

## Heart of Borneo as a '*Jalan Tikus*': Exploring the Links Between Indigenous Rights, Extractive and Exploitative Industries, and Conservation at the World Conservation Congress 2008

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### Abstract

At the Fourth World Conservation Congress in Barcelona in October 2008, a number of motions were passed that emphasised human and indigenous rights and the role of the private sector, particularly extractive and exploitative industries, in conservation. These issues are highly relevant to the ongoing World Wide Fund for Nature (WWF)-led Heart of Borneo (HoB) conservation initiative, which is situated in an area with overlapping political jurisdictions and an array of possible futures, which could include new or expanded protected areas, community-managed conservation programmes, or oil palm plantations potentially covering millions of hectares. The HoB initiative is ambiguous in the sense that its borders are not fixed, its land and resource management strategies are not clearly defined, its projects are not predetermined, and its policies regarding who benefits from it are not obvious. HoB is also ambitious, and its actors must negotiate a number of different types of scales: geographic, political, economic, institutional, and ecological. These factors offer both opportunities and weaknesses both for conservation and for local and indigenous communities living within the HoB area. Using HoB as an example, I show how small NGOs, national branches of multinational NGOs like WWF, and local and indigenous communities must walk a '*jalan tikus*' to accomplish conservation and indigenous rights goals. I also offer suggestions on how the motions passed by the International Union for Conservation of Nature (IUCN) membership can be incorporated into HoB planning on the ground.

**Keywords:** Heart of Borneo, Indonesia, Malaysia, Brunei, WWF, transboundary conservation, indigenous rights, human rights, biofuels, oil palm

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### INTRODUCTION

The Heart of Borneo (HoB) is a large-scale, tri-national transboundary initiative led by the World Wide Fund for Nature (WWF) that proposes to link conservation and sustainable development in the geographical 'heart' of Borneo. It covers a very large area that overlaps three countries (Indonesia, Malaysia, and Brunei Darussalam) with three very different political contexts, and aims to create a mosaic of land uses that encourage sustainable development around core protected areas, as well as corridors between extant protected areas and the creation of new (or expansion of old) ones.

The HoB initiative embodies several key struggles in conservation that were discussed and debated at the Fourth World Conservation Congress (WCC) in Barcelona in October

2008. In this paper, I will focus on two main and interrelated threads at the WCC that have a direct impact on the HoB initiative and for local and indigenous peoples living within the HoB area: 1) indigenous rights within the conservation realm, and 2) the role of the private sector, in particular of extractive and exploitative industries, in conservation. The complexity of the interplay among these issues becomes apparent in the context of HoB. In the following sections, I will describe WCC resolutions related to human and indigenous rights, extractive and exploitative industries, and biofuels and then provide contextual information on Borneo and the HoB initiative.

I will then discuss the main results of my research, which are interwoven with issues relating to indigenous rights and extractive and exploitative industries (with an emphasis on oil palm, the main biofuel-producing crop in Borneo). First,

HoB has been criticised for being ambiguous (by which I mean vague, uncertain, or interpretable in more than one way), and I argue that this ambiguity is both a strength and weakness for conservation. Second, HoB raises the perennial issue in conservation of how conservation projects must often simultaneously operate on multiple scales (geographic, political, and institutional), and I show how different decisions regarding trade-offs are made about HoB at each of these scales. Third, there are often tensions regarding who benefits the most from large conservation projects, and I show how different actors perceive the distribution of benefits from HoB.

I show how, even in places with top-down political authority (such as Sarawak), small NGOs, national branches of multinational NGOs and local and indigenous communities can initiate meaningful conservation projects from the ground up by following a '*jalan tikus*' (literally 'mouse trail' in Bahasa Indonesia), or an unobtrusive, non-confrontational way to quietly skirt some of the more oppressive restrictions against conservation. I argue that the HoB initiative itself can be seen as a '*jalan tikus*'. Finally, I suggest ways that the discussions at WCC involving indigenous rights, the relationships between conservation organisations and extractive industries, and the promotion and production of biofuels can translate into action on the ground in the HoB area that positively influence both conservation and indigenous rights.

## METHODOLOGY

I had already been conducting ethnographic fieldwork for over two years in the Kelabit Highlands of Sarawak, Malaysia, which borders Indonesian Kalimantan in the HoB area when the Fourth WCC took place. During my time in Malaysia, I participated in several inter-community workshops and dialogues funded by WWF as part of the HoB initiative. I discussed with numerous (at least 15) indigenous people on both sides of the border their ideas about HoB. I also observed WWF's efforts on the ground with local and indigenous communities in the HoB area and asked about their interactions with governmental agencies. In addition, I interviewed 14 members of other NGOs in Sarawak, Sabah, and Kalimantan to understand their perception of and degree of involvement in the HoB project.

I attended the WCC in the midst of my fieldwork as a member of the Event Ethnography research team sponsored by the Advancing Conservation in a Social Context (ACSC) initiative. At WCC, I interviewed Indonesian and Malaysian attendees about HoB, consulted daily with other team members researching related topics at the WCC [such as biofuels, Reducing Emissions from Deforestation and Forest Degradation (REDD), and indigenous rights], and attended workshops, roundtable discussions, contact groups, and plenary sessions on issues that had the potential to affect conservation in the HoB area. I attended events that were part of the Forest Journey and the Bio-Cultural and Indigenous Peoples Journey.

