

How are you treating one of your closest relatives?

The Borneo Orangutan Survival Foundation aims to make the world a better place for orangutans.

Despite sharing around 97 per cent of our DNA with orangutans, this closely related animal is fast approaching extinction. In a cruel twist of fate, orangutans rely on the same factor leading to their extinction as for their survival – humans. The Borneo Orangutan Survival Foundation (BOS) is a not-for-profit organisation based in Borneo, Indonesia. It is an organisation committed to orangutan conservation through habitat protection and the involvement of local people. BOS is all about “primates helping primates”.

Orangutans

Orangutans are highly intelligent beings with an ability to reason, think and maintain a culture. This large, gentle, shaggy red ape with very long arms and big chocolate eyes has a very sad story and bleak future. Orangutans are only found on the islands of Sumatra and Borneo. There were an estimated 60,000 wild orangutans according to a 2004 scientific study by the World Conservation Union. However, with about 5000 orangutans killed every year, it is now likely that the population numbers little over 50,000.

Orangutans are referred to as an “umbrella” species. This means that their survival is closely linked with the survival of many other species. The orangutan is pivotal in creating the necessary environment for the thousands of fauna and flora which make up the biodiversity of the South East Asian rainforest. Moreover, the native Indonesian forest is important to the wellbeing of indigenous communities such as the local Bornean Dyaks. Loss of this forest also indirectly affects us all as we feel the effects of climate change and pollution. Much more than just an orangutan is saved when one orangutan is rescued. A lot more is at stake than meets the eye.

Orangutans are continually under threat from the actions of man. This is primarily from the illegal capture and trade of orangutan young, but also due to the ever-depleting habitat caused through the extensive logging, creation of palm oil plantations and mining of their forest homes. The socio-political economic climate and environmental disasters such as fires and the December 2004 tsunami further contribute to the depletion of wild orangutan populations. Each of these factors, when considered on their own, would be sufficient to impact on the survival of an endangered wild animal. However, for orangutans, the situation is complicated by their comparatively slow reproduction and sexual maturity rate. Orangutan females only give birth about once every eight years (the longest time between births of any mammal on earth) and are not sexually mature until well into their teens.

Orangutan protection

Orangutans are listed in the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), prohibiting any international trade in these animals. Under Indonesian law, orangutans and gibbons are classified as “protected”, which forbids capturing, killing, possessing and trading these species. Penalties for breaking the law can result in fines of up to Rp 100 million (AU\$10,455) and up to five years in jail, but these penalties are rarely, if ever, enforced. People who

hunt, keep and trade in orangutans are rarely punished. It appears that many law enforcement personnel, including judges and prosecutors, do not see trade in, or possession of, protected species as pets as a serious offence.

The Borneo Orangutan Survival Foundation (BOS)

Founded in 1991, BOS works under an official agreement with the Indonesian Ministry of Forestry. Together with the Indonesian Ministry of Forestry, BOS runs one of the world's largest primate conservation projects. BOS has 15 sister organisations around the world, of which Australia is one. BOS Australia was founded in 2001 and is involved in fundraising, raising political awareness, and the promotion and education of conservation issues related to orangutans. BOS Australia is entirely volunteer run.

BOS' unique conservation strategies are catching on worldwide. This is in a large part thanks to the organisation's founder and executive chair Dr Willie Smits. A Dutch-born tropical forest ecologist, Dr Smits has been knighted in his native Holland and has received several awards for his conservation work. In 1998, he was the first non-Indonesian to receive the prestigious Satya Lencana Pembangunan award from the President of Indonesia. Where once animal conservation would have been about locating large areas of land, putting fences up and restricting the entry of humans, BOS has been able to show that humans and orangutans can co-exist.

BOS' interests cover biodiversity issues (flora and fauna), forest rehabilitation, forest inventory and monitoring (through its company PT SarVision Indonesia), agroforestry (to improve local peoples' welfare and education), as well as working with orangutans and other protected wildlife. Some of the conservation strategies being used by BOS include:

- **Land ownership** for the protection of wild orangutan populations and deliverance of rescued orangutans into safe areas. BOS is helping to manage the Mawas area of Borneo, which is home to more than 3000 free roaming orangutans – one of the last vestiges of Bornean rainforest left. BOS is involved with forest and land rehabilitation, for example, in the Samboja Lestari Project just outside Balikpapan.
- **Orangutan rescue, care, release and research.** BOS has projects in Nyaru Mentang and Wanariset. BOS has been responsible for rescuing over 500 orangutans in addition to sun bears, gibbons, exotic birds and many other wildlife.
- **Law enforcement.** Working through the Indonesian Ministry of Forestry BOS is permitted to carry out limited law enforcement activities and bring those



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By **Kerina Alter**, Public Awareness Representative, Borneo Orangutan Survival Foundation of Australia

Book review:

Helen Garner, *Joe Cinque's Consolation: A true story of death, grief and the law.*



By **Emma Langton-Bunker**,
Lawyer,
Macpherson +
Kelley Lawyers

In this book Helen Garner follows the trials of two young women (both law students at Australian National University, ACT) accused of murder, and the tribulations of the mortified parents of the murdered victim, Joe Cinque. The book gives a fascinating insight into two separate murder trials; taking the reader into the court room and behind the scenes to attempt to reconstruct the events which led up to the murder.

