



JARINGAN ORANG ASAL SEMALAYSIA
INDIGENOUS PEOPLES NETWORK OF MALAYSIA

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JOAS MEDIA RELEASE

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SARAWAK STATE GOVERNMENT NOT LISTENING TO ITS INDIGENOUS PEOPLES

Kuching, Sarawak. On the day that Malaysia was formed, 15 indigenous peoples who stood for four hours outside the Chief Minister's office on behalf of longhouses and villages in Sarawak that would be affected by two proposed dams were arrested outside the office of the Chief Minister as they waited to submit a simple memorandum. Among those arrested were JOAS leaders Mark Bujang (BRIMAS), Raymond Abin (SCAN) and Hellan Empaing (WADESA) who were there in support of the Penan, Iban, Kayan and Kenyah representatives of the affected communities.

"We came to Kuching city to give a memo to the Chief Minister because we were not happy with the Murum Dam construction. If this continues, our lands will drown, and how are we supposed to live and survive? This memo contains our concerns so that the state government can listen to our worries." said Sui Along, Penan representative from Long Luar, a village in the affected area of Murum.

The police arrested the 15 after receiving a call from the Chief Minister's office. After being held for seven hours without food and water by local police, they were charged with illegal assembly and released on bail. They will be expected to appear in court on 29 September 2009.

The proposed Murum dam is the first of 12 new proposed dams to be built throughout Sarawak. Quickly announced by the government after NGOs found plans on these dams on internet websites of the Chinese contractors, these dams were planned without prior consultation of the affected communities, let alone the free, prior and informed consent of the indigenous peoples on whose lands these dams would be built. In its inception, the still constructed and highly controversial Bakun dam was touted as being able to supply the energy needs of Malaysia, bringing into question the need for an additional 12 dams.

Rubbishing state leader claims that local NGOs had instigated the incident, BRIMAS Executive Director Mark Bujang said that they had responded to the communities because no one else wanted to listen. "We brought these remote communities together in Kuching to discuss their common concerns. For many of them, this was the first time they had come down to the city centre and they stated to us they wanted their concerns to be heard by representatives of the government and so we lent moral support to them."

SCANE Director Raymond Abin said that when the representatives of the local government refused to listen, the communities wanted to come to Kuching. “Now that we have come all the way here to where our government leaders are, they still refuse to listen to us,” he said. “This questions their sincerity in saying they are concerned about listening to the indigenous peoples of Sarawak.”

JOAS President Adrian Lasimbang said the arrest and blatant intimidation of the indigenous peoples showed clearly the lack of commitment by the state government to internationally recognized frameworks of consent and consultation that form part of the collective rights of indigenous peoples and added that “In solidarity with JOANGO HUTAN, we support the call to the EU to suspend FLEG negotiations with Malaysia in view of the flagrant disregard of the government for free, prior informed consent and consultation with communities affected by logging and by development projects. We additionally call for the Malaysian government to review its policies to ensure that international law, especially those concerning human rights and the rights of indigenous peoples, is mainstreamed.” This violation is contradictory to article 32 (2) of the UNDRIP that stated States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.

The full list of indigenous peoples detained are: Mark Bujang (Executive Director of Borneo Research Institute, BRIMAS), Hellan Empaing (President of Wanita Desa Sarawak, WADESA), Dominic Ng, Johannes Ya, Bruka anak Laku, Philip Jau, Ngan Evan, Simon Saging, Peeramlie anak Datu, Raymond Abin Bira, Sui Allong, Ngan Buleng, Panai Irang, Bujang Jalong, and Koleh Ngo.

BRIMAS – Borneo Resources Institute, Sarawak’s leading NGO and supporting NGO to JOAS

SCANE – Sarawak Conservation Network, a coalition of leading environmental and indigenous rights organizations in Sarawak

JOANGO HUTAN – Network of Indigenous Peoples and Non-Governmental Organizations on Forest Issues

WADESA – Sarawak Native Women’s Association

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