

# **A Social Study Report on the Oil Palm Plantation in the Kanowit District of Sarawak.**

**Dates of field survey: 11<sup>th</sup> May to 2<sup>nd</sup> July 2001  
Conducted by IDEAL (Institute for Development of Alternative Living), in  
collaboration with communities concerned.  
Report dated December 2001.**

## **Introduction**

The first project under the '*Konsep Baru*\*' land bank concept is being implemented for three years as of June, 2000 in both Long Lama and Kanowit-Machan-Nyamah area.

A study by a senior lecturer of UPM, Jegak Uli in Sungai Dijih of Mukah District, claimed that 83.6% of the 159 families surveyed were in favour of the scheme, though about half of them said they were not very clear or unclear about this 'Joint Venture Corporate' (JVC). Uli attributed such result to the successful awareness campaign of *Konsep Baru*

In the 2000 Biannual Conference of Borneo Research Council (10-14, July), Peter Songan of UNMIAS revealed that, in phase one of the JVC scheme at Long Lama, only 75 of the 355 families refused to participate, while the land area of phase two was reduced from 5,600 to 4,300 ha and phase three is not implemented due to objection of NCR landowners. The reasons of objection according to Songan were because of NGOs' interference, political influence by independent candidate, and other social economic factors.

During some of the recent visits to the Kanowit-Machan area, it's learned that many of the scheme participants regret[ed] their previous decision without a clear understanding of the scheme. They complained that the low wages offered by the JVC is insufficient and they had little area of land to do their traditional farming. They think that 60 years of leasing is too long and they do not believe that they would be getting handsome amount of bonus 5 years after the project implementation, as they were told. They feel cheated and are worried about their future.

It is in such uncertain situation that Ideal thinks there is an urgent need to carry out a survey study in the Kanowit-Machan-Nyamah area. A report of the study is summarised below that reflects what we believe is a fair objective view from the previous claims of both pro and against perspectives.

## **Areas Covered:**

Phase One of the scheme that was launched in 1996 in Block B (Bawan-Durin-Mapat, 35,969 ha) and Block D (Kanowit-Machan, 9,700 ha). There are about 60% or 26,765 ha of Native Customary Rights (NCR) lands that belong to 1,258 Iban families (Approximately 16,385 longhouse people). Phase One of the scheme involves a total of 45,669 ha of land.

A total of 139 households were interviewed among 33 longhouse communities in Machan-Sungai Maong, Jagoi, Sungai Tuah and Ulu Bawan areas including 3 farm houses(Langkau). Among whom 22 of them are the headmen of the longhouses. They include:

### **Block B**

#### *I. Sungai Maong, Machan*

1. Rumah Jalong
2. Rumah Buah
3. Rumah ambun
4. Langkau Kamu
5. Rumah Gasing
6. Langkau Chapien
7. Rumah Awie
8. Rumah Kadom
9. Rumah Genta
10. Rumah Sampai
11. Rumah Anchoi
12. Rumah Jugah
13. Langkau Tima
14. Rumah Puso
15. Rumah Muli
16. Rumah Melaka

#### *II. Jagoi*

1. Rumah Bundam
2. Rumah Baying
3. Rumah Ato
4. Rumah Nanggai
5. Rumah Ruma
6. Rumah Jeti

## **Block D**

### *I. Sungai Tuah*

1. Rumah Puis
2. Rumah Kendawang
3. Rumah Vincent
4. Rumah Letan
5. Rumah Henry John
6. Rumah Martin
7. Rumah Moses

### *II. Ulu Bawan*

1. Rumah Vincent Ujan
2. Rumah Jampi
3. Rumah Radin
4. Rumah Belalang
5. Rumah chemerai
6. Rumah Manyu
7. Rumah Basil

## **A. General Observations of the longhouse communities and interviewees**

### **Longhouse Communities:**

Over half of the communities visited do not have sufficient basic infrastructures. These include 17 longhouses and the 3 langkau or 51.5% who do not have pipe water. There are 16 longhouses or 48.5% who are provided with water container for rain or stream water storage. Most of them have their own generators, as electricity supply from the main grid is absent. Among the 33 longhouses interviewed, Rumah Kadom is the only community equipped with water and electricity supplies and telephone line. Rumah Kadom is home to the area headman, Penghulu Umpi.

There are 13 longhouses situated at about 5-10 minutes' motorcycle journey away from the main road. Six longhouses are located between 1-5 km from the clinic. There are 8 longhouses situated over 30 km from the nearest clinic. However, the distances between the longhouse and the primary school are mostly less than 5 km, except Rh. Benta (over 11km). The only secondary school in the area is located at the opposite the riverbank of Kanowit town. The other one is located outside of the scheme, which is next to the Durin town [Bazaar].

