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Media Statement

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Ministry must ensure the Kedah state government does not approve rare earth mining activities in Bukit Enggang Forest Reserve in Sik, Kedah

Sahabat Alam Malaysia (SAM) urges the Ministry of Natural Resources, Environment and Climate Change (NRECC) to ensure that the Kedah State Government does not approve the mining of non-radioactive rare earth element (NR-REE) mineral resources in Bukit Enggang Forest Reserve (HS Bukit Enggang) in the District of Sik, Kedah.

Although Article 74 (2) of the Federal Constitution read together with List II in the Ninth Schedule of the Constitution provides that forests are under the jurisdiction of the State Government but the Federal Government can advise the State that all policies, rulings, and commitments related to forests decided at the federal level are applied at the state level.

The Ministry's statement published in a local newspaper dated March 22, 2023, that the Kedah State Government has done nothing wrong and has the right to approve the exploration of NR-REE mineral resources in HS Bukit Enggang, Sik District, Kedah, is of concern to us.

According to Section 2, National Forestry Act (Adoption) Enactment 1985 and the same section of the National Forestry Act 1984 (Act 313) as well as the decision made in the Special Task Force Meeting to Study the Effects of Lanthanum Production in Permanent Reserved Forests on Forest Stands No. 1/2020 on 2nd to 3rd September 2020 it is confirmed that **REE mineral resources are not included in the interpretation of forest products.**

Therefore, it is clear that if the State Government intends to approve REE mineral resource mining activities at HS Bukit Enggang, it would be an offense, in addition to not being in line with the YB Minister's statement dated 22 March 2023 regarding one of Malaysia's commitments to managing forests sustainably, which is not to issue 'Operational Mining Scheme' (OMS) for the purpose of mining activities in Permanent Reserved Forests (PRFs), Protected Areas and Environmentally Sensitive Areas.

SAM also reiterates that the State must heed the decision by the National Land Council (NLC) during the 70th NLC Meeting in 2014 for all State Governments to take the initiative to control or as far as possible avoid the approval of mining and quarrying activities in PRFs.

Mining and quarrying activities in PRFs will disrupt the forest biodiversity and its functions and will affect Malaysia's achievement of sustainable forest management which is the core of our national forest management.

SAM hopes that the YB Minister of NRECC and the Ministry will advise the State Government not to approve the mining of NR-REE mineral resources at HS Bukit Enggang, Sik District, Kedah.

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