



SURVIVAL INTERNATIONAL

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ORAL SUBMISSION TO THE 1987 SESSION OF THE WORKING GROUP ON
INDIGENOUS POPULATIONS.

Submission made by Survival International, non-governmental
organisation in consultative status with the United Nations.

TIMBER EXPLOITATION AND THE NATIVE PEOPLES OF SARAWAK

Sarawak, in the western part of the island of Borneo, forms part of the Federation of Malaysia and is a country with a population of one and a half million, composed mainly of Malay, Chinese and Native peoples. The native peoples, commonly referred to as Dayaks, constitute some 44% of the population and live ~~in~~ mainly in the interior of this tropical, forested and hilly state.

As a legacy of the British control over the territory, the native peoples of Sarawak now find their position to be seriously compromised by out-dated colonial legislation which discriminates against their traditional land use practices.

According to the 1958 'Land Code' the greater part of the native's traditional lands are defined as State-owned, placing severe legal restrictions on the pursuit of the natives' traditionally mixed economies of hunting, fishing, gathering and shifting cultivation. The majority of native people in Sarawak are thus, technically at least, 'squatters' on their own, traditional lands.

Logging now represents the single greatest threat to the survival of these peoples. Some 30% of Sarawak's unique tropical forests have already been logged and at present rates the entire forested area of the State will have been logged by the turn of the century.

Logging licenses are granted by the State Government to timber companies without any consultation with the native peoples whose traditional lands these are, on the grounds that these are State-owned lands. In February of this year the Penan, a hunter-gatherer people whose way of life is wholly dependent on the forest, made this appeal to the State Government:

'Stop destroying the forest or we will be forced to protect it. The forest is our livelihood. We have lived here before any of you outsiders came. We fished in clean rivers and hunted in the jungle. We made our sago meat and ate fruit of the trees. Our life was not easy, but we lived it in content. Now the logging companies turn rivers into muddy streams and the jungle into devastation. The fish cannot survive in dirty rivers and wild animals will not live in devastated forest.

You took advantage of our trusting nature and cheated us into unfair deals. You take away our livelihood and threaten our very lives. You make our people discontent. We want our ancestral land, the land we live off, back. We can use it in a wiser way. When you come to us, come as guests, with respect.'

The Penan's appeal went unheeded. Consequently, finding their rights unprotected, several thousand native people from over 30 communities in the headwaters of Sarawak's Baram and Limbang rivers have halted the logging operations by their own means. Led by the Penan, the Dayaks have manned barricades across the logging companies' roads and have called on the government to halt the felling of their trees. Logging operations in at least 12 camps have now been halted.

A number of international human rights and environmentalist organisations, including Survival International and the International Union for the Conservation of Nature and Natural Resources (IUCN), has made interventions with the Sarawak Government to seek a speedy and peaceful resolution to the conflict. The organisations have also urged that the licenses of the logging companies working on native lands be withdrawn and that the rights of the native peoples to the ownership and use of their traditional lands be respected.

The Working Group should take note that these principles have been substantially endorsed by the United Nations' World Commission on Environment and Development, which in its concluding report noted:

'Tribal and indigenous peoples will need special attention as the forces of economic development disrupt their traditional life-styles - life-styles that can offer modern societies many lessons in the management of resources in complex forest, mountain and dryland ecosystems. Some are threatened with virtual extinction by insensitive development over which they have no control. Their traditional rights should be recognised and they should be given a decisive voice in formulating policies about resource development in their areas.' (Emphasis added).

We urge that both the Malaysian Government and the Working Group on Indigenous Populations take speedy measures to ensure the application of these principles.