

Jaringan Tanah Hak Adat Bangsa Asal Sarawak (TAHABAS)

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Miri, Sarawak.

TAHABAS condemns Arrest and Detention of 3 Iban Tuai Rumah and 2 Longhouse residents by the Mukah Police.

The Sarawak Indigenous Peoples Customary Land Rights Network (TAHABAS) condemns the arrest and detention of 3 Iban Tuai Rumahs and 2 other longhouse residents by the Mukah Police last Saturday, 10th June, 2006.

The 3 Iban Tuai Rumah arrested were **Tuai Rumah Tujuh Anak Sanai, Tuai Rumah Segudan Anak Lasa** and **Tuai Rumah Taman Anak Imbat** and the 2 longhouse residents arrested together with them are **Encik Tambi Anak Geram** and **Encik Alus anak Geram**.

All of them were arrested by the police on their native customary land at Sungai Mana. Sungai Mana is a tributary of Batang Balingian, in Mukah, Sarawak.

According to their family members, they were arrested by a Police party from Balai Polis Mukah while protesting against encroachment and damages done to their native customary land by a company, Jutapak Sdn. Bhd. They were accused by the Police of obstructing the employees of the company passing through its access road which passes through their native customary land.

Prior to their arrest, reports were lodged by them and residents of their longhouses with the Police on damages done to their customary land by the company.

The Police did not take action and the company had continued to encroach their customary land resulting in more damages done to their land. They and other residents of their longhouses were therefore forced to defend their customary land by physically stopping workers of the company from continuing to encroach thereon last week. Then the Police arrested them.

Last Monday, 12.06.2006, they were produced before the Magistrate in Mukah, who based on the application made by the Police, ordered them to be remanded until the 23.06.2006.

TAHABAS was told that the land had been occupied by the Ibans from many generations and the company came there only recently. And before their arrest, there was no declaration by the court that the company has the right to pass through or to evict the Ibans from their said customary land.

As such, TAHABAS is shocked with the arbitrary and high-handed action of the Mukah Police in arresting the Ibans without any determination made by a court of law as to who has right over the land.

TAHABAS also appeals to the YAB Chief Minister, Pehin Sri Abdul Taib Mahmud to take appropriate action immediately to get the Mukah Police to release the Ibans and to ensure that the company ceases its encroachment onto the customary land of the Ibans forthwith.

YAB Pehin Sri is the Sarawak Minister of Planning and Resource Management in charge of land matters in the State and reposed with fiduciary duties to protect the customary rights of the natives over their customary land. He is also the State Assemblyman for the Balingian State Constituency where the said land of the Iban is situated. As such, it is his duty and within his power to act to resolve the matter immediately being the Minister responsible and also being the duly elected State Assemblyman for the area concerned.

TAHABAS also calls on all Malaysians/Sarawakians particularly the Dayaks leaders, firstly, to help to get the Ibans arrested to be release immediately, secondly, to assist them to file a case against the company concerned and also against the Mukah Police for arbitrarily arresting/detaining the Ibans. TAHABAS wishes to also invite all the Sarawak natives to join the campaign by native customary right (NCR) landowners to get the Sarawak State Legislative Assembly to amend the Sarawak Land Code and make clear effective provisions therein for the protection of NCR over lands in the State and for the Sarawak Government to immediately stop issuing provisional leases, licences for planted forest and for logging arbitrarily.

TAHABAS further wishes to announce that NCR landowners in Sarawak are now ready to launch a State Wide protest action against widespread and continuing violations of their NCR by the State and the big Companies.

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Augustine Bagat
Chairman, TAHABAS