A good number of longhouses people, especially younger people have left the community for jobs or other purposes. They return to their longhouses only during festivals like Gawai (Harvest Festival which falls on 1<sup>st</sup> and 2<sup>ns</sup> June every year officially). About half of the households interviewed have only 1-5 members staying at home. There are 50 of them or 36% of those interviewed who had never received any formal education. However, there are three persons who are graduates of tertiary education institutions such as teachers' training college and graduate study.

### **Customary Land:**

More than half (55.4%) among the households interviewed own around or less than 20 ha of land, while 38.3% hold 1-10 ha of customary land. There is only 10 households or 7.1% who own more than 50 ha of land, while 22.6% couldn't estimate the land area they own. Some households in Rh. Banying, Rh.Ruma, Rh. Genta, Rh.Jugah and Rh.Awie said they had obtained native land titles from the Land and Survey Office before the implementation of the scheme.

Majority of them did not surrender all their customary land to the plantation scheme. Around 56.8% of them provided 1-10 ha of their land, while 18% provided 11-20 ha for the scheme. There are only 5.6% of them who 'own' over 30 ha of plantation area.

### **Cash Payment:**

The trial questionnaires use the term, 'up-front cash payment'. However, most interviewees do not understand the joint venture concept. The term, '*pampasan*' or compensation was then used for the interview. There were still 28 respondents yet to receive the cash payment (10% of the estimated land value of RM 1,200/ha) although the scheme had been implemented for 5 years already. Others revealed that the payment was made out in instalments. As such, they are yet to receive the full amount. According to the government published handbook titled "New Concept of Development on Native Customary Rights (NCR) Land", no compensation is to be made for the property on the land given to the scheme. However, three respondents said they received compensation for their crops amounting to RM 1,000 or RM30 per tree.

### **Signatory:**

Some respondents said they did not sign the document on the implementation of the scheme. There are 23 of them who said that it was their family members or relatives who signed on their behalf, and two of them said, it was the headman who signed on their behalf.

Though the plantation officially started in August 1996, there were 10 headmen who signed the Power of attorney as early as 1993. The majority (68.3%) of them signed between 1996 and 1997.

## **B. Understanding of *konsep baru* or New Development Concept**

### **Sources of information:**

Generally, the community people are isolated from external information, with the government radio broadcast as their main source of information

The survey revealed that 113 out of 139 respondents learned about the concept from Gramon Juna, the State Assistant Minister for land development, who had repeatedly called for participation during various community gatherings.

The government also gathered all the headmen for *konsep baru* courses to explain in further details. The headmen were then the other source of information on this scheme to longhouses people.

### **Customary Rights:**

100 out of the 118 respondents said they did not know about the NCR land law. This included the three educated teachers and schoolmaster. Only 18 of them (15.3%) said they knew the law. This revealed that the Ibans' awareness over their land rights was low.

### **Power of Attorney:**

Many respondents said they did not sign any contract. Their participation was only through the filling of 'forms'. This power of attorney form was assigned by The Land Custody and Development Authority (LCDA), the government implementing agency, to act on their behalf (interests).

Some 97.5% of the respondents said they did not hold a copy of the power of attorney form, nor did they receive the report of the oil palm plantation performance or share certificate. Only 3 of them said they held some kind of document but did not specify. According to the respondents, the government is keeping the land titles because it's worried that the landowners would sell their land if the titles were in their hands. Therefore, all the documents were being kept with the company.

### **Return of land:**

Will the NCR lands return to the owners after the expiry of 60 years term as specified by the "Konsep Baru" land development scheme? A total of 77 respondents (55.4%) replied definitely that it would, while 40 expressed uncertainty. The other 14 believed that it would not. According to the Guidebook, the landowners could apply for the land to be returned to them with no definite term.

When the question was pursued further, uncertainty among the respondents increased to 52 persons, while those who believed they could get the land back reduced to 60 persons or 49.5%. When asked if the project were to fail (due to low price, decreased productivity or bankruptcy of company), would they get compensation or the land back, there were 76 (58.9%) who responded uncertainty about it. However, 13 believed they would get back their land and 18 believed they would get back both the compensation and the land.

### **Shares, land value and dividends**

Among all the respondents, 57 persons (47%) replied in certainty about the amount of shares they got from their participation in the scheme. The majority (93) of them do not know the amount of value of their land mortgaged in the bank. There were only 9 of them who provided the actual amount in their responses. In regard to dividend, 26 respondents said five years after the operation, the company would start to issue dividend. However, most of them (96) were uncertain about it.