In compliance with Institutional Review Board (IRB) confidentiality requirements to protect the identity of my informants, I have not identified any of the people with whom I have spoken by name or organisation. It is important to note here that criticism of any policy or practice of the ruling government is seen as oppositional, and conservation is a particularly sensitive topic in Malaysia, especially in Sarawak. Since many of my informants have directly criticised the Malaysian federal government and/or the Sarawak state government, it is imperative their identities remain private. In most cases it is too revealing to even mention their affiliation, especially in Sarawak, where so few conservation NGOs currently operate.

## BACKGROUND

### Indigenous Rights and Extractive and Exploitative Industries at the WCC

Numerous resolutions and recommendations related to human and/or indigenous rights were approved by the IUCN membership at the Fourth WCC, including the following: 4.047, 4.048, 4.049, 4.050, 4.051, all of which addressed indigenous rights in protected areas and community conservation territories; 4.053, which addressed the rights of mobile indigenous peoples; 4.055, which sought integration of culture and cultural diversity into IUCN's policy and programme; and 4.077, which addressed climate change and human rights. Resolution 4.056 urged IUCN to adopt and implement rights-based approaches to conservation and called for the development of 'a comprehensive IUCN Policy on Conservation and Human Rights' (IUCN 2009: 69). Resolution 4.052 was also passed, in which the IUCN officially adopted as its own framework the *United Nations Declaration on the Rights of Indigenous Peoples* (Godoy 2008b; IUCN 2009: 62–64). Many indigenous attendees and advocates cheered this 'breakthrough' for indigenous rights and for the protection of biodiversity in indigenous territories (Godoy 2008b: 7).

Several controversial resolutions up for debate at the WCC involved the role of the private sector, particularly extractive and exploitative industries, in conservation (specifically Resolutions 4.086, 4.087, 4.088, 4.089 and 4.090). A resolution (4.088) calling for the establishment of the IUCN Extractive Industry Responsibility Initiative was approved. Motion 110 (based on Resolution 4.090), which was passed, urged mining companies to avoid or cease extractive activities in indigenous territories without the free and informed consent of local and indigenous communities.

Motion 107 urged IUCN to terminate its partnership with Royal Dutch Shell, which was signed in October 2007 'with the aim of enhancing the company's biodiversity conservation performance and, at the same time, strengthening the green coalition's own capacity to influence large corporations into a greater environmental commitment' (Godoy 2008a: 1). The termination of this partnership would have cost IUCN around 1.2 million US dollars, in addition to litigation costs if Shell

were to take legal action (Godoy 2008a: 8). Godoy (2008a: 8) also notes that IUCN has similar contentious partnerships with other extractive industries, e.g., Holcim (the world's largest cement supplier), Total (French oil giant), and Rio Tinto (the world's largest extractor of coal), so the termination of the agreement with Shell would set a precedent for IUCN's relationships with other multinational corporations with less-than-stellar environmental records. After much debate and several delays (and after having been approved by a contact group), Motion 107 was rejected.

Motion 109 aimed to prevent the IUCN Director General from signing agreements with extractive industries. This motion, whose text had been approved earlier in a contact group session, was approved during the assembly, 'but only after a long and heated debate at the plenary'; during this span many amendments were made (Godoy 2008b: 6) which so completely 'watered down' the motion that its original intent was lost. Godoy (2008b: 6) notes that: 'In the final consensual version, the provision calling the IUCN governing bodies not to sign further agreements with extractive industries was erased'. However, the resolution still calls for IUCN to ensure that there are cancellation clauses within agreements with the private sector to protect IUCN from litigation due to the cancellation of partnership agreements in cases where the efficacy of the agreements is in doubt (Godoy 2008b: 6).

Numerous events at WCC also focused on continuing deforestation around the world and particularly in developing countries and the implications of this for global climate change. Many WCC events and several resolutions directly addressed REDD (4.068, 4.075, and 4.085; see also Peña this issue) and biofuels and agrofuels (4.082 and 4.083; see also Maclin & Dammert this issue). As noted by the Universal Management Group (2009: 14), which conducted an external evaluation of WCC, the WCC 'advanced the debate on REDD and the use of carbon credits to support protected areas and conservation efforts more broadly'.

As many countries are now implementing laws requiring percentages of all fuels to be derived from plant sources, demand for agricultural land dedicated to the production of biofuels is increasing, often at the expense of intact forests and food-producing fields. In an attempt to address criticism that biofuel production is causing widespread deforestation and driving up food prices, the World Bank and the Roundtable on Sustainable Biofuels (RSB) announced the creation of the World Bank Biofuels Scorecard at the WCC. This card will enable rating of potential biofuels based on various parameters, including their effects on local and indigenous land rights and land tenure; food displacement; land and biodiversity conservation; and protected areas; as well as environmental and social impact of biofuels processing, waste management, and soil and water conservation and/or pollution (Geloo 2008: 4). How this Biofuels Scorecard will be utilised by governments and the industrial plantations promoting monoculture for biofuels remains to be seen, but it is clear that the deforestation continues in tropical areas such as Borneo, much of it to meet growing global demand for biofuels.

## Context: Borneo

That Borneo is an island of global ecological importance, and that its numerous species<sup>1</sup>, watersheds, and ecosystems are acutely threatened, are points that hardly need elaboration or justification. All major international conservation organisations cite Borneo as an area of high priority, as do a plethora of national and local conservation groups. The transboundary HoB area includes approximately 200,000 sq. km in central Borneo; the area is incredibly rich in biodiversity, and its mountains and watersheds provide ecological services to the entire island.<sup>2</sup> The HoB area is also home to around half a million people, many of them indigenous, from at least 50 culturally and linguistically distinct ethnic groups<sup>3</sup> (WWF-Malaysia & WWF-Indonesia 2007). Local livelihoods, which revolve around rice production and ecotourism, are dependent on intact forests and watersheds.

