



BRIMAS

Oil Palm Plantations in Sarawak

Impacts to the Indigenous Dayak Communities

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N Malaysia



Orang Asal of Malaysia

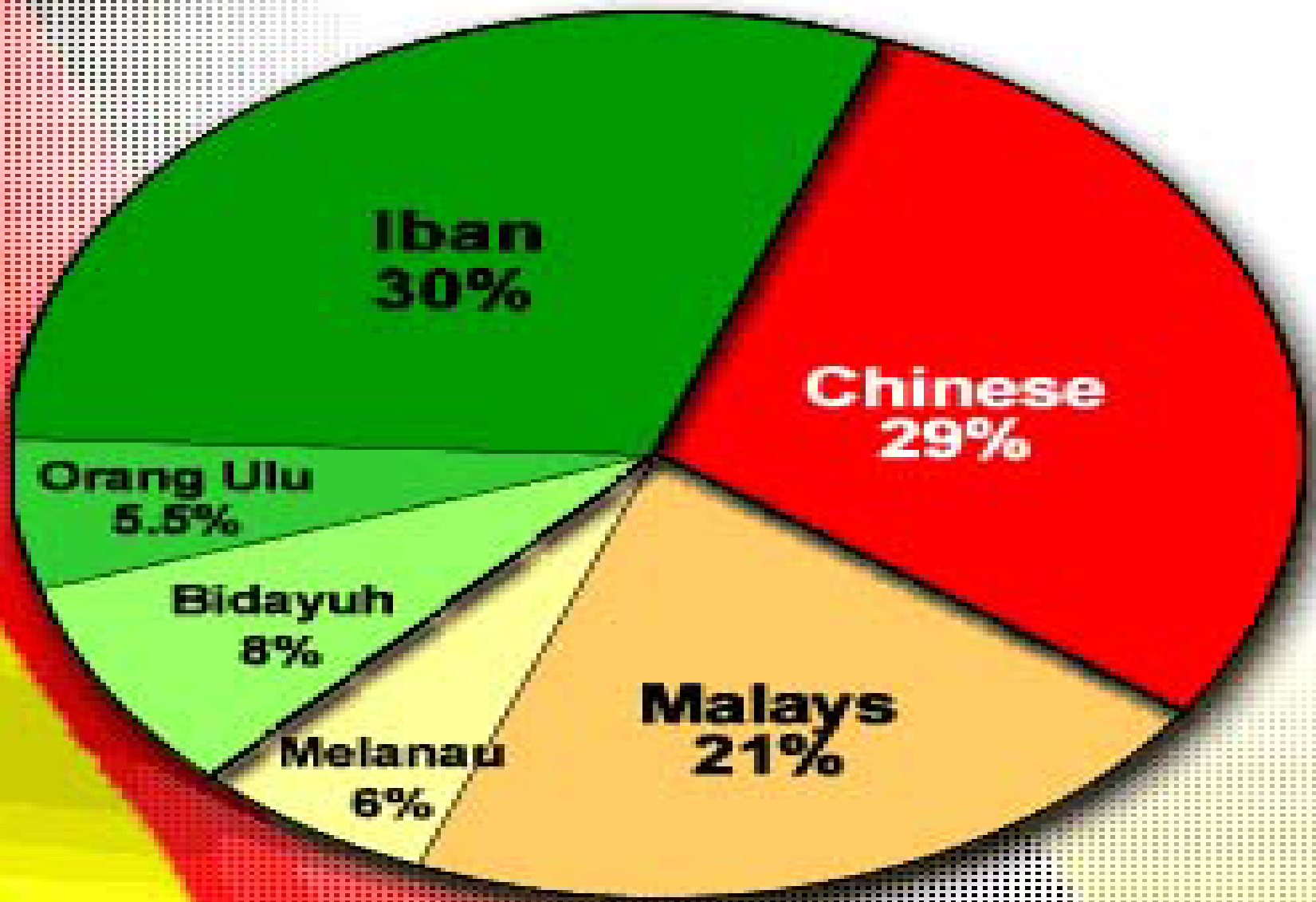
- Orang Asli of Semenanjung (Peninsular) Malaysia – more 120,000
- Dayaks of Sarawak - Iban, Bidayuh, Kenyah, Kayan, Kelabit, Lun Bawang, Penan etc - > 1 million
- Orang Asal (Kadazandusun, Bajau, etc.) of Sabah – 1 million




■ Sarawak (Facts & Figures)

- 124,449 sq.km (12.4 million ha)
- located northwest sector of Borneo
- Largest of the 13 states in Malaysia
- Population 2.2 million, Dayaks are majority more than 49%
- 80% are rural dwellers, practicing self-subsistent agriculture, hunters and gatherers
- Dayaks holds native customary rights (NCR) over land
- Govt. estimates NCR land to be 1.5 million hectares. However, this figure is debatable as no proper demarcation is done

