary assessment is being undertaken. Based on the information gathered, a file needs to be prepared and the question of traditional user rights in the park needs to be brought up to the legislative level.



**Progress made up to March 2006:** During the present mission, the first official contacts have been made with the Penan communities living in the western and southern buffer zones of the PTNP. The issue of the use of the park for traditional hunting and gathering activities has been brought up by all communities and is of great concern. As in many protected areas throughout the world indigenous communities have secured user rights, it should be possible that such rights will also be granted in this case. The participants of the mission, including high-level authorities of the forest department have understood the message and agreed to secure such rights in the particular case of Pulong Tau. The project will propose, on a case-by-case basis, written contracts between Penan respectively Kelabit communities and the park authorities in order to secure the traditional user rights of each community settled in or around the extended park. Nevertheless, in the stakeholder consultation meeting, it has also been made clear that major transformation activities, such as shifting cultivation, commercial hunting, commercial gathering of NTPF and commercial tree felling will

<sup>8</sup> **Photo 5:** Young penan man bringing rattan from the forest (Ba Tik)

not be allowed in the park itself. For such purposes, the project will propose the creation of special conservation areas in the buffer zone of the park (see recommendations).

#### **Issue 4: There are still claims in respect to Native Customary Lands**

**Issue addressed in May 2005:** Informal consultations with local advocates revealed the fact that there are claims of the Penan communities against the classification of the core area of the PTNP. They claim areas in the park as Native Customary Lands. The State of Sarawak, however, has not recognized such claims in the past<sup>9</sup>. In respect to the claims relating to the boundaries of the PTNP, detailed information still need to be gathered. Most important at this stage is, however, that a real communication process needs to be started between the parties so that transparency and understanding between them can happen. In early 2005, the Forestry Department has declassified 3,900 hectares from the park in the western, southern and eastern part of the core zone and recognized these areas as Native Customary Lands. The extent of the core area has therefore been reduced from 63,700 hectares to 59,800 hectares. It is not clear yet if this will take care of all pending claims. It would be important, however, that such a declassified area is taken into account in an overall management plan of the park, as they border the park area and their management is closely linked with sustainable forest and land use.

**Progress made up to March 2006:** In the discussions in Ba Tik, Long Lellang and Long Sabai, the issue of traditional user rights have been brought up, and with the exception of Long Sabai, no specific remarks have been made on pending native customary land claims within the core area of the park. The question might come up again in the extended park area, in particular in the Batu Laui area. The discussion with Harrison Ngau, the advocate that takes care of land claims in the wider area, confirmed that there is no pending legal claim on NCRs in the core area of the national park, but in other protected forest areas (Suling Selaan). Nevertheless, the discussions revealed the issue of new Penan settlements in the vicinity of the park and the legal security of such settlements. As more and more semi-nomadic Penan are creating permanent settlements (the best examples of such new settlements in the buffer area of the park is Long Lobang and Ba Tik B), the question arises on how can these new settlements be legally secured and how such settlements can be supported in a way that they become the backbone of the people's livelihoods. This question might become a central one when the project starts its phase 2 activities.

#### **Issue 5: Local stakeholders have different views about their present and future livelihoods**

**Issue addressed in May 2005:** The consultation meeting with the authorities of all settlements in the **Kelabit** highlands revealed that there is a general consensus on the importance to protect the forests in order to secure their livelihoods. There are some fears, however, that once the entire area has been classified as national park, their livelihoods and economic activities will be affected by restrictions in the use of natural resources. The fact that timber harvesting will happen seem to be accepted, nevertheless nobody really wants it. A big issue is the fact that the Kelabit



highlands do not have road access to other parts of Sarawak. All products have to come by air, or, in some parts of the year, by boat. As the logging companies have built a road that is only 15 km south from Bario<sup>10</sup>, the main population centre, the population has made the request to Samling to build the road to Bario. Negotiations are ongoing. Nevertheless, it is a fact that Samling will not construct an access road to the enclave of the Kelabit highlands, but a logging road. The "road against timber bargaining" constitutes a high price for the local Kelabit community. The project indeed is challenged here to help finding a solution.