There are already at least 16 national parks and other protected areas in the HoB area (and at least another seven proposed). However, 'any forest protection initiative in Borneo is also overshadowed by the caveat that protected areas have not fared well on the island—especially in the Indonesian territory of Kalimantan—over the past decade' (Butler 2007). A 2004 study 'showed that between 1997 and 2002 nearly 79% of forest loss took place within the boundaries of designated or proposed protected areas' (Fullup *et al.* 2004)<sup>4</sup>. Alternative conservation strategies, which include timber<sup>5</sup> and oil palm certification programmes that adhere to international standards, may be more effective than declaring new protected areas.

The Malaysian Palm Oil Council (MPOC), in its efforts to market palm oil produced in Malaysia as sustainable, has joined the Roundtable on Sustainable Palm Oil (RSPO). Malaysia is also a member of the RSB, and the March 2009 RSB meeting was held in Kuala Lumpur. However, Malaysia's participation in the RSPO and RSB has not yet guaranteed sustainable production of palm oil for biofuels and other products. This is also the case in Indonesia.

In Sarawak especially, 'timber politics' and 'crony capitalism' have led to the distribution of timber and mining concessions as political favours, which has led to rapid and haphazard cut-and-run logging practices, since there is no incentive to invest in the sustainability of the forest resources (Colchester 1992; King 1993; Brosius 1997, 1999, 2003; Nicolaisen 1997; Kaur 1998; Cooke 1999, 2006). Many natural forests in Borneo, including those within the HoB region, have been cut to make way for oil palm plantations. Butler (2008b) writes that while the MPOC has 'flatly denied that natural forest has been cleared for the establishment of oil palm plantations, ground and satellite evidence proves the claims quite false'. Also, an analysis of the United Nations Food and Agriculture Organization (UNFAO) land-cover data reveals that 'during the period 1995–2005, 55–59% of oil palm expansion in Malaysia, and at least 56% of that in Indonesia, occurred at the expense of forests' (Koh & Wilcove 2008). Most of the encroachment into forests has occurred in Sabah, Malaysia's leading palm oil-producing area (Koswanage & Bhui 2009).

Although the federal government of Malaysia has prohibited the clearing of forests for the establishment of oil palm plantations, as announced in late June 2008 by the former Prime Minister of Malaysia, Datuk Seri Abdullah Ahmad Badawi (New Straits Times Online 2008), in Sarawak, the Chief Minister, Tan Sri Abdul Taib Mahmud, said that the federal ban on logging for oil palm 'does not apply to the state' since these forests have been slated for agriculture since the 1950s (Butler 2008a). Despite numerous research studies proving the devastating ecological effects of conversion of forest to plantation and despite a series of protests and land claims cases by indigenous communities whose communal lands have been destroyed by plantations, the Chief Minister maintains that 'there are no reasons not to continue opening up more land'. This demonstrates the political autonomy of Sarawak from the jurisdiction of the Malaysian government.

Meanwhile, in February 2008, Indonesia lifted a year-long ban on establishing new oil palm plantations on peat land, claiming that new regulations would ensure that oil palm is produced sustainably (Murray 2009). The lifting of this ban is good news for the Malaysian oil palm companies, who are expanding into Kalimantan now that almost all the land in Sarawak is already cultivated, unsuitable for oil palm, or within protected areas.<sup>6</sup> China is also now investing heavily in oil palm schemes in Kalimantan for the production of biofuels.

However, at the WCC in October 2008, during a special event held by WWF, Herman Roosita, Indonesia's Deputy Minister of Environment, announced that Indonesia would ban the conversion of forests to monocrop plantations. She emphasised her country's dedication to its forest-carbon initiative, and said Indonesia would 'adopt a sustainable development model that uses ecosystem-based spatial planning' (WWF 2008). She also reiterated the country's commitment to achieving zero net deforestation by 2020, first announced at the CBD CoP 9 in Bonn, Germany in May 2008.

But despite Indonesia's very public commitments to stricter environmental regulations, the country is also making plans to establish the world's largest oil palm plantation, the Kalimantan Border Oil Palm Mega-project (KBOPM), which would blast a huge hole right through the centre of Borneo. First announced in April 2004 and made public in March 2005, this mega-project, funded mostly by Chinese, Indian, and Malaysian investors in addition to the Indonesian government, covers 1.8–2 million hectares in the HoB area and threatens to destroy large parts of Borneo's largest national park, Kayan Mentarang (1.4 million hectares), as well as cut through protection forests and production forests. Wakker (2006: 19) states that 'the deforestation and species loss resulting from the mega-project would be colossal and unprecedented'.

It seemed that the KBOPM was cancelled after Indonesia's public commitment to HoB at the CBD CoP 8 in Brazil in 2006, which seemed a victory for WWF and many other NGOs, scientists, and local and indigenous communities that had protested against it. But now it appears that the

mega-project has been revised (the 'border' now extends 100 km from the boundary with Malaysia, instead of the 5–10 km in the previous plan), revamped (with conservation and human rights-related rhetoric duly incorporated), and repackaged (as being necessary for 'national security')<sup>7</sup>. However, the KBOPM could displace many indigenous communities and/or force the destruction of their ancestral lands to make way for oil palm plantations by means of a new Presidential Regulation (Pepres Nr. 36/2005), which allows the government to take community land for reasons of 'public interest' (Wakker 2006). The Indonesian government received a stern warning from the United Nations Committee for the Elimination of Racial Discrimination to immediately address the human rights issues involved in this mega-project<sup>8</sup>, but they have already missed several deadlines to respond. If the KBOPM moves forward, in all likelihood, there will be little nature left to save along the Indonesian side of the border in the HoB. The agreement of the three nations to cooperate in transboundary conservation issues is encouraging, but clearly lip service from the governments is not enough to ensure that the area is actually protected.<sup>9</sup>