By 2000, there were around 8,000 ha of oil palm ready for harvesting. It is estimated that the company would take 6-8 years to cover the investment cost. Therefore, the dividend is unlikely to be issued until 2008.

### **The reasons for participation**

Some 70 out of the 136 respondents believed that the scheme would bring about profit such as shares and bonus. Oil palm scheme is considered another option other than rubber and pepper as a source of cash income. These respondents also thought that they had large area of land that they could not manage them well. Therefore, the people submitted their 'idle land' (land in fallow) for the scheme so that they could gain some profit.

The next group of 50 respondents (36.8%) believed that oil palm plantation could offer employment opportunity so that they would not have to seek for job elsewhere.

There were 39 of them who said they had followed the advice/call of the politicians and headmen in joining the scheme. Some 26 of them said they followed their relatives and friends' decision as a main reason to join the scheme. They said, "Untung sama untung, rugi sama rugi" (get profit or loss together with the crowd). Otherwise, they are afraid that they would be left behind.

Another factor that affected 11 respondents who did not wish to participate in the scheme was the fact that the company bulldozed their land without their consent. In order not to loose their land, they were forced to join the scheme.

There were also 3 respondents who hope that large-scale project could bring about development of infrastructure at the longhouse community.

In summary, there were 63.5% of respondents who decided on their own with high expectation, 31.2% of the respondents who followed others' decision, while 5.3% participated without choice.

Information channel in the rural area is limited, with the national RTM television and radio as the main source of information. Some 80% of the respondents did not understand their customary rights as enshrined in the national constitution. They filled the 'form' (power of attorney) without a clear understanding of how the new concept on land development would affect them nor were they clear about their rights under the contract. For 6 years since the scheme started, 97.5% of the respondents still had not received a copy of the power of attorney form, neither did they receive any company annual report and share certificate.

## C. Pros and Cons

### 1. Economic

Table 1 below shows that there was a great change in the categories of occupation among the Ibans of the surveyed areas. The number of full-time farmers decreased by 65.9% from 119 to 28. This was due to their participation in the oil-palm plantation scheme where members of their families joined too. However, there are still a portion of their customary land spared for them to cultivate on after work or during off days. The other more visible difference concerns how 2.9% of the once landowners cum farmers now consider themselves jobless or unemployed.

Table 1: Occupation of respondents before and after joining the scheme

category	Before		After	
	person	%	person	%
Farmer	119	86.2	28	20.3
Education worker	4	2.9	2	1.5
Working elsewhere	13	9.4	5	3.6
Police	2	1.5	0	0
Plantation worker	0	0	99	71.7
Pensioner/jobless	0	0	4	2.9
<b>Total</b>	138	100	138	100

The jobs in the plantation were divided into two types i.e. daily pay and contract. Daily wages in general was RM12, but some respondents said they received RM10 or RM8 a day. This was perhaps, due to the differences of commission taken by the contractors. The work includes weeding, fertilising and spraying of herbicide. The worker wears long sleeve shirt but without mask, boots and groves while carrying out spraying job.

Contract works are paid according to the nature of the work: harvesting each tonne of fruit would be rewarded with RM40-45; for maintaining and planting each plant, a worker would be paid RM0.60. The work is usually carried out by a group of workers whereby they shared out the amount received. Generally, contract work has a higher reward than the daily-paid workers. However, works were not always available - example is where transportation of fruit was only during fruiting time.



Table 2: Structure of Sarawak Oil Palm Plantation (SOPP) workforce

Category	Race	Wages
Manager	Chinese or Indian	-
Office Staff	Ibans (non-landowner) or Chinese	RM700 per month
Mandof (work supervisor)	Ibans (trained personnel)	RM12 per day
Group Leader	Ibans or Chinese	-
General Workers	Ibans or Indonesian migrant workers	RM9-10 per day

*Source: Controversial oil palm development in Kanowit*

According to the Malaysian Labour Law, all workers are entitled to social security insurance (SOCSO) and paid holidays. However, 17.3% of respondents did not get EPF (Employee Provident Fund) and SOCSO while 7.1 % got only one of the two compulsory government-controlled workers' benefits.

According to the respondents who contribute to the EPF, the employer did not contribute its share to the fund. Instead, the employer's contributions were illegally deducted from the employee's wages for the payment of the EPF. Some contractors did not pay social insurance for the workers. Therefore, in case of accident, the workers will not be able to get compensation. As for paid holidays and double paid for working during public holiday, 45.6% respondents did not enjoy such rights, while 14.5% got one of those.

