



Malaysia: Industrial acacia plantations violate and threaten the rights of Indigenous Peoples

Posted on Dec 30, 2012. Included in [Bulletin 185](#)

The state government of Sarawak has conceded a total area of 490,000 hectares for industrial tree plantations of acacia, the biggest area of this type in Malaysia. A consortium called Grand Perfect Sdn. Bhd., composed of three companies, is believed to set up 150,000 ha of acacia plantations in the plantable area within this concession. An environmental impact assessment identified 240 indigenous Dayak communities – longhouses – within the concession area.

In 2011, 5 indigenous Iban (Dayak) communities – longhouses –, that share two common customary territories inside the concession area, one in the Satai area, including the communities of Rumah Mering, Rumah Mujah and Rumah Belaja, and the other territory in Sungai Binyo (Binyo River), including Rumah Sengok and Rumah Mikai communities, expressed their concern about this concession in a memorandum to the Sarawak state authorities and to the federal government.

Firstly, they declared they were not informed, not consulted and never gave their permission, to the concession for the acacia plantations, issued by the government. This is a profound violation of the rights of these peoples that has taken place.

In the same document sent to the authorities, the communities claim that they have customary land rights. Moreover, documentation shows their historical settlement in the region, including a letter of the government of Malaysia from 1939 giving them authority over their land, as well as a document from 1955 that shows the boundary of their territory, as agreed upon with neighboring communities, besides other documental evidence.

However, the Bintulu Lands and Surveys Department issued a letter, stating that the communities were living on state land without a license. Given the aforementioned documentation, the communities allege that this affirmation of the Department in its letter is totally baseless, and the communities reaffirm their customary land rights, based on historical documental evidence. And they add that although not possessing land titles, several Malaysian laws, including the Constitution of the country, protect and recognize customary land rights, and also jurisprudence exists that decided in favor of these rights.

Moreover, the communities question that if the leaders of their five communities have been officially appointed by the government, how can the government then not recognize the rights of these communities to their lands they traditionally need for their survival as indigenous communities?

The communities not only have problems with tree plantations in the concession area; they also complain that part of their customary lands was declared forest reserve land in 2009 – the Sujau Forest Reserve – without informing them and without asking their permission.

Furthermore, the communities denunciate that the Bintulu Lands and Surveys Department has instructed them to vacate farm huts on their farm lands and they alerted them that their property will be destroyed, removed or relocated (which they have done previously

SUBSCRIBE

- [Receive our bulletin](#)

WRM

- [About us](#)
- [Statements](#)
- [Previous Site](#)

WRM BULLETINS

- [Current Issue](#)
- [Previous Issues](#)
- [Subscribe](#)

WRM ISSUES

- [Communities and forests](#)
- [Deforestation](#)
- [Monoculture Tree Plantations](#)
- [Mercantilization of Nature](#)
- [International processes and actors](#)
- [International Movement Building](#)

PUBLICATIONS

- [Books and Briefings](#)
- [Videos](#)
- [Photos](#)

BROWSE

- [by Country](#)
- [by Subject](#)

to a few landowners). All this is done so that their customary lands where they built up their lives and livelihoods can be taken over for plantation development.

The process of losing farming land is already ongoing and affecting the communities, making it more difficult to get food. Other necessary materials and food from communal forest areas also get restricted. And to worsen the situation, hundreds of workers from the outside, contracted by the plantation company, have invaded their forests to collect and hunt. The rivers, the only water source available to provide drinking water for the communities, have become muddy and badly polluted by the plantation activities.

Also, the communities complain that the only 'response' they have got until now on their objections against the conceded license has been pressure and many threats, both from the project proponent as well as from outsiders.

In the memorandum, the five communities demand from the Sarawak state government 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 & 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 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 Government's 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".

The communities declare at the end of their memorandum that "...we hope that the government would immediately find an amicable and fair solution by fulfilling our demands. We, the Iban people of Sungai Satai, Pandan and Binyo will never sell or release our customary lands to outsiders".

Source: based on information sent by Sahabat Alam Malaysia (Friends of the Earth Malaysia)

Share this:



Related

Malaysia: Indigenous Peoples call for a moratorium on large-scale tree plantations
August 30, 2009
In "section3"

Indonesia: Sources of livelihood threatened by REDD+, mining and oil palm projects
October 30, 2011
In "section2"

Mega-dams in Sarawak: how indigenous peoples rise to defend their rights
December 23, 2013
In "section1"

Share:



Leave a Comment

Your email address will not be published. Required fields are marked *

- Notify me of follow-up comments by email.
- Notify me of new posts by email.

Submit