### **The Heart of Borneo Conservation Initiative**

WWF, the world's largest international conservation organisation, has offices in over 100 countries. Some countries have WWF programme offices that are run primarily by WWF-International headquarters in Gland; in other countries WWF operates as a national organisation, run and managed by national partners with a high level of autonomy. Such is the case with WWF-Indonesia and WWF-Malaysia. WWF-International helps to develop global conservation priorities and policies, initiates and strengthens global partnerships, and coordinates international campaigns, while the national offices oversee projects within their borders and have vested interest in their success. HoB is one of WWF's high-profile Network Initiatives, which refers to 'particular programmes that focus on a set issue, place or species, that critically (and hence the name) have the backing of the entire WWF Network of offices around the world' (pers. comm.), as well as support from WWF's partners: local and indigenous communities, other NGOs, governmental agencies, corporations and key businesses, etc. WWF-International uses the full force of its global networks and partnerships to influence national conservation policies and intergovernmental agreements. WWF has been expanding its 'ecoregional' approach to conservation and development projects (Jeanrenaud 2002; McShane & Wells 2004; Reed 2006), and Borneo is considered one of WWF's Global 200 'priority ecoregions'.

The idea for a transboundary conservation project in central Borneo was first discussed by the big international NGOs in 2000. In November 2003, there was a meeting in Singapore with WWF, Conservation International (CI), The Nature Conservancy (TNC), and Wildlife Conservation Society (WCS). At this meeting, all the NGOs present

supported the effort and agreed to let WWF lead the project, which later became known as the Heart of Borneo (HoB). In April 2005 a workshop was held in Brunei, which was attended by United Nations Educational, Scientific, and Cultural Organisation (UNESCO), Association of Southeast Asian Nations (ASEAN), IUCN, International Tropical Timber Organisation (ITTO), WCS, TNC, CI, WWF, Center for International Forestry Research (CIFOR), Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ), the Secretariat for the Ramsar Convention on Wetlands, the Wildlife Trade Monitoring Network, as well as members of other NGOs, research institutes, and governmental ministries (WWF 2005).

Following the meeting in Brunei, there was an international conference in Leiden from 25–28 April, where many academics presented papers on research conducted in the HoB area. In December 2005, the HoB initiative was widely supported at the ASEAN Leaders Summit, encouraged by supportive statements from the then Prime Minister of Malaysia (and Chairman of ASEAN), Datuk Seri Abdullah Ahmad Badawi. At this meeting, the HoB was selected as a ‘Flagship Programme’ in the 5-year development plan for Brunei Darussalam, Indonesia, Malaysia, Philippines East Asian Growth Area (BIMP-EAGA), a decision endorsed by all four nations. Following this meeting, the governments of Indonesia, Malaysia, and Brunei publicly committed to a cooperative conservation initiative at the CBD CoP 8 meeting in Curitiba, Brazil in March 2006. The official HoB Declaration was signed in Bali by representatives of these countries on 7 February 2007.

At the first trilateral meeting in Brunei in July 2007, the three governments reached a consensus on many issues including the HoB project documents for each country. In April 2008, at the second trilateral meeting in Indonesia, the three governments adopted a tri-national HoB Strategic Plan of Action, which focuses on the following five categories of activities to be undertaken jointly: transboundary management, protected areas management, sustainable natural resource development, ecotourism development, and capacity building. According to the plan, each country must find its own funding for conservation projects within its borders; it further suggests finance mechanisms such as government funding, individual or corporate donors, payment for environmental services, and carbon trade to support implementation. WWF plans to have a stronger presence on the ground in the near future, to implement specific measures agreed upon in these various tri-national meetings. There has also been much support for HoB from foreign governments.<sup>10</sup>

But as we shall see, the reality of the HoB on the ground is messy. There is no consensus over what HoB actually is, who is involved, or who will bear the costs or reap the benefits. That multiple decisions are being made about HoB by many different actors, and that trade-offs are simultaneously being negotiated at various geographic, political, and institutional scales, add to the confusion. My research shows that different actors envision vastly different futures for this landscape,

and that the area is subject to a multiplicity of overlapping jurisdictions. My results also elucidate the important role that small independent NGOs, national branches of large NGOs like WWF, and local and indigenous communities can play in huge projects like HoB.

## RESULTS

### **Ambiguity in Conservation: Strength or Weakness?**

HoB is not a conventional conservation project, with a predetermined budget, measurable goals, and deliverable outputs being implemented within set boundaries. As a WWF Network Initiative, it is much more ambiguous, and the methods to achieve conservation goals are multiple, shifting, and opportunistic. New projects embedded within the initiative are implemented in different places at different times, and these projects often occur simultaneously. Someone from WWF-Indonesia told me that HoB ‘is a very loose network, and any organisation that wants to do conservation in the area and call it cooperation with the HoB can’. However, someone from WWF-Malaysia said that ‘it’s not good if just anyone can say they are working with HoB’. According to him, now that HoB is ‘gaining successes’, other NGOs and corporations may want to claim to be part of it, even if officially they are not.