There were 28 respondents who complained that the wages provided by the plantation were too low. The daily wage of RM12 minus EPF and SOCSO, resulted in the take home pay averaging RM200-300 per month. Furthermore, some respondents thought that the plantation did not take care of the security of the workers. For example, workers who carry out herbicide spraying job were not provided with safety mask or rubber glove. The direct contact of herbicide run the risk of affecting the health of the worker. In addition, workers involve in transporting the fruit were not given hand groves for protection against sharp particles.

### **An accident**

Putin from Rh. Chemerai injured herself after a slip at the plantation slope during work. She was admitted to the central hospital in Sibul for 6 weeks. According to her family members, the company compensated her for only a small sum of around RM20-50. Since the contractor did not buy the social security insurance, she was left with her family care after being confined to wheelchair. The support of RM70 per month from the welfare department was the only financial source she gets at present.

## Changes in farming activities

Family income is always mistaken as cash income alone, while other incomes from livestock, rice, handicraft etc are neglected. In the subsistence economy farming community, forest produces are important source of income. Table 3 below shows many households cease traditional farming activity especially rubber.

Table 3: Changes in traditional farming activity after scheme

Category	household ceased activity after scheme	household involved in activity after scheme
Livestock	22	3
Rice	32	0
Vegetable	21	3
Fruit	24	0
Rubber	70	0
Forest collection	23	0
Pepper	3	6

## The risks involved in large-scale palm oil production

At the scheme inaugural stage, the authority repeatedly told the people to be farsighted and to take the challenge of the international market. It was emphasised that large plantation was important to the economic growth of Sarawak. However, large amount of palm oil production is contributing to over supply of edible oil in the global market. Malaysia will be competing with Indonesia on palm oil and also with the South American countries of soya production.

Table 4: Palm oil prices over the last few years

year	US\$/metric ton
1999 average	434 (RM 1650)
2000 average	308 (RM 1170)
Jan. 2001	175 (RM 665)
July 2001	315 (RM 1200)
5 years average	520 (RM 2000)

Source: *Sin Chew (Chinese) Daily* 06/07/2001

Based on the 5 years average price, palm oil market price has dropped 60.5%. The price of palm oil strike high in July because of the poor production of soya in America that experienced bad weather and also due to the decrease of palm oil production in June. Unless the price is stable at around US \$300/metric ton, otherwise, most oil palm company would face a serious decline in profit.

The chairperson of Malaysian Institute for Palm Research indicated that increase production blindly was not the way. The industry must make effort to increase efficiency to reduce production cost and it is necessary to strengthen the R&D of palm oil product. (*Sing Chew Daily 15/07/2001*)

Earlier in 2001, Malaysian government had taken a measure to reduce production by initiating replanting scheme and to discourage fertilising. If Malaysia palm oil stock could maintain at one million ton it would then bring the price further up in the short run.

From the above economic scenario, Kanowit oil palm scheme does not seem to bring about fast economic growth, and instead it may face great risk of loss.

## **2. Social-economic aspects**

The participants were experiencing great social changes as they continue to adjust from traditional farming activity to the present wage-earning mean of living. It would certainly bring about mind and value changes. The participants were beginning to live a consumerist lifestyle. Many people owned colour television, household appliances and motorcycle. With the convenience of tarred road, many vendors were making their ways to the communities to promote sale.

Some 29 out of 116 respondents did not think the scheme had brought an impact on them while 10 said they were happy about the changes. Another 25 thought such changes were unavoidable. There were 52 of them, or 44.8% who regretted that they could not continue traditional farming and gathering way of living. However, most of them who held some portion of their land continued to cultivate on it. During planting (padi/rice) time such as sowing and harvest, they always take leave from the plantation. Aside from gaining more income, their farming activity reflects either their attachment to the traditional culture and practices or their promised wealth from working in the plantation and parting their lands for the scheme had not been realised.

### **Social problems induced**

Since the inauguration in 1995, the project has been encountering opposition, which included road blockade by Rumah Jali (a community in Machan who refused to join the scheme) that prohibited the plantation from constructing road over their NCR land.

In another 'front', as of May 1998, the scheme related disputes among the community members on NCR lands numbered 240 cases that need settlement by the native court. The disputes took place during the acquisition of land for the plantation. It perhaps can be attributed to the nature of greed that those who decided to join the scheme would like to have a bigger land area for the 'investment'.

