



SABAH FORESTRY DEPARTMENT

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REVIEW DOCUMENT FOR SOCIAL IMPACT ASSESSMENT

Timimbang - Botitian
Sustainable Forest Management (SFM),
Project.

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This review version of SIA is subjected to periodic reviews in the event of new legislation enforced by National State Laws or in the event of any new drastic change in terms of social prioritization. Kindly contact TIMIMBANG-BOTITIAN SFM PROJECT in the event of such change.

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POLICY

In achieving the stated management goals and objectives, the Forestry Department subscribes to the following policies and strategies:

- Management of the area ensures the sustainable management of forest resources over the long-term in such a way as to optimize socio-economic benefits to the state;
- All field operations give due consideration to environmental protection so as to minimize any negative impact on the natural environment;
- The FMU shall be protected from fire, illegal felling, illegal settlements, and other unauthorized activities;
- High conservation value forests (HCVF) are maintained and enhanced;
- Third party certification of forest management under an accredited scheme would be a desirable objective to aim for;
- All contractors working within the FMU must also comply with the Principles, Criteria, and Indicators of responsible management under which scheme the management is certified;
- Research and educational opportunities aimed at improving the management of the FMU are given due attention;
- Preferences in employment and service contracts are given to local/rural communities wherever possible.

1.0 INTRODUCTION

Social welfare plays a pivotal role in the Sustainable Forest Management (SFM) Project as human capacity and manpower has always been viewed as an asset towards a Well-Managed Forest. The SFM Project has always been viewed as a joint venture or stakeholder engagement to ensure related indicators as stated in Forest Management Plan(FMP) successfully achieved.

The TIMIMBANG-BOTITIAN SFM Project social aspect encompasses socio-economic, safety, grievance, customs, traditions and relevant laws and regulations. The aforementioned items however does not do justice to the depth and other cross cutting factors that make the social component a unique component. Therefore, the above list and the contents of these documents should not be treated as a final complete document and is subjected to further revision as and when required.

