

Jaringan Tanah Hak Adat Bangsa Asal Sarawak (TAHABAS)

Sarawak Native Customary Land Rights Network

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Press Statement

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We, the Central Executive Committee the Sarawak Native Customary Land Rights Network (TAHABAS)¹ are disappointed that the present caretaker government is not concern about the issue of native customary rights (NCR) in Sarawak and branding them as a non-issue or an outdated issue.

We are also disappointed especially with the caretaker Deputy Chief Minister Datuk Patinggi Tan Sri Alfred Jabu on his statement in the Borneo Post dated April 26, 2006 daring the opposition parties or anyone to lodge police reports if the government had 'snatched' people's land. His statement points to the ignorance of the numerous letters, petitions, press statements, police reports and court cases brought by the native communities throughout Sarawak to the government for the violation of their native customary rights (NCR).

We wish to remind the caretaker Deputy Chief Minister that the native communities throughout Sarawak have lodge numerous complaints and file police reports throughout the years demanding that the police and the relevant authorities investigate the violation of their NCR and also their human rights. The natives have also brought the matter up to court and to date there are not less than 100 cases filed and are still pending throughout Sarawak involving land disputes between the natives, the private sector and the State Government.

So, how could NCR issues be outdated or a non-issue if at present these issues lies unresolved and the native's customary lands continued to be "snatched" away by the arbitrarily issuances of Provisional Leases for large-scale plantations or Logging Licences by the State Government to the private companies over the NCR lands of the natives? The Malaysian Human Rights Commission (SUHAKAM) has also acknowledged that the main complaints received from the people of Sarawak on human rights violations involved land rights particularly NCR.

We wish to reiterate our demands that the State Government of Sarawak must:

1. protect our native customary rights to land, forest and the environment;
2. delineate and record officially our native customary rights land claims with the official documents submitted to the community, with this, conflict on

overlapping claims between the longhouse/village residents, private corporations and the government can be resolve amicably;

3. urgently order the plantation and logging companies that are operating in our native customary land to stop their activities;
4. take action on logging companies which are extracting timbers illegally or conducting illegal logging activities on our native customary land;
5. halt the arbitrary issuance of Provisional Leases, Planted Forest Licences and Logging Licences to plantation companies and the government agencies which affect our native customary land;
6. pay adequate and just compensation for the damages and destruction done to our land and resources because of the so called “development projects” implemented by the private corporations or the government;
7. inform and meet transparently with all levels of our longhouse/village communities on native customary rights land development schemes that is going to be implemented in our territories, and subsequently respecting the communities’ decisions with regard to the development of their native customary land;
8. obtain our prior informed consent about a project or the government’s plan which involves our native customary rights land to every longhouse/village in areas which are affected by such plans.

The State Government cannot hide from the fact that NCR is an issue that needs to be resolve soon. Ignorance would mean that the State Government has failed the people and this issue would keep on resurfacing not only during the election period but every single day.

Press Statement issued by:

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¹ TAHABAS is a network of indigenous people’s organisation formed to address issues facing the community especially on native customary land rights.