In addition, there were 46 or 40% of the respondents who revealed that members among their longhouse who held different opinions had caused inharmonious relationship due to the implementation of the scheme.

### **A land dispute case**

In Rh. Kamarau, Machan, there are 6 households who agreed to participate in the scheme while the remaining 5 disagreed. A scheme participant then claimed a piece of NCR land for inclusion into the scheme that belongs to a non-participant of the scheme. The latter brought the case to the Native Court and won, resulting in the Plantation being ordered by the Native Court to return the piece land to the rightful owner.

There was tensed relationship between the two groups in Rh. Kamarau that led to the 6 households electing their own headman. They even constructed a separate bus stop shade at the roadside in front of their longhouse. Usually when there are serious differences within a community, the longhouse would be separated into two or more. However, in the case of Rh. Kamarau, both groups are still under the same roof. This is due likely to the shortage of land for the participating group to construct a new longhouse, since the plantation had made used of their land for the planting of the oil palm crop.

### **Respondents' assessment**

In most of the study areas, the scheme had been implemented for around five years. There were 73 respondents who held the opinion that the advantage of the project was to bring them fixed income. Before the scheme, their income depended on farm harvest such as rice, rubber, vegetable, fruit and wild games. These incomes varied due to the changes of weather and also other factors.

Today, they can work in the plantation without worrying about the varying income, except on the daily wages that can be affected by rainy days when they cannot work.

Furthermore, 31 respondents said the implementation of the scheme allowed them to enjoy better infrastructures such as tarred road, water and electricity supply. The tarred road also allowed public transportation services, which would obviously provide conveniences to the residents.

### **3. Environment**

83 respondents said the environmental pollution was the most serious problem caused by the plantation. At the time of study, many longhouses were not equipped with pipe water. They depended mainly on streams for water supply. Streams were used for bathing, washing as well as for drinking water. Since the development of oil palm plantation,

heavy soil erosion took place during heavy rain, which then caused the muddy stream water.

A good quantity of herbicide together with chemical fertiliser applied in the plantation was flushed into the stream. These herbicides used include Roundup, Alai, Supa, Galoon, Gramoxone, Paraquat dichloride and the fertilisers include Rustika, Notrophoska Yellow, BASF Green. The contamination of stream caused great health risk to the residents while poisoning among fishes further reduce another source of food and protein to the residents.

Table 5 provides information on other disadvantages of the scheme as listed by the respondents.

Table 5: Disadvantages of scheme

<b>Disadvantages</b>	<b>No. person</b>
Environmental pollution	83
No profit	5
Flooding	2
Boundary dispute	2
Reduced crop harvest	33
Reduced forest resources	27
Low wages	28
Health problem	6
Worry over loss of lands	5
Work safety problems	15
No disadvantages	10
Weather irregularity	6

There are 33 respondents who complained that the mice crossed over from the plantation damaged the paddy crops that they have planted. This had affected their food production seriously. Some respondents said they used to collect a good variety of forest resources such as herbal medicine, rattan, bamboo and wild vegetable before the implementation of the scheme.

Today, the deforestation had greatly reduced such resources.

The clearing of forested land also caused climate irregularity as experienced by the respondents. They felt more heat during sunny days but flooding during rainy season. They also experienced storm that they had not experienced before.

During the height of haze attack in Sarawak in 1997 with an API (Air Pollution Indicator) reaching extremely dangerous level, it was pointed out that the land clearing by the oil palm plantation was the main culprit. It was at that critical time that the Kanowit Oil Palm Plantation cleared the land in the phase one area by conventional burning method.

According to the Environmental Impact Assessment (EIA) of the project, the gravity water supply of over 20 longhouses were affected in Block B and 13 longhouses were affected in Block D. The water catchment of 3,500 hectares that provide pipe water to Kanowit and Machan towns was also affected.

## **Conclusion**

Under the *konsep baru* land development scheme, 71 respondents or 52.2% among the participants of the Kanowit Oil Palm Plantation said their livelihood had improve a little as compare with former time. There is the improvement of infrastructure and job opportunity near home. There are 44 respondents who said there was not much different, while 21 said it was worst than before.

If they were given a new start, over half of them (77 persons or 53.5%) would like to manage their own land. This is because in this way, they need not worry that they would loss their land or whether the promise of the plantation would be realised. They could also decide on the way to plant the crops with their own choice. Some 57 respondents would like to choose again the present joint venture because they do not have the capital to manage their land. Only 4 said they would offer the further distanced NCR land for the development of oil palm plantation but keep those lands near the longhouse or roadside for their own cultivation.