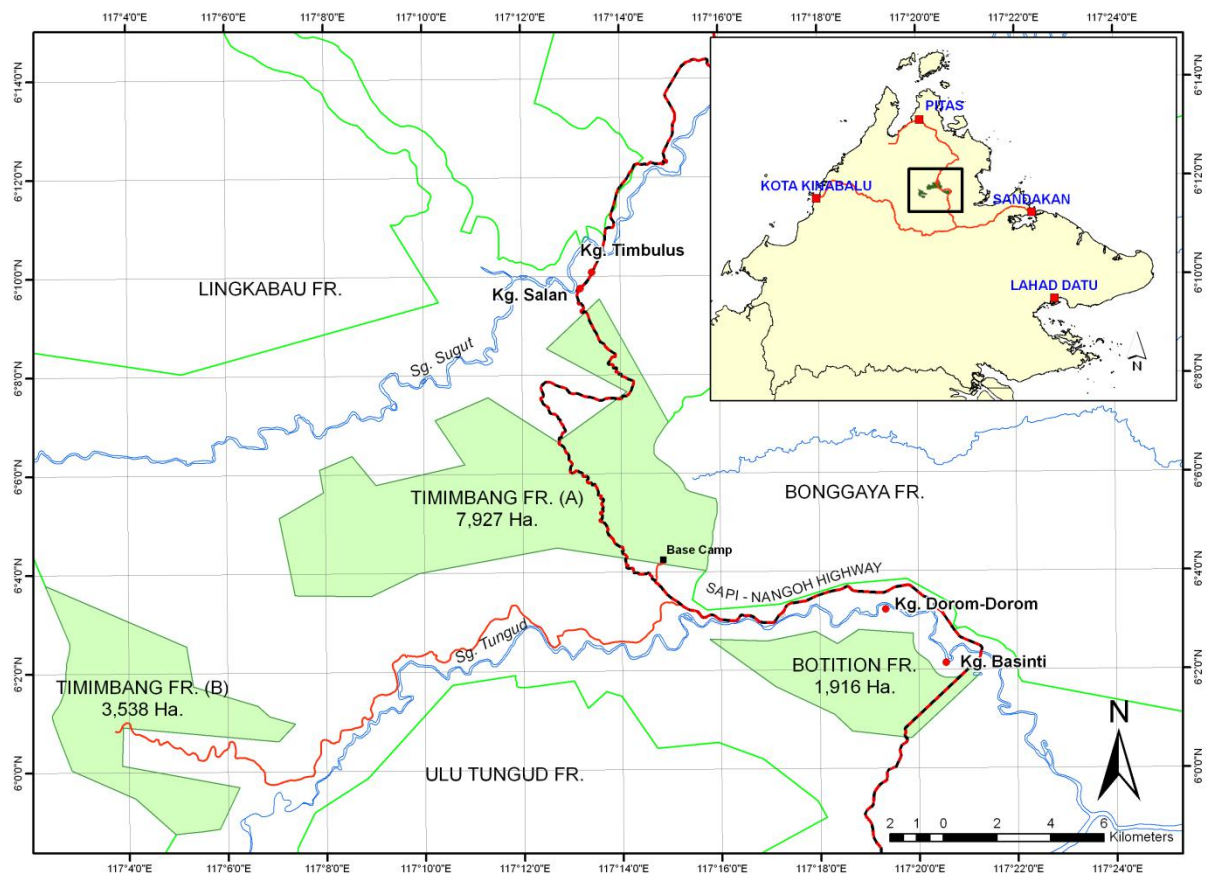


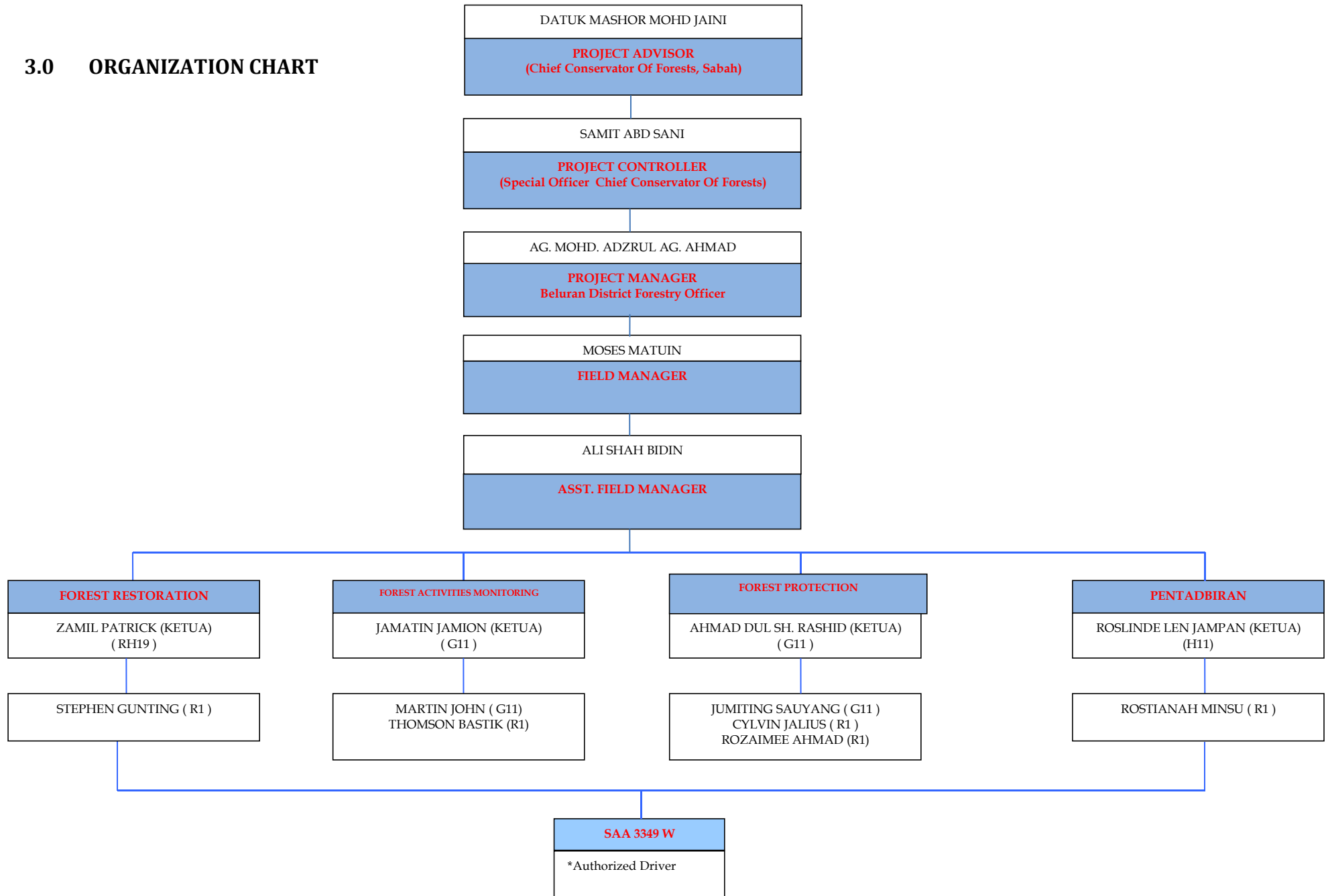
Figure 1 The locality of Timimbang-Botitian SFM Project and human settlement within vicinity of the project area.

