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For Environmental Justice

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Press Statement

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Police must investigate incident at the Orang Asli blockade site in Gua Musang

SAM is extremely concerned over media reports which related the manner in which the Orang Asli community in the Gua Musang district in Kelantan had been treated after setting up their blockade against logging operations on September 27.

According to Mustafa Along, secretary of the Jaringan Kampung Orang Asli Kelantan (JKOAK), around 2 pm on September 28, representatives from the logging company arrived at the blockade site with a group of men in several private vehicles. The people however believed that the police and representatives from the Kelantan State Forestry Department and two media outlets were also amongst the group.

The logging company then insisted for the blockade to be broken up. Subsequently, Mustafa was momentarily detained in one of the vehicles by individuals whom the people believed to be policemen, while another two protestors were separated from their friends.

The blockade was eventually destroyed by the loggers, after which three lorries filled with logs, which had been parked as a result of the blockade, proceeded to drive through the remains of the barricade. A hut built by the people near the road side was also reportedly destroyed by the loggers. In the ensuing chaos, the people alleged two gunshots were later fired in the air by an individual whose identity was unclear to them.

The people were later warned with a threat of arrest should they rebuild the blockade. They however have remained unfazed. The blockade has reportedly been rebuilt.

Our judiciary has already confirmed that the indigenous customary land right is indeed a proprietary interest in the land, protected under the Federal Constitution. As such, it is no longer legally appropriate for logging licences to be issued without the Free, Prior and Informed Consent (FPIC) of affected indigenous communities.

We therefore call for state governments and the Forestry Department of Peninsular Malaysia to review the manner in which logging licences are approved by the existing system today, neglecting the centrality of the FPIC process.

We are also worried over the allegations made by the people that the Forestry Department staff and the police had travelled together in private vehicles with the company representatives to the blockade site. This allegation must be thoroughly investigated by both authorities.

We call for the police to remain impartial on the matter, to respect the legal rights of the people and to swiftly investigate the incidents that had allegedly taken place at the blockade site.

The Orang Asli protestors must not be harassed or threatened with arrest for protecting their customary land from encroachment. The people's actions fall well within their constitutional rights, the freedom to assemble peacefully and the right to protect their property.

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President
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