\* *Appendix 1*

'Konsep Baru' of the NCR land development by the Sarawak Government

By IDEAL

The disputes of NCR (native customary right) land between the indigenous people of Sarawak and the various state development agencies has been going on since earlier this century when other settlers landed.

It became more noticeable in the 60s when logging first started in swamp forest and the dispute accelerated in the mid 70s when the logging industry moved upstream. The conflicts intensified lately when new legislation encouraged developers to open up further NCR land in the name of development.

Since the second half of 1995, The Sarawak state government has introduced a NCR land development scheme called '*Konsep Baru*', or literally translated as '*New Concept*'.

In this scheme, all NCR lands in an area would be amalgamated into one large block deleting existing boundaries and only ONE land title is to be issued.

Two state agencies, the Sarawak Land Development Board (SLDB) and the Land Custody and Development Authority (LCDA) would act as the Trust Agents (with Power of Attorney [P.A.]) for the NCR landowners to form joint-venture companies with foreign or local private plantation companies. These private companies would be selected by the agencies themselves, to be partners in the implementation of plantation projects on Native Customary Land.

The land title would be issued in the name of the joint-venture company lasting a period of 60 years. Upon expiry of the 60 years, the NCR landowners 'may apply' to the 'Land and Survey Department' for the issue of a grant over one's land and the Superintendent of Land & Survey 'may issue' the grant to the landowner with terms and conditions as he deems fit to impose.

This is the process recently being passed (November, 1997) in the Sarawak *Dewan Undangan Negeri* (State Legislative Assembly).

The difference between NCR land and lease land is that the NCR land is perpetual subject to observance of customary laws and practices, but a grant of land by the Sarawak government is a renewable lease for 60 years. In addition, the words used in the legislation passed in November 1997 which specify 'may apply' and 'may issue' are non-guarantee terms.

In the joint-venture (JV) company set-up, the private concerns will have 60% equity while the State land agency will hold 10%, and the NCR landowners will get 30% equity share for 'investing their land' for a renewable term of 60 years.

In this joint-venture set-up, the landowners do not have any say nor the right to sit in the JV Board since they would be made to sign the 'Power Of Attorney' to leave all rights over their lands to the Managing Agent before the project begins.

After 60 years, the land may be given back to the NCR landowners, but a caveat that the investing concerns have had recouped their capital investments.

The existing land code governing all land matters in the state does not give the NCR landowners any right to what the communities claim as '*Menoa*' (ancestral domain).

The indigenous peoples have been repeatedly told that if they don't jump aboard plantation schemes or have their NCR land developed, they would lose everything because land would be developed anyway. The government can do that by invoking other provisions in the Sarawak Land Code because NCR land is defined differently in the statute and as with other categories of land, the Minister is empowered to declare any piece of land as developed area hence taking over such land for development purposes.

In the JV company, the project developers, who do not need to buy land but just put in capital investment to develop the plantations, get a 60% stake. In addition, the JV company can use the land to borrow money locally or abroad. If they don't make profit during the initial 60 years, they can seek the permission of the Minister to extend the land lease.

If the NCR land is forested, the JV company will further have free capital in areas with merchandise timber through logging.

As the NCR landowners are rid of power and rights to check the JV's management, accounts and all related matters, the landowners cannot ensure themselves that the JV company is making profit and that they would be receiving appropriate portions of any dividend.

The fear of losing their ancestral land indefinitely is not unfounded at all.

The cultural values of the NCR land to the indigenous communities are not addressed by the government in formulating this 'konsep Baru'. In pursuant to the proposed changes, the cultural alienation and threat to a unique identity and integrity of the Sarawak indigenous communities is an inevitable result.

Besides, when the indigenous communities are not involved in the management of the JV company and they have no control over what is being proposed, the intention of such schemes by the Sarawak state government - that is to lift the standard of living of the rural indigenous communities and to rid these communities of poverty - is doubtful. This is because the aspirations, needs and other general interests of the indigenous communities are not being taken care of in the proposal.

*Extracted from Rengah Sarawak Website at:*

<http://www.rengah.c2o.org/news/article.php?identifer=de0019t&subject=6>



**Appendix 2**

Date: \_\_\_\_\_

**Questionnaires for Kanowit Oil Palm Scheme Social Study**

**Long House's Name:** \_\_\_\_\_ **Total No of Doors:** \_\_\_\_\_

Name: \_\_\_\_\_ Gender (M/F): \_\_\_\_\_ Age: \_\_\_\_\_

Ethnic Group: [ ] Iban [ ] \_\_\_\_\_ Number of members in a door : ( )Adult ( )Child

Education level: [ ] None [ ] Primary [ ] Secondary [ ] Others \_\_\_\_\_

Amenities (If Yes - ✓ and when it began to use; No - X and when it was applied)			
	Electricity ( Since year _____ )		Pipe Water ( Since year _____ )
	Clinic ( <i>Distance from house</i> _____ )		School ( <i>Distance from house</i> _____ )

1. Is the land shared with somebody else?

[ ] Yes, with \_\_\_\_\_ [ ] No.

