

Sarawak gov't disrespecting court decision, accuses PKR

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By Dukau Papau

A Sarawak PKR leader has accused the government of Chief Minister Abdul Taib Mahmud of disrespecting the rights of natives to their ancestral land, as well as the decision of the High Court which has declared that native customary rights (NCR) land include 'pemakai menua' (territorial domain) and 'pulau galau' (communal forests).

"The court decision shows that NCR land is not confined to only farmland," said Sarawak PKR chairperson Baru Bian (left in photo).

"But the state government argues that NCR land is only confined to 'temuda' (farmland). The fact that the state government is appealing against the decision of the High Court shows that it has no respect for the rights of the natives over their ancestral land, as well as the decision of the court," he said.

Bian, who has represented native landowners in more than 200 cases in court, was commenting on the BN manifesto which touched on the setting-up of a special court to deal with NCR land cases.

The BN coalition, in its manifesto, said that it would gazette all native customary land in close consultation with the state government should it return to power in the coming general election.

It also promised to set up special courts with the same status as the High Court under the present justice system to deal specifically with native customary rights issues.

Bian, who is the PKR candidate for Limbang, asked: "What is the point of referring the gazetting of native customary rights land to the state government, knowing very well that the state government does not respect the rights of the natives over the land?"

"It also does not respect the decision of the court," he said.

There are now more than 200 NCR land cases pending hearing before the court. The native landowners have sued the government for allegedly grabbing away their land and leasing them to oil palm companies.

The natives have so far won a number of cases, but the state government is appealing against the decision of the court.

'Pointless to establish special court'

The PKR leader also said that it was also pointless to establish a special court if its decision is not going to be respected.

"Even if you create 100 special courts, it does not mean anything if the state government refuses to recognise the rights of the natives over the land," he added.

He said that the Barisan was forced to include NCR land issues in its manifesto as the NCR land issues are 'hot' election issues in the rural areas..

"They have to copy from our manifesto. In our manifesto, we intend to establish a Land Commission which will look into NCR land claims by natives, issue land titles and handle overlapping claims.

"Currently, the NCR land is being handled by the Department of Lands and Surveys," he said.

Bian, who is the Ba'Kelalan state assemblyperson, had suggested the formation of such a commission in the state assembly during its sitting, but his proposal was rejected by the state government.

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