

Why activists reject 11MP plan for native land rights

The Malaysian Insider

Jun 24, 2015

By Sheridan Mahavera

On paper, the 11th Malaysia Plan has a plan that will grant the original inhabitants of the country, called the Orang Asal, recognition of their ancestral land rights.

It should be welcome news to indigenous people in the peninsula, Sabah and Sarawak, who have seen their native lands grabbed for plantations or infrastructure projects.

But in reality, Orang Asal activists fear that their fight for land rights will be made worse if a land policy proposal under the 11MP is carried out.

They said the 11MP was another attempt to get the Orang Asal in the peninsula, Sabah and Sarawak to agree to a controversial plantation scheme that would rob them of most of their land claims and make them even poorer.

Such schemes are not new, and the one in the 11MP appears to be a repackaging of an earlier initiative in 2009 which the peninsula Orang Asal have rejected, said Centre for Orang Asli Concerns (COAC) founder Colin Nicholas.

Plantation scheme

When he tabled the 11MP, Prime Minister Datuk Seri Najib Razak said the government would focus on giving Orang Asal in Malaysia rights to their native lands, including Native Customary Rights land (NCR) in Sabah and Sarawak.

This was to allow them to develop their lands using modern technology through related government agencies, he said.

Under the 11MP, the needs of Orang Asal in the peninsula, Sabah and Sarawak, would be addressed through land development and ownership, as well as skills training.

For COAC, these announcements sound similar to the 2009 policy termed "To give ownership and to develop land to Orang Asli for agricultural and residential use".

Under this initiative, individual "titles" for between 0.8ha and 2.42ha of land in an oil palm or rubber plantation were to be given to the head of each peninsula-based Orang Asal family, said Nicholas.

It would have benefited 30,000 families with some 50,000ha. The peninsula Orang Asal population was estimated at more than 178,000 in 2010.

Each plot would be planted with either oil palm or rubber and the families did not have to lift a finger either to plant the trees or manage them.

In return, they would earn a net monthly dividend of up to RM400 per month after subtracting planting and management costs.

But in exchange they would have to give up all their previous land claims, which according to Nicholas had been officially tallied at 130,000ha in the peninsula.

"So if they signed on to 2009 policy, they would automatically lose 80,000ha which they are claiming," said Nicholas.

Some villages in Pahang had signed on to versions of the scheme operated by cooperatives, Nicholas said. But their paltry earnings even during commodity booms have scared off other communities from signing on.

"When oil palm and rubber prices were high a few years ago, smallholders were earning RM4,000 a month. But the Orang Asal in these schemes were still getting paid RM400 a month," Nicholas said.

Which is why Orang Asal groups are against signing on to these plantation schemes. Now they fear that they will be forced to do so under the 11MP.

Not walking the talk

In Sarawak, Orang Asal activist Nicholas Mujah questioned the sincerity of the 11MP promise, saying that the state government still made it hard for tribal people to claim NCR rights.

This is despite recognition of their customary rights to their land by the courts, which have decided in the favour of Sarawak natives in many disputes between the Orang Asal and developers or the state government.

Mujah said there were about 400 cases of competing land claims in the Sarawak courts.

And despite court decisions granting the Orang Asal their native land rights, the Sarawak government continues to file appeals against these decisions.

"Najib said the federal government will recognise our lands but the Sarawak government still challenges court decisions which give land to the Orang Asal," said Mujah, who is secretary-general of the Sarawak Dayak Iban Association (Sadia).

"So someone is not walking the talk. If the federal government was serious about its 11MP plan, then get the Sarawak government to stop challenging the decisions of land cases." – June 24, 2015.

Source:

<http://www.themalaysianinsider.com/malaysia/article/why-activists-reject-11mp-plan-for-native-land-rights#sthash.LPqSwQ3q.dpbs>