**Progress made up to March 2006:** On request of the Kelabit community, road construction has been stopped by end of 2005 as Samling and the communities differ in their views on where the road should be located. The different views on development in the Kelabit highlands continue to be a main issue within the communities. As the fuel prices remain high and air access to Bario

<sup>9</sup> Indeed, NCR claims are not specifically addressed against the PTNP, but they are pending cases over the past 30 years in all areas that have been given out for timber licenses (see the issues relating to the Land Right Act of 1958).

<sup>10</sup> There is also an existing road in the northwestern part of Bario, which has reached the core zone of the PTNP. That road would cross the core zone and is unacceptable for conservation purposes. The local population prefers indeed the road access through the south, that would also link the main settlements in the Kelabit highlands.

is increasingly burdensome (the area has been recently declared as a no-flight zone for helicopters), a lot of expectations are brought to the PTNP authorities and the project. Similar remarks have been made in the village of Long Lellang at the southern end of the PTNP. Long Lellang is a regional centre for about 10 small Penan and Kelabit communities, reachable like Bario through an airstrip only. The logging road leading up to Long Lellang is currently closed (lack of maintenance, timber blockade). Long Lellang is also the school centre for Penan children and about 100 primary scholars are presently living in the Penan school boarding house. The meetings in Ba Tik (attended by settled and semi-nomadic Penan living up to 4-days walk from Ba Tik), Long Sabai (attended by representatives of communities living up to 1 day walk from Long Sabai<sup>11</sup>) and Long Lellang (attended by several Penan communities living up to 1-day walk from Long Lellang) revealed the desire to continue to use the forests as a main source of protein, construction material and medicinal plants, but in the same time to further develop their agricultural skills, to have better access to the regional centers (Bario and Long Lellang) in particular for schooling, and to become employed by the park as rangers.

### **Issue 6: There is no transboundary-protected area if the core area will not be extended**

**Issue addressed in May 2005:** The title of the project suggests that the project deals with transboundary protected areas and important international conservation purposes. As it stands now, the PTNP borders count less than 100 m (!) in length with the Indonesian Kayan Mentarang National Park. This is an unacceptable situation and we cannot declare this area as a transboundary protected area! It would be a lie! Indeed, ITTO and the donor community have approved and funded the project in the understanding that it is a transboundary area project. Migration of animals, effective protection of fauna and flora and maintaining traditional livelihoods is closely linked with the transboundary concept. In order to secure the needed longer-term involvement of ITTO and the donors, it would be important to create a sufficiently large boundary area. The helicopter survey indicates that by the inclusion of the northeastern part of the Kelabit highlands, the minimum criteria to classify the area as transboundary protected area would be fulfilled.

**Progress made up to March 2006:** Annex 1 presents a map with the latest proposals made in respect to the extension of the park. In a discussion with the Director of Forests on March 5, the Department is progressing with the immediate gazetting of the core area of Batu Laui and connecting that core area with PTNP through gazetting a logged concession area of Samling. The proposal to link PTNP with the Kayan Mentaran National Park in Indonesia has been made (Pa Lulang area), nevertheless, it was only on March 8 that Samling, the concession holder, has been informed on this proposal. It is in the firm interest of the donors of this project that the two proposed extension areas would become part of the national park before the end of phase 1 of the project (presumably in mid-2007).