There is uncertainty about the level of involvement of conservation NGOs other than WWF in HoB, which can lead to confusion among actors (and potential actors). WWF’s HoB website lists TNC, WCS, CI, Tropenbos, and the Indonesian Institute of Sciences (LIPI) as its partners. Many of the members of other NGOs in Malaysia and Indonesia with whom I have spoken felt excluded from the HoB project. The director of one conservation organisation based in Malaysia said that his NGO is not directly involved in HoB, but that he is ‘cheering on WWF’ with the project. An Indonesian scientist working in Kalimantan told me that ‘some individuals and organisations have the perception that HoB is a WWF project, and that WWF does not want others involved.’ When I asked the leader of an indigenous rights NGO in Malaysian Borneo about HoB, he told me that:

Apart from WWF, I don’t really know about people who are doing the Heart of Borneo conservation project. So far there is no participation of Indigenous Peoples (IPs) in the initiative or even initiative to involve the IPs to that particular conservation project. Looks like just another WWF conservation gimmick... Well, even you ask me about Heart of Borneo—I would not know much actually because we never participated or were invited to any of the meetings.

A Malaysian ecologist working with another conservation NGO said that his organisation was also not invited to meetings. But, he said bluntly, ‘we don’t want to be associated with HoB anyway. It’s going to fail, it’s not doing anything;

it's self-destructing, so we don't want anything to do with it'. However, members of some of these organisations have attended HoB planning meetings in the past. Several people who work with WWF in Malaysia and Indonesia have told me that, at first, all the NGOs wanted to be part of HoB, but then they stopped attending the meetings. One person working with HoB in Malaysia said: 'we invite them, but they don't come.' Another person working with WWF told me that: 'other NGOs are just jealous.' It is not clear at this point how the uncertainty regarding who is and who is not involved in HoB affects conservation work on the ground, but recognising the nature of the critiques of HoB (and WWF) is useful in understanding the relationships between actors and possibly ways to improve them.

Another major source of ambiguity regarding HoB is its actual size and the location of its boundaries. The dimensions keep changing, mostly as a result of Sarawak continually removing chunks. Initially, Sarawak pledged 6.1 million hectares, then reduced this pledge to around 4 million hectares, and then reduced it further to around 2.2 (as of May 2009). HoB currently covers 200,000 sq. km (down from 240,000 and then 220,000). The boundaries will never be marked on the ground, so its size and shape are determined roughly by watersheds.

Yet another source of ambiguity surrounding the HoB project is that it does not just include protected areas, although the three nations have agreed to use 'best management practices' in their timber extraction, large-scale agriculture, and other extractive or exploitative industries. But as stated clearly by WWF-Indonesia (2005): 'This ecologically inter-connected area will neither change the current legal status nor reduce the locals' rights.' The HoB pushes the metaphorical boundaries of what a conservation project entails, and leaves it open to interpretation by different actors.

One advantage of ambiguity in a large-scale conservation initiative such as HoB is that the official governmental embrace of it opens the door to more conservation work. The HoB Declaration, which is extraordinarily vague, can be used as a leverage to pressure the government to allow more conservation projects or to follow through on their environmental promises. The director of one Malaysian conservation NGO said that although his organisation has to be sure never to criticise the government, they are careful to highlight the government's commitment to conservation in order to 'embarrass them into doing the right thing'. Following the guidelines of the governmentally backed HoB Declaration can be a '*jalan tikus*' to implement conservation initiatives and possibly open the field for more actors to contribute to conservation planning.

However, the ambiguity of the HoB initiative saddles it with inherent weaknesses. Many people I interviewed expressed the opinion that HoB does not 'do' anything; it is not a protected area, and there is no monitoring of activities within its boundaries. There are no penalties for governments that give out concessions to clear-cut large areas of land within the HoB or convert natural forests to oil palm plantations. Critics

compare HoB to 'paper parks' all over the world that look great on a map but don't conserve anything on the ground. With even less legal status than a national park or nature reserve, they say that HoB is just 'clever branding' by WWF with nothing more substantial than some 'nice ideas about conservation' behind it. According to Rhett Harrison, a tropical ecologist: 'My personal opinion is that the Heart of Borneo project is mostly a publicity stunt by WWF. As a strategy to protect Borneo's biodiversity it falls way short of what's needed and is in fact diverting attention away from where it should be focused' (Butler 2007).

But several respondents expressed the opinion that because HoB doesn't 'do' anything is precisely the reason that the three governments are so willing to agree to it. The publicity surrounding their signing of the declaration enhances their environmental images, which two of the three (Malaysia and Indonesia) are especially keen to do, so long as it doesn't involve actually 'doing conservation'.

The fact that HoB is so ambiguous can be both a blessing and a curse. It can serve as an umbrella under which multiple conservation projects can occur simultaneously and open the door for more collaboration. But it can be difficult to measure success when there are no clear definable goals and no consequences for the countries if they break their promises.

### **The Perennial Problem of Conservation: Navigating Multiple Scales**

Actors in most conservation projects must simultaneously navigate multiple scales: geographic, political, and institutional. The HoB initiative, with its multitude of actors operating on different levels of each of these scales, illuminates how decisions regarding trade-offs must be made at different scales.

The first and most obvious scale for HoB is the geographic one: HoB covers a huge area. It is very ambitious but has to be, because a smaller scale approach would be insufficient. Rahimat Amat, the Chief Technical Officer for the HoB project with WWF-Malaysia, says: 'This is the only place [in Southeast Asia] where tropical rainforest can still be conserved on a large-enough scale to remain permanently viable' (Stone 2007: 192). Entomologist Carsten Brühl says that the large scale of the HoB project 'is very promising, since size does matter for biodiversity conservation in tropical forest habitats' (Stone 2007: 192). However, many interviewees noted that there are always trade-offs between the size of a conservation area and its capacity to be managed, and expressed concern over HoB's size. One person said that:

Even if there were some authority to enforce the tri-lateral agreements regarding conservation and sustainable development, and even supposing for a minute that all three nations were sincere in their desires to pursue this initiative, the area covered is just too large to be properly managed. It is unrealistic to expect WWF to oversee all of this and make sure that it happens on the ground. The area is just too big.