Sarawak population



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- The Dayak is a umbrella term for at least 32 ethnic and sub-ethnic indigenous groups in Sarawak
 - Ibans make 30% of population, other main ethnic groups are Bidayuh, Kayan & Kenyah
 - Penans make for about 0.5% of population
 - Each IP groups are govern by their own distinctive customary laws called “adat”
 - Adat is recognised by the state government however controlled by the State Attorney General’s office



Oil Palm Plantation in Malaysia

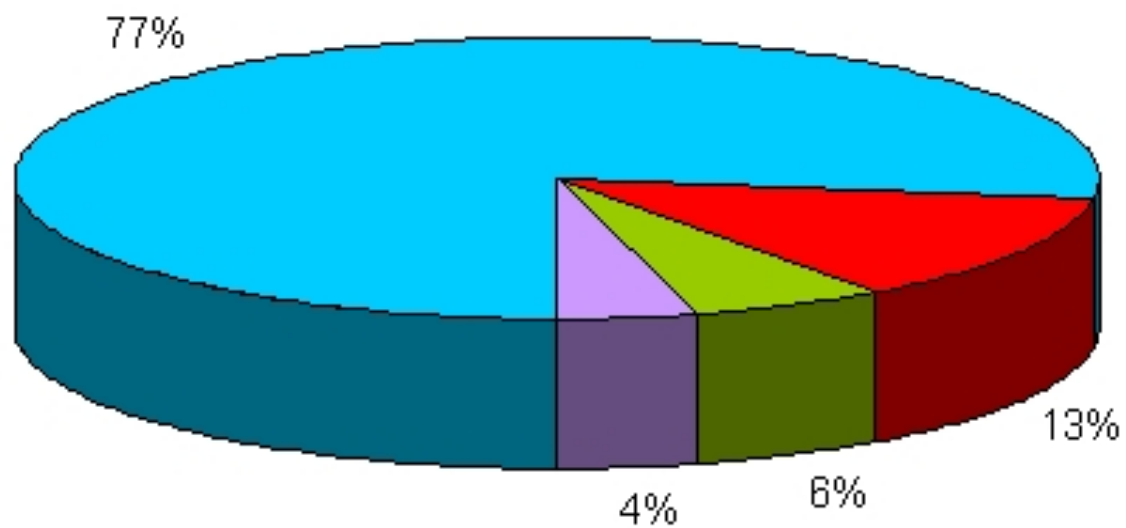
- Total planted areas 4.2 million hectares in 2007
- 2.3 million hectares in Peninsular Malaysia
- 1.24 million hectares in Sabah
- 600,000 hectares in Sarawak
- Sabah and Sarawak has been slow to develop because of unsuitability of land