2. Did you sign the contract by yourself? [ ] Yes [ ] No, but by \_\_\_\_\_

When was the contract sign? Year \_\_\_\_\_

3. Total acreage of land own before the project: \_\_\_\_\_

Total acreage of land involved in the project : \_\_\_\_\_

4. Have you ever received any compensation ?

[ ] Yes, compensation for land is \_\_\_\_\_ and for crops is \_\_\_\_\_

[ ] Never [ ] Not sure

## **A. KNOWLEDGE OF KONSEP BARU SCHEME**

1. Do you know that there is a regulation of NCR to protect native's rights (*included land*)?

Yes       No       Others \_\_\_\_\_

2. How do you come across the scheme?

Tuai Rumah       Seminar by Minister       Government Department  
 NGO       Others \_\_\_\_\_

3. Do you have any documents / contract / share's book of the Scheme?

Yes, \_\_\_\_\_       No       Will get it on \_\_\_\_\_

4. Knowledge about the conditions in the contract of the scheme:-

(a) Can you get back the land?

Yes, after \_\_\_\_\_ years       No       Not sure

(b) If you are not living in this world when the project terminates, will your children be able to claim back the lands that belong to you?

Yes       No       Not sure

(c) How much does a hectare cost? \_\_\_\_\_

(d) How many percentage of the shares of the scheme will be given to you (*landowner*)? \_\_\_\_\_

(e) When will you receive the dividend? \_\_\_\_\_

5. If the scheme fail (*due to low yield, low market price, company bankruptcy or other problems*), will you be able to get back your land or compensation?

Yes, paid by \_\_\_\_\_       No.       Not sure.

## **B. PARTICIPATION**

1. How did you decide to accept the scheme?

Followed Tuai Rumah's (headman) decision  
 Discussion among other members of the Longhouse  
 Others \_\_\_\_\_

2. What is the main reason you accepted the scheme?

- Want to get a job in the oil palm plantation.  
 Followed others decision \_\_\_\_\_ (eg. Tuai Rumah, YB, shared landowner etc).  
 Gain profits in future.  
 The land has been cleared by the bulldozers without your approval or knowledge.  
 Others \_\_\_\_\_

3. Have you been offered other schemes like paddy scheme, SALCRA, SLDB etc?

- Yes, \_\_\_\_\_  Not at all

### **C. PRESENT CONDITIONS**

#### ***(1) Economy***

##### **Before scheme**

- Occupation: \_\_\_\_\_
- Other gains(x-none, m-for own purpose, j- for own and selling purposes):  
 Domestic animal \_\_\_\_\_  Paddy  Vegetables  
 Fruits  Rubber tree  Forest yield  Others \_\_\_\_\_

##### **After scheme**

- Occupation (Since: \_\_\_\_\_)

(a) Normal: \_\_\_\_\_ (spray pesticide, lining, fertilizing etc)

Wage: \_\_\_\_\_ /day Working time: \_\_\_\_\_ (start) \_\_\_\_\_ (end)

Average income per month: \_\_\_\_\_

(b) Contractor: \_\_\_\_\_ (fruit transportation, package etc)

Total income per project: \_\_\_\_\_ Number of people involved: \_\_\_\_\_

Average income per month: \_\_\_\_\_

- Employee's welfare :  EPF  SOCSO
- Paid leave:  Medical leave  Public Holidays

- Number of family members who work: \_\_\_\_\_

Relationship and type of job title: \_\_\_\_\_

Family income per month: \_\_\_\_\_

- Other gains (**x**-none, **m**-for own purpose, **j**- for own and selling purposes):

Domestic animal \_\_\_\_\_  Paddy  Vegetables  
 Fruits  Rubber tree  Forest yield  Others \_\_\_\_\_

**(2) SOCIAL**

(i) Do you feel that you are losing traditional living style and cultural?

Yes and feel regret  Yes, but unavoidable  No  
 Others \_\_\_\_\_

(ii) Are there conflicts among the participated family and the none participated family in the same longhouse?