As discussed earlier, many interviewees said that what is needed is commitment from the governments to conserve extant protected areas and to practice sustainable resource extraction methods.

HoB operates on the entire spectrum of political levels, from a global and transnational level down to the level of individual communities. HoB is part of a global network, and therefore requires cooperation from vastly different governments. Forest management is authoritarian and strictly top-down in Sarawak, while decentralisation policies have led to more regional autonomy in Kalimantan. The Sultanate of Brunei, rich from oil and natural gas revenues, can easily afford to conserve large areas of forest. Agreement on transboundary cooperative measures of any kind is a challenge. Many of the people I interviewed, even those with the harshest criticism for both HoB and WWF, praised WWF for its ability to facilitate tri-national cooperation.

Many people expressed doubts about the sincerity of the three national governments, and especially about the state government of Sarawak, and thus about the likelihood of the success of HoB. One person said that there is 'not much hope for HoB, especially in Sarawak, at least until the government changes hands'. A member of another Malaysian NGO said that the main reason that the state governments of Sabah and Sarawak were keen to be a signatory to the HoB project and to declare the HoB boundaries was not necessarily to demarcate the areas for conservation, but rather to demarcate the areas for logging and land conversion. He said, speaking specifically of Sarawak, 'right now the lines are fuzzy about where they [the government] can put in new oil palm plantations, due to some confusion over Native Customary Land and ongoing land claims cases against the government. But once these boundaries are drawn, they'll know exactly where they can not practice sustainable development'.

A WWF-Malaysia member involved with HoB conceded that: 'Sarawak is not working the way we want. But we've only been there for two years, so we won't give up yet... we are already engaging in some areas.' He said that HoB has been more successful in Sabah where conversion of forest to plantations has ceased, no more state land is given to oil palm companies, more intensive methods of farming are promoted, and no more coal plants are being built. Indonesia, as mentioned, still seems to be moving forward with its KBOMP, which prompted one NGO director in Borneo to say: 'I have been hearing about this very hilarious proposal by the Malaysian and Indonesian governments with regards to the border development involving oil palm plantations, and I could not see how this thing fits into the Heart of Borneo. Maybe they should call it the "Oil Palm Heart of Borneo".'

HoB also operates on multiple institutional scales, including: the tri-national political relationships; in-country political networks and hierarchies of ministries, governmental departments, and individual politicians; complex connections between various international, national, and local NGOs operating in each place; and the

heterogeneous mosaic of local and indigenous communities that live in the HoB area. For example, Pulong Tau National Park, which borders the inhabited Kelabit Highlands and is within the HoB area, was officially gazetted on 24 March 2005 (at 59,817 hectares, down from the original 164,500 hectares proposed in the early 1980s). In the Kelabit Highlands there is an ongoing project, proposed by the ITTO<sup>11</sup> and implemented by the Sarawak Forest Department and the Sarawak Forestry Corporation, to extend the borders of Pulong Tau National Park and link it to Indonesia's Kayan Mentarang National Park, thus creating a large transboundary conservation area (see Hitchner *et al.* 2009). The state government approved this project, even though it had already given out most of the area as a logging concession. Recently (in 2009) the Sarawak Forest Department was able to secure one of the proposed extension areas in the northern Kelabit Highlands for Pulong Tau National Park, so the park is now transboundary, which fits the goals of HoB. However, the Sarawak Forest Department claims that the Sarawak state government has developed its own Strategic Plan for HoB which does not include WWF.

Meanwhile, WWF-Malaysia just opened its Sarawak office in May 2007<sup>12</sup>, and representatives visited Bario, the administrative centre of the Kelabit Highlands, from 1 to 4 December 2007 to explore opportunities for WWF to support conservation here, specifically the establishment of a transboundary wildlife corridor between Pulong Tau National Park and Kayan Mentarang National Park (Alfred & Bili 2008). Several members of WWF-Malaysia have visited the Kelabit Highlands since then, most recently in April 2009. WWF is now assisting the Kelabit community in a small-scale reforestation project in a communal forest reserve area that was logged and then given to the community. This modest effort serves as a *jalan tikus* to rehabilitate land degraded by government-supported logging, while WWF-Malaysia seeks to re-establish its presence in Sarawak.

WWF-Indonesia supports several indigenous community-based organisations: FoMMA (*Forum Musyawarah Masyarakat Adat*, or Alliance of the Indigenous People of Kayan Mentarang National Park), founded in 2000 (Topp & Eghenter 2005), and FORMADAT (*Forum Masyarakat Adat [Asli] Dataran Tinggi Borneo*, or Forum of the Indigenous Peoples of the Highlands of Borneo), founded in 2004. The latter is a transboundary community-based communications forum led by village headmen of related ethnic groups living on both sides of the border (Eghenter & Langub 2008), whose mission is to 'increase awareness and understanding about the highland communities, build local capacity, and encourage sustainable development in the Heart of Borneo'. WWF-Indonesia has provided logistical and financial support for FoMMA and FORMADAT meetings. Both organisations have both been more active in Kalimantan, where WWF-Indonesia has been working closely with the local and indigenous people for many years during the establishment of Kayan Mentarang

National Park as Indonesia's first park co-managed with local and indigenous communities. As I will discuss in the next section, there is debate over how active the local and indigenous communities have been in the HoB initiative and how much they expect to benefit from it.