## **3.2 New issues encountered in this mission**

### **Issue 7: There are more users of the park than initially expected**

To the surprise of all involved stakeholders in the project, the so-called Church camp<sup>12</sup> near the false summit of G. Gurud at 2200 m altitude reveals itself as a real village that, according to the season, can be populated by up to 1000 people at the same time. In other times of the year, the camp is completely deserted. The camp has been progressively extended over the years and is still growing. Major problems are encountered, including tree felling for the construction of houses and stairways and walking paths, management of sewage, waste, etc. The church camp is promoted and maintained by the Borneo Evangelic Church (SIB – Sidany Fujil Borneo) with headquarters in Miri. It became a place for pilgrims for people living in the entire sub-region, including Peninsula Malaysia, Singapore and as far as Hong Kong. The area has been granted before the creation of the national park, but the



<sup>11</sup> **Photo 6:** Penan woman giving her arguments why she is skeptical of the park (Long Sabai)

<sup>12</sup> **Photo 7:** View on the Church Camp from the helicopter. The camp can be reached through a two-hours walking path from a logging road. The walking path is made out of wood (planked walk) for which trees are felled along the walking path.

expansion was unforeseeable at that time. No paper work or document exist about the user rights of the church camp, and all agreements had been made orally. Applying strictly the national park legislation, the camp would need to be abandoned and demolished. Nevertheless, this seems to be politically not feasible. A dialog therefore needs to be launched with SIB on the use of the camp and the type of impact the camp has on the national park. It will be a major challenge for the Sarawak Forestry Corporation to deal with this kind of encroachment (by one of the major religious movements which comprises influential people in Sarawak's society), compared with encroachment by Kelabit and Penan communities that claim traditional user rights in the park. The equity issue will be at stake and the project will have to carefully monitor all further actions.

### **Issue 8: Better integration of the Sarawak Forestry Corporation in the project**

The Sarawak Forest Corporation, as an independent executing agency of the Forest Department of Sarawak (FDS) is in charge of the management of the park, including enforcement and developmental activities. Nevertheless, there is a lack of involvement of the Corporation in the ongoing dialog process, and the project will need to strengthen its links so that there will not be a 2-stage approach between the project and the law enforcement officers, in particular in respect to the traditional user rights.

### **Issue 9: A careful planning of phase 2 needs an extension of phase 1 of the project**

It is now becoming increasingly clear that Phase 2 of the project will have to deal with issues relating to the use of the resources of the park by people living in the boundaries of the park and by improving living conditions in the buffer zone of the park in order to sustain the park's resources in the long term. As such activities will need in-depth knowledge about the existing users, it is necessary to expand the socio-economic analysis and to strengthen the dialog with the people living in and adjacent to the park. In addition, the project still faces the challenge of the extension of the park boundaries and the lack of any communication with the Indonesian side on issues relating to transboundary protection. It is foreseeable at this point that the project will not be able to do all its work until the end of 2006, and that phase 1 needs to be extended for a period of at least 9 months. This will also allow the project to formulate phase 2 on a solid knowledge ground. It is therefore needed that all involved parties, FDS, ITTO and the donors are informed on such a time-bound extension of phase 1 which will also need additional financial resources.

## **4 Conclusion and recommendations**

### **4.1 Conclusions on project progress**

Conclusions on project progress are made on the basis of the criteria proposed in the IC monitoring report of May 2005. Generally speaking the project is facing major challenges but advances in a satisfactory manner. The following table summarizes the degree of achievement of each criteria:

Nr.	Criteria	Degree of achievement March 2006*	Comments
1	Core zone boundaries assured	Fully (90%)	<ul style="list-style-type: none"> <li>✓ Core zone well protected, no new visible encroachment by roads or logging; expansion of the Church Area in Gunung Murud</li> <li>✓ Satellite imagery shows integrity of the area between 2001 and 2004. New data has to be derived for 2005.</li> <li>✓ Existing logging encroachment has not been expanded.</li> </ul>
2	High policy level discussion on extension has taken place	Partly (50%)	<ul style="list-style-type: none"> <li>✓ Official launching on March 4, 2006.</li> <li>✓ Mention of the extension of the park made in official launching.</li> <li>✓ Lack of response by highest authority on the extension until date. A courtesy call of the ITTO Executive Director to the Chief Minister is still needed before the end of phase 1.</li> <li>✓ High level discussion with Samling Sdn. is of high priority.</li> </ul>
3	Agreement on Batu Lawi area	Partly	<ul style="list-style-type: none"> <li>✓ Proposal of an extension over 37,370 ha made (see annex 1).</li> <li>✓ The unlogged core area should be identified and marked until end of 2006 and local stakeholders informed about the</li> </ul>