2.0 OBJECTIVES

This document serves as a guideline and reference on the **TIMIMBANG-BOTITIAN SFM Project** stand on handling social issues. It also serves as a management plan to ensure that the social impacts are prioritized and well taken care of in SFM Project.

This guide aims to standardize grievance handling procedures as well as other social related issues to ensure that a fair, open and transparent method of handling social concerns of all stakeholders is adopted throughout the project area.

3.0 ORGANIZATION CHART



4.0 SOCIAL IMPACT ASSESSMENT

The social impact assessment need not have to be so intense as compared to a newly opening or developing SFM Project. Nevertheless, a social impact assessment (SIA) has to be carried out by interviewing the stakeholders (Social Baseline Study, Jun 2014) that are related directly or indirectly to the SFM Project operations as per FCP Interim Standard for Forest Management Certification in Malaysia, especially Principle 4 Criterion 4.4. SFM Project has to produce a list of stakeholders inclusive of government sectors, NGO, communities, smallholders etc., then invite or participate for a consultation to draw out the social impacts from their point of view. The stakeholder participation/invitation need not have to be a fixed day. It can be any day depending on the convenient time of the stakeholder and the forest management. To study the impact, it is not necessary to bring the whole residents of the related communities, but the related parties can select a representative who can speak on behalf of them.

As a guideline, the existing social impacts are meant for improvement of stakeholders' needs depending on the mandatory regulations and consideration judgment within the policies, principles and procedures of Sabah Forestry Department.

4.1 Internal Stakeholder (TIMIMBANG-BOTITIAN SFM Project Personnel)

For internal stakeholder, namely TIMIMBANG-BOTITIANSFM Project personnel, for those have any related social issues from their point of view or grievances which are might triggered as social impacts are allowable to be delivered by following the right procedures (See SOP Procedure-Communication Dispute, Document No: SFD/TBSFM/SOP-007, **Annex 1: GRIEVANCE RESOLUTION MECHANISM FOR SFD STAFF (MBJ WORKER'S REPRESENTATIVE LEVEL AND MBJ MANAGEMENT LEVEL)**). The grievance procedures as a guideline which is enables for them to deliver their grievances and to be discussed by the top management. Each personnel have their own representative (Workers Representative) by following their designation grade levels. Based on the procedures, the personnel have their right to deliver their grievances either to the District Forestry Office or to the appointed workers representative.

The related social aspects for TIMIMBANG-BOTITIANSFM Project personnel namely, housing facilities, wage budget, and other necessities have been included and systematically monitor via **Annual Work Plan (AWP), Quarterly Reports and Compliance Report**.

4.2 External Stakeholder and Communities

The external stakeholders and communities representatives are invited to participate any consultation meetings, talks and training held by TIMIMBANG-BOTITIAN SFM Project. Whenever for those invited in such meeting, rest house or dormitory, transportation equipped with water supply and electricity and adequate foods to be prepared by forest management. If there is any grievance occurs, it can be delivered by following the right procedures (See SOP Procedure-Communication Dispute, Document No: SFD/TBSFM/SOP-007, **Annex2: GRIEVANCE RESOLUTION MECHANISM FOR STAKEHOLDER & COMMUNITY OF TBSFM PROJECT**)