### **The Other Nagging Question of Conservation: Who Benefits?**

Anyone involved with conservation on the ground knows that trade-offs are inevitable in conservation projects, and that some actors benefit more than others, sometimes at the expense of others. The question of who will benefit the most from HoB was a recurring theme among my interviews, and opinions are widespread.

At its largest scale, if the HoB is successful in protecting 30% of the island of Borneo, the entire planet and all living things on it stand to benefit. The 'heart' of Borneo can also be considered a 'lung' or a 'liver' of the planet, since tropical rainforests absorb and filter water and air and store carbon in their soils and vegetation. All people could potentially benefit from newly discovered plants in this area that could hold the key to cures for or vaccines against deadly diseases<sup>13</sup>. The more the biodiversity retained within the global ecosystem, the more resilient that system will be. However, as noted, some people have criticised HoB for allocating too many conservation resources for an area in which it is unlikely to succeed and say those resources would be better utilised elsewhere.

The three countries involved also stand to benefit from HoB in terms of improving their battered environmental reputations and also financially. Several interviewees said that the three governments were willing to participate in HoB because they expected to get money through REDD incentives, trading of carbon credits, and Payment for Ecosystem Services (PES) schemes<sup>14</sup>. However, in reality, these incentives may not be enough to convince the governments and development corporations and extractive industries to favour conservation over large-scale logging and land conversion<sup>15</sup>.

NGOs can also benefit from HoB. Since WWF leads HoB, it has received both the most money for the project, and also the bulk of the accusations of profiting from it. Aside from the usual (and often highly justified) complaints from smaller NGOs about the large sums of money given to multinational NGOs, they said HoB is WWF's 'publicity stunt' and 'conservation gimmick' to raise money for the organisation. A senior officer in WWF-Malaysia, who is involved with HoB, explained that WWF does not take money from governments, as some other NGOs assume, and that WWF would not profit from carbon credits or PES schemes. Instead, he says, the money is generated from within their own networks of individual donors, foundations, and corporations (non-extractive ones, *not* oil and gas, logging, mining, etc.). He also said, 'We offered the Sarawak government money for HoB, and they were too proud to take it'. In addition to

complaints against multinational NGOs, especially WWF, one Malaysian conservationist told me the money for HoB is also going to 'GONGOs, or Government-Organised NGOs', which, he said, were not very legitimate conservation organisations but rather 'puppets of the state that are talking conservation but not doing it'.

Finally, HoB has the potential to benefit local and indigenous communities. WWF-Indonesia has facilitated, supported and funded capacity-building training programmes for the co-management of Kayan Mentarang National Park, community mapping projects, and meetings of FoMMA and FORMADAT. As mentioned earlier, WWF-Malaysia is currently assisting the Kelabit community with a reforestation project. But a common perception by local and indigenous community members about large conservation projects is that multinational NGOs use them to gain publicity and funding, and this area is no exception. One community member in Kalimantan claimed that the idea of '*Jantung Borneo*' (Heart of Borneo) was used by local people long before WWF came and proposed it. Others wonder where all the money that is being given to WWF for HoB is going and question why they are not seeing any benefits from it. Many indigenous people are willing to work with WWF in the hopes that WWF can help to protect some of the resources on which they depend, especially since many are disappointed with the federal and state governments. Other members of the indigenous community in Sarawak are hesitant to work too closely with WWF or other conservation organisations for fear that they will be branded as anti-government or anti-development. They fear this could lead to individuals being blacklisted or to villages being left out of government-sponsored development projects.

Not surprisingly, various actors have different perceptions about who will ultimately benefit the most from HoB, and these perceptions determine their responses to HoB and their involvement.

## **CONCLUSION**

Based on the resolutions and recommendations prepared for the Fourth WCC and the number of motions representing them that were adopted by the IUCN, it is clear that IUCN and its membership are attempting to incorporate the voices and concerns of indigenous peoples and their advocates into conservation practice—at least in theory. In *Terraviva*, the WCC's daily newspaper, Marcus Colchester, director of the Forest Peoples Programme, expressed disappointment that the 'new paradigm of conservation which would respect the rights of indigenous people' adopted at the 2003 Durban Parks Congress 'remains on paper' (Kumar 2008: 4). Kumar (2008: 4) also quotes Adrian Lasimbang, representing a community-based NGO in Malaysia, as saying that 'the management plans of all national parks consider indigenous people as threats' instead of collaborative partners in conservation. The hope now is that IUCN members, including conservation practitioners, NGOs and governmental agencies will honour

commitments to indigenous rights passed in the motions at the Fourth WCC.

It is also clear that the IUCN membership is paying close attention to the relationships between conservation organisations and private extractive industries (though, as noted, IUCN is not willing to sever its partnerships with extractive industries), and to the potential drawbacks of increased biofuels production. Hopefully the participation of Malaysia and Indonesia in the IUCN, as well as in the RSPO and the RSB, will encourage the governments and actors in the oil palm industry to fulfil their responsibilities to social justice and preservation of ecological integrity. WWF is a founding member of both RSPO and RSB and proposes a multi-stakeholder approach to developing criteria for sustainable production of oil palm and other crops for biofuels. While many critics of RSPO and RSB claim that these are simply vehicles for the justification of continued deforestation, the possibility that they can minimise the current human rights abuses and ecological catastrophes associated with oil palm proliferation in Borneo should not be automatically discounted. However, as the status of the ~2 million hectare KBOMP remains uncertain, the future of the HoB is also impossible to predict.

