

Chinese national jailed one day, fined RM10,000 for possession of protected agarwood

MIRI: The Sessions Court here yesterday sentenced a Chinese national to one day in prison and fined him RM10,000 in default three months' jail for illegally having protected agarwood (*Aquilaria spp*) in his possession.

Judge Afidah Abdul Rahman convicted online seller Wu Ruxing, 48, of Fujian, China on his own guilty plea to a charge under Section 30(2) of the Wild Life Protection Ordinance 1998, punishable under Section 30(2) of the same Ordinance.

The Section provides for an imprisonment term of one year and a fine of RM10,000.

According to the facts of the case, Wu was found to have in his possession 820g of agarwood, which is listed as a protected species under Part II of the Second Schedule of the Wild Life Protection Ordinance, 1998, without permission from the Controller of Wild Life.

He committed the offence here on May 7 at around 1.15pm in a Jalan South Yu Seng budget hotel.

In mitigation, Wu's legal counsel asked for leniency as this was his first offence and he was here on a social pass to visit friends.

He also claimed to have bought the agarwood for personal use.

Meanwhile, prosecuting officer Simon Engka Crown from the State Attorney-General's Chambers and Sarawak Forestry Corporation prosecuting officer Willy Chin Siaw Min argued that the harvesting of such agarwood species, which is listed as a critically endangered species under CITES and protected by the Ordinance, is a serious offence.

They pointed out that the offence has a profound ecological impact as the removal of such a rare species disrupts the balance of the ecosystem and threatens biodiversity.

They also argued that the possession of such a protected species also undermines ongoing conservation efforts that aim to protect endangered flora and fauna.

The prosecution added that due to its high market value, the species is targeted for illegal harvesting, which made a harsher penalty both warranted and necessary.