	achieved	(40%)	<ul style="list-style-type: none"> <li>✓ procedure.</li> <li>✓ There is a need to immediately include one of the logged-over areas in the proposed extension so that there is no re-entry in this area and a land bridge to the unlogged Batu Laui area established.</li> </ul>
4	Agreement on Pa Lungan area achieved	Partly (20%)	<ul style="list-style-type: none"> <li>✓ Discussions with Samling Company need to be officially launched and agreement reached.</li> <li>✓ Stakeholder dialog with Pa Lungan and Long Repung communities needs to be held.</li> </ul>
5	Multistakeholder dialog happening (extended Steering Com. and functioning Stakeholder Consultative Committee)	Partly (60%)	<ul style="list-style-type: none"> <li>✓ The stakeholder consultative committee still needs to be formed.</li> <li>✓ The dialog which has been started needs to be maintained and strengthened in respect to the particular issues identified in each area.</li> <li>✓ A register of Penan settlements in the Batu Laui area needs to be prepared.</li> <li>✓ A meeting needs to be organized that brings all those Penan settlements together which are situated in the border areas of the extended park.</li> </ul>
6	Traditional user right issues tackled	Partly (50%)	<ul style="list-style-type: none"> <li>✓ Proposal of contractual arrangements tested (Ba Tik).</li> <li>✓ Possibilities to create "settlement conservation areas" (syn. to village forests) in the buffer zone of the park to be explored.</li> <li>✓ Legal aspects have to be fully considered and eventually to be tackled.</li> </ul>
7	Transboundary issue has been taken fully into consideration	Not achieved (0%)	<ul style="list-style-type: none"> <li>✓ A dialog has to be started.</li> <li>✓ ITTO should support the project with documentation of Kayan-Mentaran and help to organize a joint meeting.</li> <li>✓ GA to provide information and participate in KM SC.</li> </ul>
8	Commitment of Sarawak F.D. fully assured	Fully (90%)	<ul style="list-style-type: none"> <li>✓ Full commitment of the Forest Department is assured so far.</li> <li>✓ Better integration of the Sarawak Forestry Corporation in the policy dialog and the local stakeholder dialog is needed.</li> <li>✓ The question of re-entries of logging after first logging in the concessions adjacent to the park need needs to be reopened.</li> </ul>

\*All 8 criteria must be at least in the "partly achieved" category in order to engage Switzerland in a continued support beyond phase 1 of the project.

**The two killer assumptions for a continuous support by Switzerland beyond Phase 1 of the Project are as follows:**

- 1. *None-Achievement of the Extension of the Park (Batu Laui and Pa Lungan)***
- 2. *No solutions in view in respect to securing traditional user rights of Kelabit and Penan communities living adjacent to the extended PTNP***

#### **4.2 Recommendations**

##### **Remaining project activities for phase 1: A balance between policy level dialog, stakeholder consultations and preparation of a draft management plan**

The policy dialog at the highest level needs to be continued in respect to the extension of the park and the traditional user right issues. Based on the policy dialog, a more in-depth consultation with local stakeholders, in particular with the Penan communities is needed in order to get a common understanding on opportunities and threats that are offered by the creation of the park (core area and extended area). Most importantly, the Forest Department, supported by the project, will need to closely consult with Samling Corporation which holds all the legal concession contracts for the major areas concerned with the extension of the PTNP. An additional effort has to be made to prepare the draft management plan for the extended park at the next steering committee meeting in October 2006.