4.3 Social Baseline Study Result Summary

PPD	Beluran			
	Timimbang		Botitian	
Forest Reserve	Timimbang		Botitian	
FR Class	II		I	
FR Area (Ha)	11,465		2,145	
Year Gazette	1984		1992	
No	1	2	3	4
Village	Kg. Timbulus	Kg. Salan	Kg. Dorom - Dorom	Kg. Basinti Lama
Established Village	1970	2004	1974	1976
In/Outside the FR	Outside	Outside	Outside	Outside
Distance from the centre of the village to the forest boundary	1.84	0.82	0.95	0.50
Total House	39	17	35	13
Total Family	48	25	40	23
Total Villager	232	137	219	105
Dominant Race	Sungai	Sungai	Dusun	Dusun
% citizen	Malaysia	Malaysia	Malaysia	Malaysia
Religion Majority	Christian	Muslim	Christian	Christian
Village and Farm Area (Ha)	128	72	123	100
Main Plant	Palm Oil	Palm Oil	Palm Oil	Palm Oil
Existing Infrastructure	Jalanraya, Rumah, Balairaya, Gereja, Gelanggang & Rangkaian Telekomunikasi	Jalanraya, Rumah, Graviti, Genset, Balairaya, Gereja, Gelanggang & Rangkaian Telekomunikasi	Jalanraya, Rumah, Balairaya, Gereja, Gelanggang & Rangkaian Telekomunikasi	Jalanraya, Rumah, Air Sungai & Hujan, Genset, Balairaya, Gereja, Gelanggang & Rangkaian Telekomunikasi

For detail information, kindly refer to the Social Basedline Study, SFM Division & PPD Beluran, SFD (June 2014).

4.4 Summary of Stakeholder and Communities Consultation related to their basic need as stated in Social Baseline Study

The social baseline study had indicated that the villagers had traditionally used the forest for a source of food and medicines. However, based on consultation meeting, they are aware that in order to preserve the forest for their future generations, their commitment and engagement to maintain the entire forest together is indeed essential.

They are also aware of the related policies or principle of the state government in terms of forest protection. In addition, the communities representatives indicated that they were no longer dependent on the forest for such resources. Food sources can be purchased at the nearest market while medicines are available at the nearest clinic. Besides, they are very supportive of the FSC certification and conservation effort by Timimbang-Botitian SFM and requested to SFD during the consultation meeting to purpose reclassification of the Botitian Forest Reserve from Class II to Class 1.

5.0 ADHERENCE TO STATE, NATIONAL LAWS AND INTERNATIONAL REGULATIONS

Sabah Forestry Department is committed to adhere to all appropriate National Laws and Regulations as prescribed in the country and International Laws or Regulations which are related to FCP Interim Standard for Forest Management Certification in Malaysia, especially Principle 1: Compliance with laws and FSC Principles. For Social Management, the following Malaysian and International laws and regulations are identified and adhere to but not limited to:

1. Forest Enactment, 1969
2. Human Rights Commission of Malaysia Act 1999
3. State Cultural Heritage (Conservation) Enactment, 1997
4. Land ordinance (Sabah Cap. 68)
5. Employment Act, 1995
6. Employees Provident Fund Act 1991
7. Employees' Social Security Act 1969
8. Workmen's Compensation Act 1952
9. Workmen's Compensation Act 1923 & Workmen's Compensation Rules 1924
10. Occupational Safety and Health Act, 1994
11. Labour Ordinance (Sabah Cap.67) Amendment 2005
12. Native Courts Enactment 1992
13. Native Court (Native Customary Laws) Rules, 1995
14. Interpretation (Definition of Native) Ordinance, 1952
15. The International Labour Organization's Fundamental Conventions
16. ILO Declaration on Fundamental Principles and Rights at Work 1998
17. United Nations Declaration of the Rights of Indigenous People 2007
18. ILO Code of Practice of Safety and Health in Forestry Work

6.0 GENERAL WORK/LABOUR CONDITION

6.1 Employment of Children and Young Persons

Sabah Forestry Department does **NOT** engage in or support the use of child labor below 18 years as per Children and Young Persons (Employment) Act 1966 and also related to FCP Interim Standard for Forest Management Certification in Malaysia, especially Principle 4, Criterion 4.2, Indicator 4.2.7.