Oil Palm Plantation Development in Sarawak

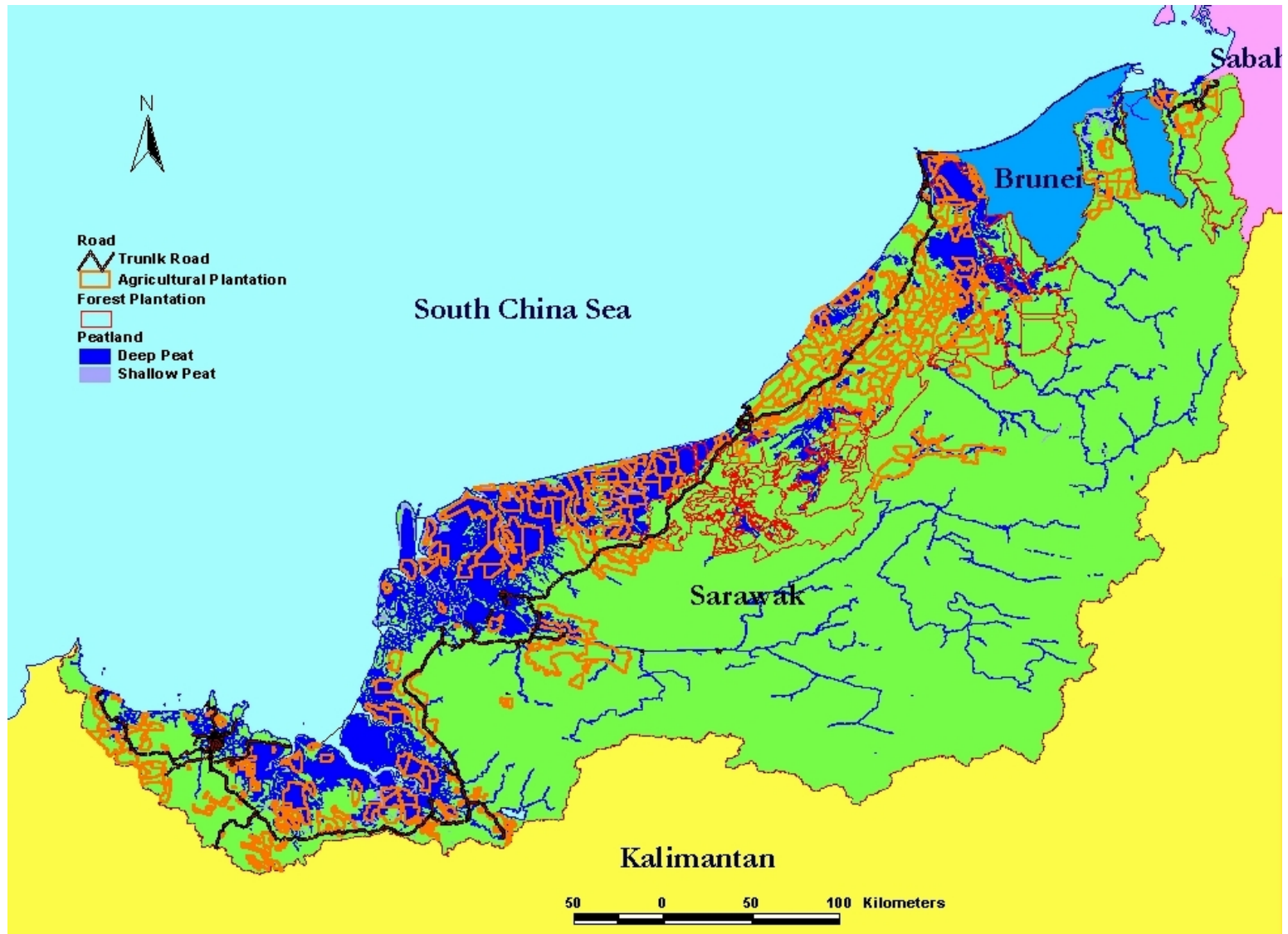
- In the 1960s until 1990s logging was widespread throughout Sarawak
- In the late 80s and early 90s Sarawak was the focus of an international anti-logging campaign
- First oil palm plantation established in 1968, totalling 20,000 hectares, however not very successful
- Having depleted its timber resources, Sarawak is now embarking on large scale plantations, especially oil palm
- The same logging companies are now diversifying into oil palm plantations together with the entry of oil palm giants from the Peninsular
- The demand for biodiesel driving the expansion

The Sarawak Govt.'s Target

- By 2010, 1.29 million hectares of fully develop oil palm plantations
- Previously Miri and Bintulu Divisions were the dominant plantation areas, but now expanding to all divisions
- At the end of 2007, 682,000 ha have been planted
 - 527,000 ha private estates
 - 87,000 ha govt. agencies
 - 39,000 ha under NCR JV schemes
 - 29,000 ha small holders
- In 2004, about 408,000 hectares of peat forest have been converted to oil palm plantation
- Malaysia's former PM said that no further plantation should be done on peat swamp forest but state govt. ignored this advice
- In addition about one quarter (2.8 million ha) of Sarawak landmass has been allocated for tree and oil palm plantations under Planted Forest policy



