

Taib has a lot to hide, says ex-Suhakam vice-chair
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Ex-Suhakam vice-chairman Simon Sipaun cautions that Sarawak Chief Minister Abdul Taib Mahmud will not hesitate to use the immigration powers of the state to keep out "prying eyes" from the state.

This is more a case of abusing rather than using the immigration powers of the state as intended under the federal and state constitutions, he added.

"It's a fact that Taib (left in photo)) has a lot to hide.

"He has no choice but to appear to seek shelter behind the state's immigration powers," said Sipaun, who is currently one of the 12 advisors appointed by the King to the board of the Malaysian Anti-Corruption Commission (MACC).

He was commenting on the case of Suhakam commissioner, Jannie Lasimbang from Sabah, who is still persona non grata (PNG) in Sarawak despite beginning a national inquiry about ten days ago on the state on the plight of its native communities.

police abuse suhakam pc 050808 simon sipaunLasimbang, however, may be allowed in from time to time reportedly under state government "supervision" in connection with her official duties.

Even without one being declared PNG, Sipaun (right) cited the proposed White Paper by the Sarawak state government as a blanket threat to Suhakam and activists like Lasimbang, among others.

The White Paper calls for "unhealthy politics" - meaning Suhakam, the MACC, NGOs and opposition leaders from Sabah and the peninsula - to be kept out of the state.

Fear a powerful driver

At the same time, it will be used to shackle Sarawak activists, seen as anti-government, from leaving the state and suspending opposition members in the state assembly.

Re-visiting the Lasimbang case in particular, Sipaun pointed out that the human rights body has gathered a mountain of evidence on the state government's wrong-doings against the native communities in particular.

Allowing Lasimbang unfettered access to Sarawak, according to Sipaun, "is expected to help Suhakam complete its work in the state and this is something that Taib wants to avoid".

He noted that of particular interest to Suhakam is the state government's current RM80 million survey, financed by the federal government, of NCR land.

The allegations are that the state government is only surveying payung rumah (areas around the longhouse) and not the temuda (farming land), pemakai menua (territorial

domain) or the pulau galau (communal forest) where they earn their livelihood and where the burial grounds are located.

Jannie Lasimbang "Suhakam has already begun its six-month long national inquiry in Miri into the rights of the indigenous people in the state," said Sipaun. "The conditions imposed on Lasimbang's (left) entry into Sarawak should be withdrawn."

He noted the state's disingenuous take that Suhakam was not established under the federal and Sarawak constitutions. Hence, Lasimbang could not demand entry into Sarawak by right and the state does not have to give her any reasons for her PNG status or why her blacklisting could not be lifted.

As a former Sabah state secretary, Sipaun feels that Taib's alleged abuse of the state's immigration powers to put a lid on the excesses of his administration becoming public knowledge as "an exercise in futility".

Suhakam, he added, has already amassed an impressive body of evidence on the plight of Sarawak's native people even before the national inquiry currently underway in the state.

Ills of under wraps development

"There's generally a lack of free, fair and transparent consultation with communities affected by major development involving Native Customary Rights (NCR) land," said Sipaun, stressing that the details on various incidents can be found in Suhakam's annual reports. "Local communities feel left out of the opportunity to be involved in economic spin-offs from development projects."

The core issue in Sarawak, added Sipaun, is the endless disputes between native communities on the exact boundaries between NCR land and state land. Apparently, this resulted in government, semi-government and private agencies ignoring native communities in the absence of official demarcation of boundaries.

Development projects are simply bulldozed through without taking into consideration the native communities affected, he said.

"The added grouses are private agencies being in non-compliance with official guidelines and government agencies not being on the ball."

Sipaun explained that most of the graphic scenes depicted by the media involved native communities on the one hand and the police or gangsters employed by the large companies on the other.

The perennial scenes of the tug of war between outsiders and native communities, said Sipaun, occur when complainants are targeted for action instead, compensation not paid or delayed, and the quantum is inadequate in instances where land is acquired by the authorities, and provisions in the Sarawak Land Code 1958 encumber the establishment of land rights by native communities, especially the Penan.

"The state government should consult the native communities affected by development projects and this is for their own good," said Sipaun. "It's also incumbent upon the National Registration Department (NRD) that the native communities have official documentation papers."

Otherwise, Sipaun pointed out that it will be difficult for them to claim their rights "and perhaps this is the situation that Taib wants to perpetuate".

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