6.2 Equal Opportunity

The forest management provides equal opportunity employer that does not discriminate based on race, religion, disability, political affiliation, or age. In addition, forest management personnel as well as contractor workers are consist of qualified members of the local communities to be involve in the daily or periodic operations. This is related to Principle 4 Criterion 4.1.

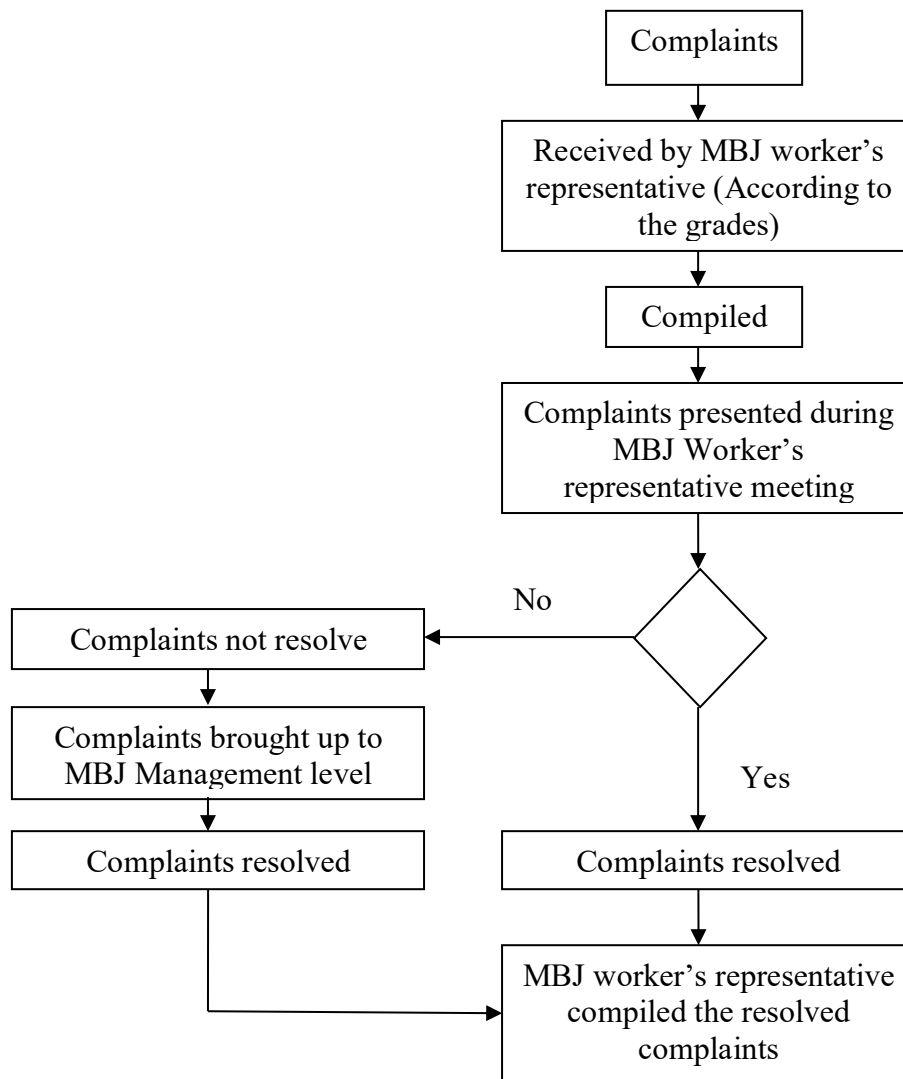
6.3 Minimum Facilities and Amenities

In order to ensure smooth and effective forest operations, minimum facilities and amenities have been prepared namely office, housing/cabin, water supply, transportation, etc. which were systematically monitor via **Annual Work Plan (AWP), Quarterly Reports and Compliance Report.**

7.0 GRIEVANCE FLOWCHART (TBSFM Project Personnel)

Related to FCP Interim Standard for Forest Management Certification in Malaysia, especially Principle 4 Criterion 4.3

GRIEVANCE RESOLUTION MECHANISM FOR SFD STAFF (MBJ WORKER'S REPRESENTATIVE LEVEL AND MBJ MANAGEMENT LEVEL)