Analysis of the HoB conservation initiative reveals a number of issues that go straight to the 'heart' of the struggles faced by conservationists today. In this article I have specifically addressed the complications that arise from proposed conservation initiatives that are: 1) vague and ambiguous; 2) implemented in areas with overlapping jurisdictions; and 3) negotiated at multiple scales among varied actors with different visions of the future of the landscape. While these issues are neither new nor confined to HoB, examining them in this context from a variety of perspectives can be useful in understanding how perceptions of a conservation project can affect its ultimate outcome.

For the HoB to be effective in employing a rights-based approach to conservation in Borneo, it is imperative that more attention be paid to the politically restrictive landscape of the area, particularly in Sarawak, where international NGOs are often prevented from engaging in meaningful conservation work on the ground. The results of my research elucidate the important role that small independent NGOs, national branches of large NGOs like WWF, and local and indigenous communities can potentially play in huge projects like HoB by quietly pursuing conservation goals in non-confrontational ways, following '*jalan tikus*'.

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### Notes

1. Borneo is a repository of incredible biodiversity, much of it endemic; between 1994 and 2004, at least 361 new species have been discovered (WWF-Germany 2005).
2. The Heart of Borneo area is home to at least 200 bird species, 150 reptile and amphibian species, and around 100 mammal species (Wakker 2006: 19); and many of these are endemic, as well as endangered or threatened, including 'charismatic megafauna' such as the orangutan, clouded leopard, Sumatran rhino, Bornean gibbon, and pygmy elephant. The sources of 14 of the 20 major rivers in Borneo are in the HoB area; the health of these rivers is vital to not only villages in the HoB area, but also to the coastal cities whose waters they supply. Destruction or siltation of these watersheds would adversely affect the island's hydrological cycles, and would likely increase the frequency and severity of floods, droughts, and fires.
3. There are at least 220 different languages and dialects spoken in Borneo.
4. Another study using satellite images and GIS and field-based analyses showed that between 1985 and 2001, protected lowland forests in Kalimantan declined 56% (Curran *et al.* 2004).
5. The Malaysian Timber Certification Council (MTCC) scheme was started in October 2001 and uses standards for forest management based on criteria and indicators of the ITTO. Currently MTCC certification is not recognised by the Forest Stewardship Council (FSC), because of fundamental differences in opinion about the issue of indigenous rights.
6. There are great fears among conservation organisations that 'as Malaysia improves the environmental performance of oil palm within its borders, Malaysian firms (will) have lower standards when operating in neighbouring Indonesia where much expansion is taking place' (Butler 2008c).
7. According to *The Jakarta Post*, Indonesian Defence Minister Juwono Sudarsono claims that it is imperative that other governmental departments support this plan to protect Indonesia from 'sovereignty threats from neighbouring countries' and for the plantations to act as 'a non-military deterrent to any encroachment on Indonesian territory' (Sihaloho 2009).
8. A letter dated 13 March 2009 from UNCERD Chairperson Fatimata-Binta Victoire Dah to the Indonesian Deputy Permanent Resident to the U.N., Gusti Agung Wesaka Puja, states very clearly that UNCERD is concerned that the Indonesian government has not shown how it will 'safeguard the rights of indigenous communities whose territories are threatened by projects such as the Kalimantan Border Oil Palm Megaproject'.
9. The ATBC, in its 'Resolution concerning the Heart of Borneo transboundary conservation initiative', 'urges the transboundary nations to recognize that the Heart of Borneo initiative, while of enormous importance, will not be sufficient in and of itself to protect Bornean biodiversity' ([www.atbc2008.org](http://www.atbc2008.org)).
10. In 2006, the then US Secretary of State Condoleezza Rice officially backed HoB and pledged USD 100,000 donation for its implementation. Later, in 2007, the U.K. Government followed suit and donated GBP 25,000 to WWF for HoB. In late October 2008, Prince Charles of Wales visited the Heart of Borneo, and in a written statement about HoB, Prince Philip, now President Emeritus of WWF-International, said: 'This is a last chance initiative, and it simply has to succeed.'
11. Transboundary biodiversity and conservation area: The Pulong Tau National Park, Sarawak State, Malaysia. 2003. (ITTO Project Document, Serial number PD 224/03 Rev.1[F]), ITTO & Government of Malaysia, unpublished.
12. Following worldwide criticism of Sarawak's policies on logging and indigenous rights in the 1980s (the height of the publicity of Penan blockades and the era of Bruno Manser), many NGOs were either 'kicked out' or 'starved out' of Sarawak, including WWF. WWF was not forcefully

evicted, but they lost the support of the government and could not engage in meaningful projects on the ground, so they decided to work in places where they could be more effective (interview in Malaysia 2009).

13. For example, a compound has been isolated from the latex of a species of tree in Sarawak, Borneo that can potentially be developed into an anti-HIV drug (Fuller *et al.* 1994; Yang *et al.* 2001).
14. In 2007, over 11,000 people met at the UN Climate Change Conference, which was held in Indonesia, to negotiate the basis for a new treaty on global climate change to follow the closing of Phase 2 of the Kyoto Protocol. One of the main topics of discussion at this summit was the 'avoided deforestation' framework for developing countries, which includes millions or billions of dollars earmarked for forest conservation in tropical countries in the form of carbon credits.
15. REDD-inspired incentives for preserving forests do not compare with profits that can be made from establishing oil palm; the former can bring in around USD 2,077.50 per hectare, while the latter earns USD 4,826.11 per hectare (Koswanage & Bhui 2009). The problem is compounded by the fact that in Borneo and elsewhere, oil palm companies have tried to claim compensation from carbon credits for 'reforesting' lands that have been logged with oil palms—even if those lands were clearcut for the purpose of establishing oil palm plantations.

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