



Sarawak forest department acacia plantation project, Malaysia

▼ Description

The State Government of Sarawak has allocated 490,000 hectares of land for the planting of acacia trees. The pulp and paper project has Sarawak Forests Department itself as its project proponent. This project is affecting the lives of Iban (Sea Dayak) indigenous peoples in five longhouses (communities), divided over two customary territories. Besides, the license was issued without their free, prior and informed consent or acknowledgement of their customary rights to their land. Also a forest reserve, the Sujau Forest Reserve, was created without proper consultation of the native communities.

▼ Basic Data

Name

Sarawak forest department acacia plantation project, Malaysia

Country

[Malaysia](#)

Province

Sarawak

Site

Pandan, Bintulu

Accuracy of Location

MEDIUM regional level

▼ Source of Conflict

Type of Conflict (1st level)

Biomass and Land Conflicts (Forests, Agriculture and Livestock Management)

Type of Conflict (2nd level)

Plantation conflicts (incl. Pulp)

Specific Commodities

[Timber](#)
[Cellulose](#)

▼ Project Details and Actors

Project Details

This is the biggest acacia plantation project in the country, it includes 290 longhouses, according to the EIA

Project Area (in hectares)

490000

Type of Population

Rural

Start Date

2009

Company Names or State Enterprises

[Grand Perfect Sdn. Bhd](#) from [Malaysia](#) - It is believed that Grand Perfect Sdn. Bhd., a consortium of three timber companies, is contracted to work for the Sarawak Forests Department, on the concessions plantable areas of 150,000 ha.

Relevant government actors

Environmental justice organisations and other supporters

Sahabat Alam Malaysia (Friends of the Earth Malaysia)

▼ The Conflict and the Mobilization

Intensity of Conflict (at highest level)

MEDIUM (street protests, visible mobilization)

When did the mobilization begin

In REACTION to the implementation (during construction or operation)

Groups Mobilizing

Indigenous groups or traditional communities

Forms of Mobilization

Official complaint letters and petitions

The communities have a map which shows their customary land boundary which was agreed to and signed by all the neighboring longhouses on 21.12.1955. They also have a copy of a letter giving them the authority over their land, from the Crown Prince of Sarawak, Rajah Vyner Brooke (written in Arabic script). This was a 1939 letter. The Sebauh District Office had issued an official memorandum dated 15.09.2009 to the Bintulu Lands and Surveys Department acknowledging the existence of the native customary rights to their lands in the Satai, Pandan area prior to 1958. The area has been certified as our Farming Land Boundary according to the memorandum. However, in June 2009, the Bintulu Lands and Surveys Department issued a notice demanding vacant possession of our land in Sungai Satai, Pandan, Bintulu as we were occupying State land. On 17.08.2009, the communities living in Binyo, received an official letter from the Department stating the same. The communities do not accept these absolutely baseless allegations. The Department in its notice stated that they were living without a license on State land and therefore they would be in breach of Sections 209 (1) and (2) of the Sarawak Land Code. But, the communities claim this makes no sense, once they have customary rights over our land. This is recognized in the constitution and in court cases on native customary land rights.

▼ Impacts

Environmental Impacts

Visible: Biodiversity loss (wildlife, agro-diversity), Floods (river, coastal, mudflow), Soil erosion, Deforestation and loss of vegetation cover, Surface water pollution / Decreasing water (physico-chemical, biological) quality, Reduced ecological / hydrological connectivity

Potential: Food insecurity (crop damage), Loss of landscape/aesthetic degradation, Soil contamination

Socio-economic Impacts

Potential: Displacement, Loss of livelihood, Loss of traditional knowledge/practices/cultures, Violations of human rights, Land dispossession

▼ Outcome

Project Status

In operation

Pathways for conflict outcome / response

In a memorandum to the authorities, communities demand that: (a)The Sarawak Forestry Department must urgently withdraw the plantation license (LPF001 / LPF043) for the Reforestation Project by Grand Perfect Sdn Bhd which is within our native customary territory. (b)The Bintulu Lands and Surveys Department must withdraw its notices requiring us to vacate our lands in the Sungai Satai and Sungai Binyo areas. (c)The Forestry Department must remove our customary territory from from the Sujan Forest Reserve. This is because the declaration of the forest reserve has violated our fundamental rights as natives of Sarawak. (d)The Sarawak State Government should provide for special protection for our customary land so that we can continue to practice our culture and tradition as Ibans. This is in line with the Governments ethical responsibility and fiduciary duties towards indigenous peoples. (e)The most important development we need right now is the construction of roads from Bintulu to our longhouses in Sungai Satai, Binyo, Pandan, hospitals, clinics, clean potable water and other amenities. These are some of the infrastructure that should be given to us and not the clearing of customary territories for acacia plantations which would bring about many problems and threaten our lives and livelihoods.

Do you consider this as a success?

No

Why? Explain briefly.

The communities are still fighting to cancel the license conceded for the plantations and guarantee their customary land rights

▼ Sources and Materials

Legislations

The communities declare they have been informed that their rights have been recognised and stated very clearly by the Federal Court in the

case of Madeli Salleh and the Court of Appeal in the case of Sagong Tasi. The formal laws have validly recognised and respected customs in acquiring native customary rights. The Federal Constitution also accords protection to natives and recognises native customary rights.

▼ Meta Information

Contributor

Winnie Overbeek

Last update

08/04/2014

▼ Comments