The two accused were Anu Singh and her best friend Madhavi Rao. Anu, the main perpetrator, plotted to kill her boyfriend Joe Cinque at a dinner party with a cocktail of drugs including heroin and rohypnol. It seems that several people knew of Singh's plans, particularly Madhavi Rao, who assisted Anu to carry out the crime, which led to Cinque's death. It is intriguing that no single motivating factor is given (in the book) for the reason behind the murder. It is this unresolved dilemma that provides much of the captivation.

Garner endeavours to provide to her readers a balanced view of all the events leading to and surrounding the murder of Joe Cinque. In doing this she tries to find the justification for the reasoning behind the verdicts: Singh was only found guilty of manslaughter (not murder) on psychological grounds, and sentenced to four years prison with parole. Rao was acquitted for evidential reasons. From Garner's portrayal and from my understanding, Joe Cinque's parents were outraged as a result of the verdicts.

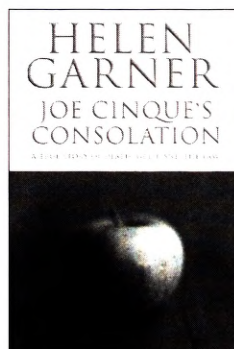
In the end answers to several complex questions are dealt with in a very logical fashion and give comfort. Towards the pinnacle of the book, however, horror and disbelief are conveyed in the operation of our legal system, cleverly juxtaposed against the cool logic and

reality of the law. What is so absorbing about this book is its longing to grapple with the reasoning and background of events leading up to the murder.

To this day, it seems that no one knew Anu Singh's true motive for killing her "beloved" boyfriend Joe Cinque. It is true that Singh had a history of psychological problems. This was no doubt further complicated by Singh's insecurities, jealousies and constant desire to be in control. For this reason, the relevance of the expert witness testimony given by Singh's psychologist, Dr Paul Mullen, and the reasoning behind disallowing Crown expert witnesses on to the stand is hard to appreciate. Justice Crispin, however, later explains this reasoning. The frankness of Justice Crispin in discussing several matters in the case, which are left hidden until that moment is astounding and enlightening.

Helen tracks down several key witnesses and friends of the victim's family who had any dealing with Singh or Rao. There is a definite incongruity in what all the witnesses say about both accused, on and off the stand. Garner also contacted both accused to discuss their version of events, but they both declined to speak with her.

Garner, through this book, it seems, is closely acquainted with the Cinque family and perhaps this book is a journey for them, just as much as for Garner and her readers. It is a bumpy roller-coaster ride through human emotion, frailty, and, perhaps, madness. The book is fascinating reading for all, but especially for those studying or practicing law. The read makes one realise how complex the law is in concert with human emotions, and motivations. I was kept engrossed well past the last page and hope you find it just as stimulating. ■



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responsible for illegal logging, poaching and the illegal pet trade to the attention of the Indonesian legal system.

- **Use of technology.** BOS in conjunction with its sister organization SarVision BV, is using a Dynamic Forest Monitoring System (proprietary satellite technology) to monitor the forests of Indonesia for any illegal activity by companies or individuals. When abnormal forest activity is identified, BOS through the use of the local forest police and its own microlite planes, is able to apprehend the offenders and hand them over to the local authorities. In one instance it was 5 days from detection to detention!
- **Education and local support.** BOS has helped train more than 1000 Indonesian researchers, provides a livelihood for over 650 Indonesian families, directly employs over 250 native people, introduced improved land management techniques and provides medical facilities and educational opportunities for native people in the region.
- **International support.** BOS is enlisting international condemnation of Thailand for failing to release up to 100 illegally smuggled orangutans used in kick boxing matches at a Bangkok tourist attraction. BOS

is working with the international community to be part of debt forgiveness and carbon offset agreements. BOS is also taking a leadership role in bringing to the world's attention the increasing growth in palm oil plantations and the diminishing size of the South East Asia forests.

How young lawyers can get involved

The nature of the work that is undertaken by BOS is complex, time-consuming, and, at times, requires legal input. For example, BOS Australia recently passed a special resolution to convert from an association to a corporation. Currently, BOS is working with its volunteer lawyers to obtain DGR tax status. BOS undertakes significant work in lobbying governments, both in Australia and abroad, for policy and legal changes. BOS also undertake the preparing of submissions to various governments and their departments in the areas of conservation and international laws. A number of lawyers work with BOS as volunteers to help it achieve its aims. If you are interested in the important conservation activities that are undertaken by BOS, please contact BOS at contact@orangutans.com.au. For more information regarding BOS Australia, please see www.orangutans.com.au. ■