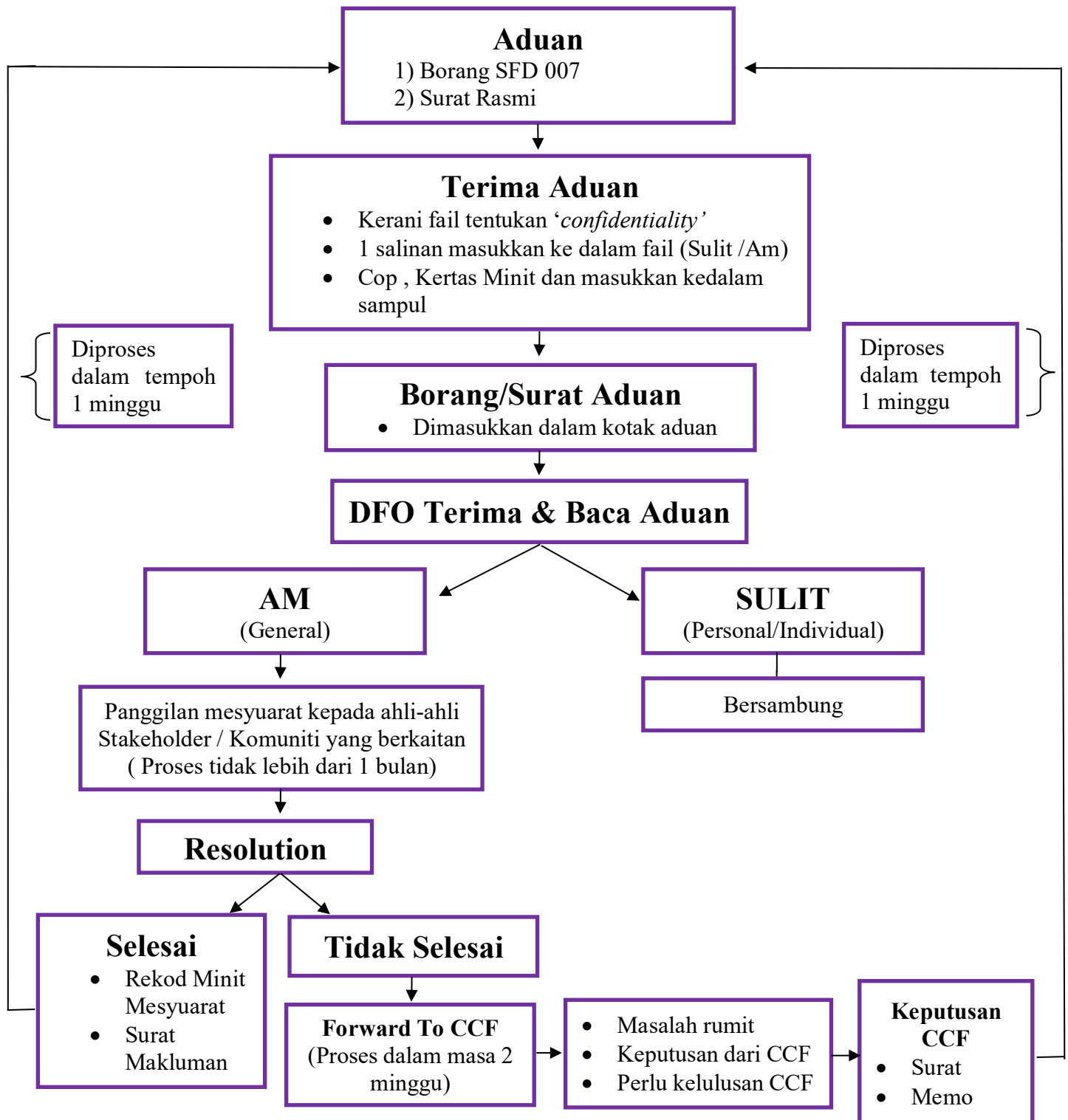


For detail information, kindly refer to SOP Procedure-Communication Dispute, Document No: SFD/TBSFM/SOP-007.

8.0 GRIEVANCE FLOWCHART (External Stakeholder and Communities)

Related to FCP Interim Standard for Forest Management Certification in Malaysia, especially Principle 4 Criterion 4.3

GRIEVANCE RESOLUTION MECHANISM FOR STAKEHOLDER & COMMUNITY OF TBSFM PROJECT



9.0 CUSTOMS AND CULTURES

Related to FCP Interim Standard for Forest Management Certification in Malaysia, especially Principle 3, Principle 4 and Principle 9. Adequate understanding of culture, political condition, etc. is vital in order to not provoke any sensitive issues that will cause implementation to plunge and create an uneasy atmosphere.

