

Malaysia's invisible identity crisis
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Keruah Usit

One of Philip's happiest days last year was when he finally received his identity card (IC). He had applied three times over the space of nine years, and had received a reply only to his last attempt. Altogether, he made six long, and expensive, trips from his remote home village to the nearest district office.

The Sarawak Gazette records that Philip's Orang Ulu ancestors had settled in a valley in Sarawak for over a century. His parents showed me their marriage certificate provided by local village elders, dated before the formation of Malaysia. But they could not obtain a birth certificate when Philip was born.

the antidote article sarawak natives life in interior sarawak 050509 01Philip's concern is not for himself, given that he is already 43, and a life-long farmer. He is not likely to follow the growing exodus of young people from his village seeking work in the towns, in factories in Johor or Kuala Lumpur, or on offshore oil rigs in Sarawak and further afield.

He appears most comfortable in his faded overalls, astride his old motorcycle on his way on the narrow dusty track to his rice farm, or perched in his longboat, casting his net for ikan batu and semah in the river flowing behind his home.

But he needs the IC to allow his sons, - one in Form Two and one in Form Five - to sit for their school exams. His two sons have birth certificates, but had been unable to apply for their ICs because Philip and his wife had 'temporary resident' ICs.

Made to jump through hoops

Despite his pleas to counter staff at the Jabatan Pendaftaran Negara (JPN) or National Registration Department in the nearest district office, Philip never received any feedback on the status of his three applications.

Each grueling journey down to the district office was met with the standard bureaucratic mantra: "you wait first". He only discovered that his application had been deemed successful after several telephone calls to the JPN headquarters in Kuching.

"They never told me that my previous applications had been rejected, and they never explained why," Philip recalled. "They said their letters must have gone missing."

Philip had been made to jump through hoops. At first, he had to prove he had been born in Sarawak. Only after applying for Malaysian citizenship, could he apply for an IC.

Philip's village chief had refused to support the genuine citizenship and IC applications of his fellow villagers. According to villagers, the headman even demanded money from the villagers to write letters in support of their JPN applications, but he never delivered the letters.

When challenged by the villagers, the headman was unable to defend his failures. He claimed applicants in the village might be "Indonesians". This feeble excuse was angrily refuted by families who could trace their genealogy in the area back for generations.

the antidote article sarawak natives life in interior sarawak 050509 02Villagers pointed out

the headman had crippling gambling debts in the nearest town, and had also embezzled money from the village committee fund. The villagers lodged reports with the authorities. But they said a middle-ranking mandarin in the bureaucracy, related to the headman, had protected him.

One day, by serendipity, a mobile team from the High Court visited Philip's village. The magistrate sat the hapless headman and villagers down in public. In front of the assembled village, the headman admitted that the applicants were bona fide Sarawakians.

The headman signed declarations to this effect, witnessed by the judicial team. Two years later, Philip's application saw the light of day.

The mobile court has since been disbanded. A senior lawyer says the project in Sarawak was shelved over procedural concerns, regarding the legal technicalities of documenting citizenship in these remote villages.

Stateless in Sarawak

As in neighbouring Sabah, many rural Sarawakians are deprived of birth certificates and ICs. Without these documents, they are unable to complete their education, or find secure employment in towns. If they are employed as contract labourers or coffee-shop waitresses, they are subject to abuse by their employers and have no social security or insurance.

the antidote article sarawak natives stories 120509 03These indigenous Sarawakians are treated as illegal immigrants by the government machinery. They are turned away from clinics or charged rates for 'foreigners'- hundreds of times the usual cost for Malaysians. Many doctors deny these poor 'foreigners' routine, but costly, investigations and treatment.

Undocumented Sarawakians and Sabahans cannot obtain driving licences. Marriages, births and deaths are burdened with complications. They are forbidden from obtaining passports, and from traveling outside their home state.

They are also unable to vote. Mafrel, an NGO pressing for free and fair elections, says 473,000 eligible Sarawakian voters have not registered themselves with the Election Commission (EC). Tens of thousands more potential Sarawakian voters are also unable to get on the EC's electoral roll, because they have no ICs.

The Sabah party SAPP has blasted the federal government for behaving like British colonialists. One common, and legitimate, complaint has been the denial of ICs to locals, and the free distribution of ICs to immigrants perceived as being more likely to vote for the incumbent governing party.

The JPN response

Civil society and politicians continue to agitate for the urgent registration of all Sabahans and Sarawakians, emphasising that citizenship is a right and not a privilege.

Last month, Malaysian election observer members visited the JPN Putrajaya headquarters and held a dialogue with deputy director-general (operations) Zulkifli Rahmat.

Zulkifli said only 10,000 of 15,000 Penan, the poorest among all ethnic groups in Sarawak, were registered with JPN.

the antidote article sarawak native people 270509 05He explained there was a two-year deadline to issue documents to all 66,000 Sarawakians yet to be registered with the JPN. However, progress has been so slow that the target appears unattainable.

The JPN director-general had previously announced that only 5,126 new Sarawakian registrations had been achieved in the past two years.

According to Zulkifli, the JPN has requested extra funding for mobile registration units, but has not been successful.

He promised to look into simplifying the JPN application forms. He agreed the JPN must specify which supporting documents are mandatory, among the 16 documents it asks for upon application.

He reiterated that JPN had difficulties with people "crossing borders". The JPN could not determine whether those living near international borders were "true citizens". JPN public relations officer Jainisah Mohd Noor told NGO members that the burden of proof of citizenship rests with the applicants.

If the kinks with the mobile court can be ironed out, and the service expanded, this could dovetail with the JPN efforts, and speed up registrations.

Meanwhile, back at the farm, at least Philip can work on getting ICs for his sons and his wife. If all goes well, his sons may be able to go on to Form Six and perhaps, one day, a tertiary education.

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