## **Strengthening Steering Committee and Stakeholder Consultative Committee**

The Steering Committee now comprises members from different State institutions, from the Federal Government, the Resident from the Miri area, a conservation NGO (Wildlife Conservation Society), ITTO and a donor representative (Switzerland) as well as two representatives of logging operations (Samling and Shen Yang). Nevertheless, there is still no participation of local communities in the steering committee. Based on the ongoing consultation process with the local communities in the vicinity of the park, the project should convene a first Stakeholder Consultative Committee meeting in Long Lellang or Bario before the next Steering Committee meeting and elect two representatives to be present in the 4<sup>th</sup> steering committee meeting in October 2006.

## **Extending phase 1 of the project with additional funds and careful planning of phase 2**

A proposal to extend phase 1 of the project for a period of up to 9 months should be made and examined by the next steering committee meeting. Such an extension is needed to address the major thrusts remaining to be solved in phase 1 of the project and to have sufficient information on disposal to formulate a proposal for phase 2 of the project. Such an extension would need additional national and international funding. Phase 2 of the project should be based on a three-year planning, including activities to finalize the process of the extension of the park, to secure traditional user rights in the extended park on a case-by-case basis, to include villages and settlements situated in the buffer area of the park in the protection activities and to undertake alternative development activities in the settlements and villages surrounding the park, including the creation and management of “settlement conservation areas” in the immediate buffer zone of the park.

### **4.3 Intercooperation’s monitoring activities**

IC will continue monitoring this project with high priority as part of its backstopping mandate with **seco**. It will closely involve **seco** in all relevant policy aspects relating to the project, and maintain, on request of **seco**, close relationship with the Swiss Embassy in Kuala Lumpur and interested stakeholders in Switzerland.

IC’s regular monitoring work will include technical backstopping of the project implementation unit in Sarawak; the filing of all relevant information on the project and activities affecting the project; and keeping Swiss-based stakeholders informed on the progress of the project. The following activities will be conducted until end of 2006:

- Briefing of ITTO’s ED in respect to the policy dialog on the project and requesting him to make a courtesy call to the Chief Minister before the end of the year;
- Purchase of the available satellite imagery of the extended PTNP (before 2001; 2004) and explore possibility of an updated sketch for 2006.
- Participation in the 3<sup>rd</sup> steering committee meeting in beginning of October 2006, probably in Bakalalan and continuation of the dialog with Penan, Kelabit and Lun Bawang communities and the timber companies.
- Upon approval by **seco**, desk support of the project implementation unit in the preparation of a 9-month extension of phase 1 with additional funds (October). Based on successful completion of the criteria for phase 1, support the formulation of phase 2 of the project (October – December 2006).

On IC side, JB will continue to monitor the project supported by GA. The Swiss Embassy in Kuala Lumpur will be briefed in October 2006, as the responsible officer (Mr. Schläfli) will have been replaced by then.