It will also be beneficial for the Site Manager or anyone in the Management to learn more about the culture and local customs of related stakeholder and communities. This can promote better understanding of the culture of the people and assured of smooth implementation as the related stakeholder and communities do not feel alienated.

10.0 NEW POLICIES RELATED TO THE SOCIAL ASPECT

There were three new Policies related to the social aspect which was officially established on 17 March 2020. The policies as follow:

1. Policy Statement Gender Equality
2. Policy Statement Bribery and Corruption
3. Policy Statement Sexual Harassment

11.0 CONCLUSION

In conclusion, the various components of Social aspects have been touched upon in this management plan with the various outlines on handling these impacts. There is great emphasis in maintaining an open, transparent and efficient system in handling grievances and Social Impact Assessments. In the same vein, there is a real need of performing a Social Impact Assessment to identify social impacts and mitigate impacts before they become grievances in the near future.

Timimbang-Botitian SFM Project's Social Impact Assessment is subject to further revision as and when necessary to suit towards the social climate and conditions and legal requirements that change from time to time.

LIST OF STAKHOLDERS TIMIMBANG-BOTITIAN SFM PROJECT

Kementerian /Jabatan Kerajaan/NGOs/Company

1 OIL PALM PLANTATION/COMPANY

- A. ARUNAMARI ESTET SDN BHD
- B. NANGOH ENTERPRISE SDN BHD
- C. SYARIKAT SUMGEN
- D. TUNGUD PLANTATION
- E. KEMAJUAN PANTAI TIMUR
- G. SHA HUP AIK SDN BHD
- H. MASIH JAYA SDN BHD
- I. MUNCUL MAJU SDN BHD
- J. MALSA CORPORATION (LADANG MAN CHOON)
- K. ARUS SAWIT SDN BHD
- L. KRISMEGA SDN BHD
- M. IOI PLANTATION
- O. IKATAN KAYANGAN
- P. TSH RESOURCESS

2. WORKERS UNIONS

- A. PERSATUAN SUKAN,REKREASI DAN KEBAJIKAN JABATAN PERHUTANAN SABAH
- B. MAJLIS BERSAMA JABATAN
- C. BADAN KEBAJIKAN ISLAM JABATAN PERHUTANAN SABAH

3. VILLAGERS

- A. KG. BASINTI BARU
- B. KG. BASINTI LAMA
- C. KG. SALAN
- D. KG. TIMBULUS
- E. KG. MONSOGIT

4. GOVERMANT SECTOR

- A. SK. MONOPOD
- B. SK. BASAI BARU
- C. SK. BOTITION
- D. SMK PAMOL
- E. BALAI POLIS TAGAS-TAGAS
- F. KLINIK KESIHATAN NANGOH



STAKEHOLDER COMMITTEE MEMBERS OF TIMIMBANG-BOTITIAN SFM PROJECT

Chairman	:	Benson Gampawi
Deputy Chairman	:	William Pijuoh
Secretary	:	Roslinde Len Jampan

Committee Members :

- i. En. Hasanuddin Gessa**
- ii. En. Salmun Faisal**
- iii. En. Maidin Piging**
- iv. En. Sarudin Ungkil**
- v. En. Peter Wong**
- vi. En. David Tatin**
- vii. En. Mattan B Bungin**
- viii. En. Jielion Mokuntil**
- ix. En. Vaverio V. Atin**



COMMUNITY COMMITTEE MEMBERS OF TIMIMBANG-BOTITIAN SFM PROJECT

Chairman	:	Pn. Jaitih Samsudin
Deputy Chairman	:	En. Nain Bin Ajis
Secretary	:	Pn. Jennifer Amora

Committee Members :

- i. En. Masnuh Kunsina**
- ii. En. Amis Jaimmiej**
- iii. En. Jampan Bansayan**
- iv. En. Jainal Kelepa**
- v. En. Ahmad Dagang**
- vi. En. Soginin Samirud**
- vii. En. Juanis Jungki**
- viii. Pn. Norzakiah Bansor**