

URGENT ACTION

END HARASSMENT OF INDIGENOUS RIGHTS DEFENDERS
Five indigenous (Orang Asli) human rights defenders and two journalists were arbitrarily detained by the Department of Forestry on 23 January following peaceful protests against logging licences granted by local authorities. They have all been released, but fears of a continuing crackdown remain.

On 23 January, five human rights defenders from the Temiar (Orang Asli) tribe in the northern Malaysian state of Kelantan were arbitrarily detained at a blockade they had erected to protect their ancestral lands and natural resources, which they claim is under threat by logging licences granted by the Kelantan State Government. The following day, on 24 January, 16 more Orang Asli human rights activists, and two journalists, were detained.

The human rights defenders were detained by officials from the Department of Forestry. Under Malaysian law, officials from the Department of Forestry have the power to arrest, however there is reason to believe that both their arrest and detention was an abuse of power, as it targeted the human rights activists for carrying out their work. The Orang Asli have been peacefully demonstrating against the decision of the Kelantan State Government to grant logging licences. Local authorities have stated that the land was not demarcated as a reserve specifically for the Indigenous group. The two journalists, a TV reporter and a cameraman, were producing a documentary on deforestation in Kelantan, in the northeast of Malaysia.

The Orang Asli are an Indigenous group of Peninsular Malaysia who the authorities have previously harassed and intimidated. Most recently, in November 2016, 47 Orang Asli were detained for two days after peacefully protesting the government's claim over their ancestral lands. The Orang Asli are concerned that the crackdown will continue due to their work in defending their spiritual relation with the land, which they feel is threatened by the licences granted by the authorities.

Please write immediately in English, Bahasa Malaysia or your own language:

- Urging the Malaysian authorities to ensure that detentions are only carried out by people legally authorized to do so, in accordance with Malaysian law and the Principles for the protection of all persons under any form of detention or imprisonment;
- Calling on them to immediately put an end to the harassment and intimidation of the Orang Asli, Indigenous human rights defenders, journalists and others covering the protests;
- Calling on them to respect the right to freedom of expression and peaceful assembly of Indigenous human rights defenders, and ensure that no one is detained solely for their peaceful human rights work.

PLEASE SEND APPEALS BEFORE 8 MARCH 2017 TO:

Kelantan Forestry Department

Blok 5 Tingkat 1
 Kompleks Kota Darulnaim
 15503 Kota Bharu Kelantan, Malaysia
 Fax: +609 744 5675
 Email: forestry@kelantan.gov.my

Kelantan State Government

Jabatan Perhutanan Negeri Kelantan
 The Office of the Kelantan State
 Secretary
 Blok 2, Level 2, Kota Darul Naim
 15503 Kota Bharu Kelantan, Malaysia
 Fax: +609 748 5512
 Email: portal@kelantan.gov.my

And copies to:

Chairperson, Human Rights Commission
 of Malaysia, Tan Sri Razali bin Ismail
 11th Floor, Menara TH Perdana,
 Jalan Sultan Ismail
 50250, Kuala Lumpur, Malaysia
 Fax: +603 2612 5260
 Email: humanrights@suhakam.org.my

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation Please check with your section office if sending appeals after the above date.

**AMNESTY
 INTERNATIONAL**



URGENT ACTION

END HARASSMENT OF INDIGENOUS RIGHTS DEFENDERS

ADDITIONAL INFORMATION

According to Article 8(5)(c) of the Federal Constitution of Malaysia, the Orang Asli peoples have a unique position in Malaysian law and enjoy special rights to protection, well-being or advancement of the Indigenous Peoples of the Malay Peninsula, including the demarcation of land. However, the Indigenous group continue to face marginalization, discrimination and have constantly faced other human rights violations that have not been addressed by the authorities.

In 2007, the UN General Assembly adopted the UN Declaration on the Rights of Indigenous Peoples that sets out the minimum standards “for the survival, dignity and wellbeing” of Indigenous peoples in every country. The commitment of the international community to implement the UN Declaration was unanimously affirmed in the Outcome Document of the 2014 UN World Conference on Indigenous Peoples.

On 29 November 2016, 47 Orang Asli were arrested and detained in an operation conducted by the Forestry Department to dismantle their blockade and disperse the peaceful protests. They were remanded for 2 days, and then released without charge. After the arrests, the Kelantan state authorities had warned that they would take stern action against those who attempted to ‘tarnish the image of the police’ by posting about the arrests of the Orang Asli in the Gua Musang District.

Name:

Gender: m

UA: 22/17 Index: ASA 28/5549/2017 Issue Date: 25 January 2017