Yes  No

(iii) Drinking water supplies before scheme:

⇒ river / rain / pool / pipe water / \_\_\_\_\_

Drinking water supplies after scheme:

⇒ river / rain / pool / pipe water / \_\_\_\_\_

*(circle the related answer)*

**D. COMMENT**

1. After 5 years of the scheme being implemented, what are the advantages?

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2. What are the disadvantages or problems which the scheme has brought upon you?

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**E. CONCLUSION**

1. Do your livelihood become more satisfactory after joining the scheme?

Yes                       No                       No changes

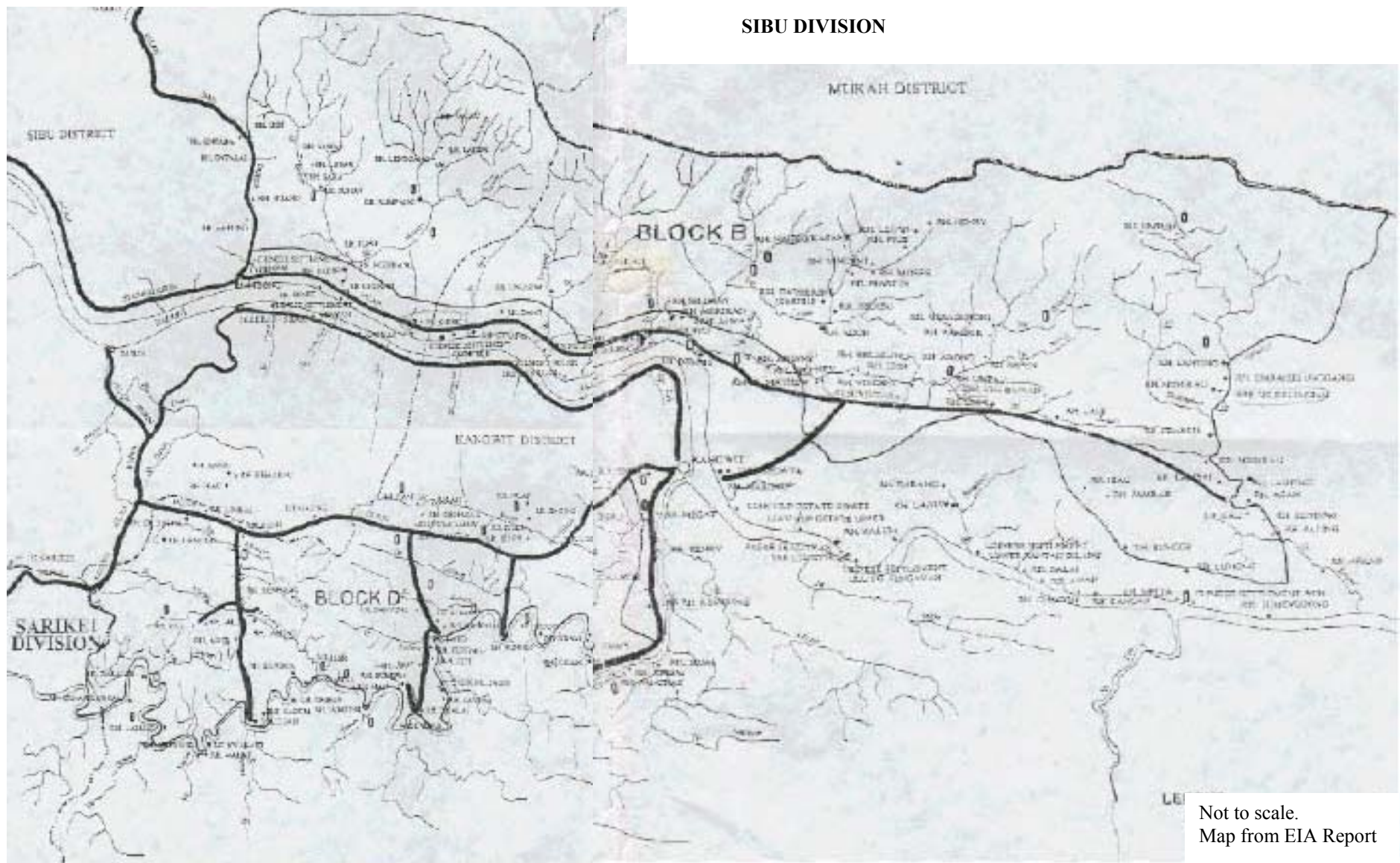
2. If you were given a new chance, you would like to develop your ancestral land

By yourself

By joining the scheme.

Others \_\_\_\_\_

# SIBU DIVISION



Not to scale.  
Map from EIA Report