\*\*\*

***ijangtenin***

\*\*\*

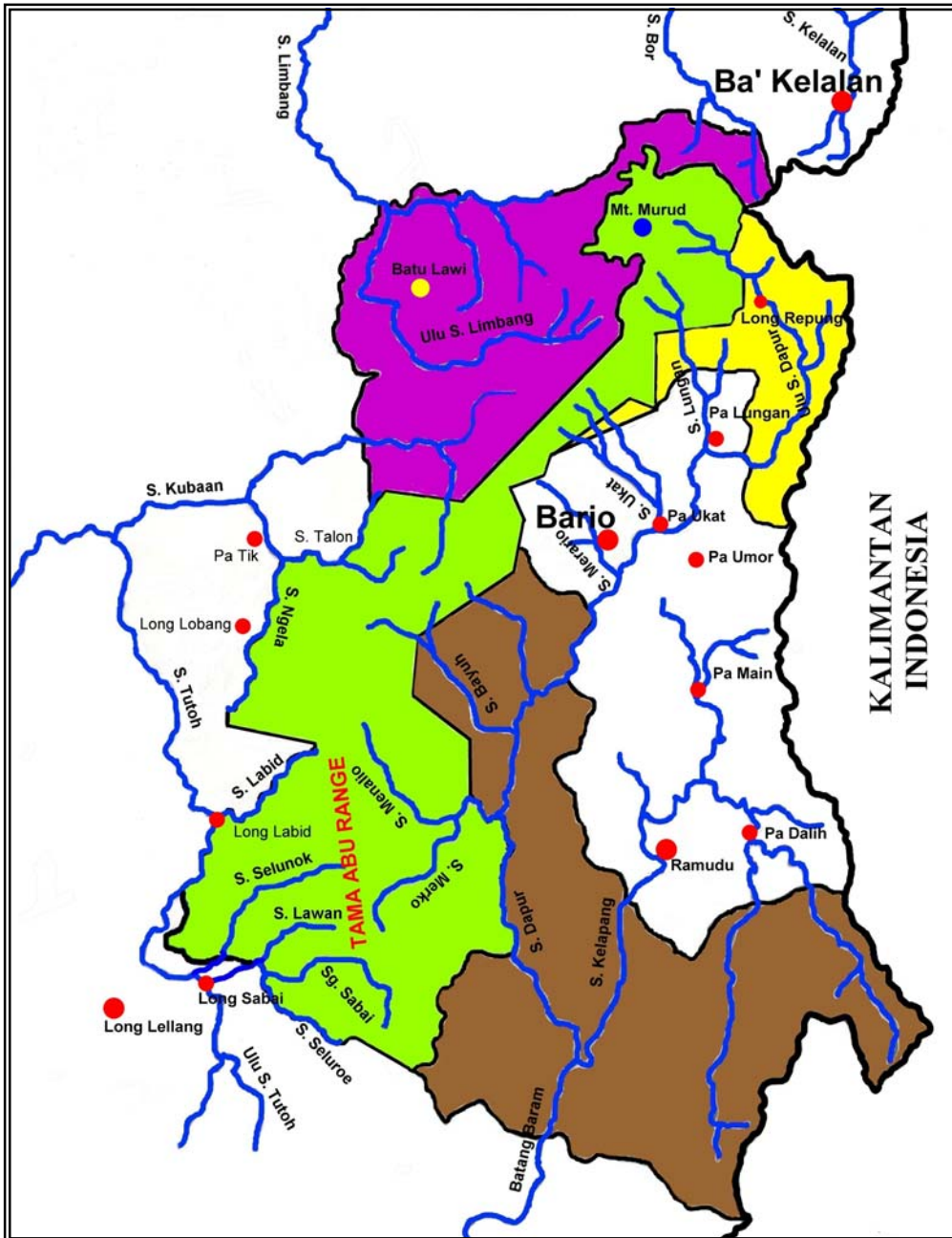
**Annex 1: Sketch map: the proposed extended PTNP as introduced to the State Secretary**  
**Annex 2: Minutes of the Steering Committee Meeting, March 4, 2006 (upon request)**

**Annex 3: Second Project progress report (upon request)**

**Annex 1:**

**Sketch Map of the PTNP core area and hot spots of the extended PTNP**

- Core area of the park (59,800 ha after de-gazetting of customary right lands)
- Extended area Batu Lulai (37,370 ha, including unlogged core area and logged buffer zone)
- Extended area Pa Lungan (10,300 ha, unlogged area, including coupe 2011 of Samling Sdn.)
- Extended area Kelabit Highlands (54,400 ha, can only be included once logging has ceased)



**ANNEX 2**

**Minutes of the 3<sup>rd</sup> Project Steering Committee Meeting**

**ITTO PROJECT PD 224/03 Rev.1(F)  
TRANSBOUNDARY BIODIVERSITY CONSERVATION - THE PULONG TAU  
NATIONAL PARK  
STATE OF SARAWAK, MALAYSIA**

**Date : 4<sup>th</sup> March 2006  
Time : 13.45 - 17.00 am  
Venue : 4<sup>th</sup> Floor, Mega Hotel,  
Miri, Sarawak**

---

**Annex 3:**

**Second Project Progress Report (to be scanned in)**