Map of agriculture plantations in Sarawak



Govt. Justification for planting oil palm in NCR lands

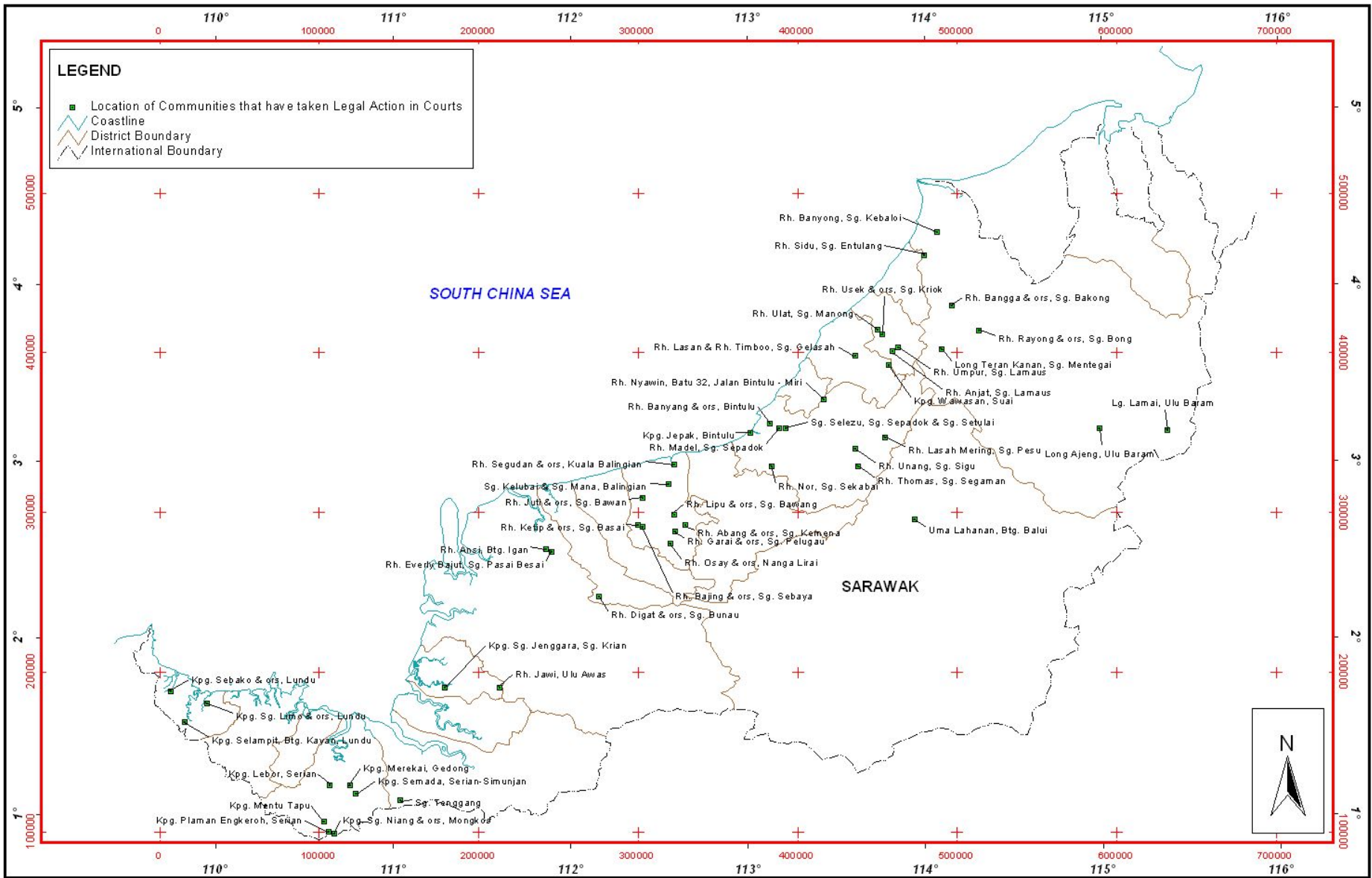
- Govt. sees customary land left fallow as idle land and therefore should be developed
- The Govt. sees communal forest is state land, Dayaks need to proof the land is theirs
- Developing NCR lands with oil palm will upgrade the socio-economic status of the rural Dayaks i.e. by creating job opportunities
- Dayaks need to change their mindset from traditional way of life to mainstream society

Conflicts with the Dayaks

- Disputes over NCR land. Govt. has limited view of NCR
- Lack of respect of NCR i.e. indiscriminate issuances of provisional leases, Dayaks have to prove NCR
- No proper or absence of consultations
- Violation of the principle of free, prior informed consent
- Promised economic benefits never materialise
- Lost of forest through massive land clearing, pollution and siltation of rivers
- Threaten health and livelihood of communities
- Human rights abuses i.e. the rights to their customary land, maintaining their traditional way of life, arbitrary arrests and detentions
- At the moment more than 200 cases are in the courts all over Sarawak awaiting trial

“Our lands are taken away from us without our consent. The government simply gave away our land to plantation developers. When we protested, we were sued.” – Longhouse Chief, Tuai Rumah Ketip

MAP SHOWING LOCATIONS OF INDIGENOUS COMMUNITIES WITH LAND DISPUTES IN COURT



Datum: Timbalai 1948
 Projection: Borneo Rectified Skew Orthomorphic (BRSD)



Environmental Impact

- A lot of the oil palm expansion is on peat swamp, about 400,000 ha
- Open burning, allowed in Sarawak if given permit by NREB
 - thick haze, released of CO₂ and other GHG
- Forest degradation, loss of biodiversity
- Pollution of water table and river systems due to chemical fertilizers, herbicide and pesticides
- Siltation caused by soil erosion, major cases of flash floods



- The Dayaks are forced to defend & protect their rights by taking direct actions

- Instituting legal action in Courts



Human Rights Violations

- The Dayaks that defended their rights have been brutally harassed, assaulted, intimidated, suppressed and arrested by the authorities



IPs Demands to Govt.

- protect their Rights to NCR to land, forest and the environment
- officially delineate and record native customary lands
- urgently halt the encroachment of private companies in their native customary lands
- take action on illegal logging
- Halt issuances of leases or licences over NCR land
- pay adequate and just compensation
- uphold the principle of free, prior informed consent of the IPs





Thank You
Terima Kasih