



Community Mapping in Malaysia

The use of Community Maps in Resources Management and Protecting Rights over Indigenous Peoples' Territory

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Paper presented at the Regional Community Mapping Network Workshop
November 8 – 10, 2004, Diliman, Quezon City, Philippines

Introduction

From the nearly 22.7 million mixed population of Malaysia, 2.6 million comprised of indigenous peoples. The majority of the indigenous peoples are found in East Malaysia (Sabah & Sarawak) with a small number in Peninsular Malaysia.

The indigenous peoples (IPs) are known as the Orang Asli in Peninsular Malaysia, a collective term introduced by anthropologists and administrators for the 18 sub-ethnic groups generally classified for official purposes under Negrito, Senoi and Proto-Malay. In Sarawak, the indigenous populations are the Orang Ulu and the Dayaks. They are also very diverse, with the Dayaks forming a majority of about 50 percent of the total number. Officially there are 25 indigenous groups listed today. However, there are at least 37 known groups and sub-groups. In Sabah they are termed as the natives or anak negeri. They are also very diverse and are estimated to be 39 different ethnic groups.

Traditionally indigenous communities in Malaysia have close ties to the land and see themselves as part of the whole ecosystem. Land means the forest, rivers, agricultural and coastal areas. Land is not only seen as a means of production and livelihood – for example, hunting and gathering – but also as part of indigenous people's spiritual and cultural traditions. Indigenous Peoples depend on natural resources within traditional territory for daily life, hunting, collecting/gathering, farming, water source, fishing, building materials herbs etc comes from land, forest and rivers or sea.

For generations, indigenous peoples have been practicing traditional resource management system based on the “use and protect” concept. Traditionally indigenous communities established community conserved area, which called *pulau*, *puru*, *sogindai*, *tanah simpan* etc. This site is considered sacred and owned communally with set of customary law, beliefs and taboos to guard the area. However there's no recognition to this concept by conservationist and particularly by the government.

Indigenous Peoples issues

The main threat faced by indigenous peoples in Malaysia continues to be the loss of cultural heritage through assimilation and exposure to western commercialism – an area of concern, which is shared by many indigenous peoples throughout the world. Other challenges faced by indigenous peoples in Malaysia relates to the recognition of rights over land, rights to decide on the kind of development among the community, rights to education and way of life, as well as equal access to basic facilities. Indigenous peoples have been having a long struggle with their land rights and resources.

With the constant threats from logging activities, gazettements of protected areas like forest reserve and national parks, conversion of forest to oil palm plantation and other development plan by the government, land and rivers in indigenous peoples areas, which is the lifeline for the indigenous communities, have been taken away from them. Such planning by the government usually does not involve indigenous peoples' community.

The most critical issue faced by the indigenous Peoples in Malaysia is the lack of control over land and traditional areas. The land and traditional areas, which is vital for the survival of the community are often being exploited, alienated to logging and oil palm

companies or turned to protected areas. The land and traditional areas of indigenous peoples community has been transformed to a totally protected area denying access to the natural resources or transformed to monoculture plantations such as rubber and oil palm estates, wiping the important bio-diversity without considering the native customary rights over the area or any consultations with the indigenous communities.

Without the secure control of their land and traditional areas, indigenous people's communities will face sudden eviction from their land if a development plan is to be implemented on their area. This has created the insecurity and fear among the indigenous peoples community, which is mostly in the rural areas. If such events occur, the indigenous people's community even tried desperate efforts to stop these intruders from destroying or taking their land by building barricades but unfortunately most of the time odds are against them when the authority e.g. Police and local government turn against them. Many faced imprisonment for protecting their rights.

History of Community mapping in Malaysia

The need to for community maps was first highlighted on a workshop in Sarawak in 1992, when discussions on indigenous peoples land and resource rights issues pointed out maps can be a powerful tool to advocate for indigenous peoples issues in Malaysia. This was then followed by the first community mapping workshop in 1994 that was organised by Keruan a local NGO in Sarawak with the support from a NGO based in Canada. Later in 1995 Keruan conducted its first field mapping survey training with the support from two other local NGO, namely IDEAL (Institute for the Development of Alternative Living) based in Sarawak and PACOS (Partners of Community Organisations) based in Sabah.

Since 1994, another organisation based in Berkeley, California, called the Borneo Project has actively supported, promoted and funded the development of participatory community-based mapping efforts of indigenous peoples in Sarawak and (to a lesser extent) Sabah, East Malaysia. While the vast majority of mapping activities have been carried out directly by indigenous communities and local NGOs such as BRIMAS, SAM, KERUAN, IDEAL and PACOS, the Borneo Project has provided a consistent source of training, trouble shooting, strategic planning to local efforts. The Project has also taken a lead role in the transfer of appropriate technology.

Considering the vast demand for mapping assistance from disenfranchised villages throughout East Malaysia and the relatively limited human and financial resources of local NGOs, remarkable progress has been made in the field of indigenous land mapping over the last decade. While much work remains to be done, the Borneo Project still continues its active role as advocate and resource for local initiatives.

Since 1994, Community mapping have seen significant transformations throughout the 10 years period. Advancement of technology and methods used by indigenous communities from basic compass and tape with hand plotted map to modern sophisticated GPS mapping and use of GIS software to produce community maps. Apart from trainings, there was also production of important reference materials on community mapping in local language. However indigenous organisations and communities in Malaysia continues to struggle to maintain and enhance their capacity in community mapping.

Promotion of mapping through community workshops

Community mapping and zoning have been useful to make sure the Indigenous Peoples communities do not lose out their rights. Maps produced during community mapping workshops have been a very powerful tool to negotiate with the concerned parties.



Community mapping and zoning workshop have been conducted in many communities, in Sabah alone, PACOS TRUST have conducted 40 workshops, while other organisations in Sarawak have conducted at least 100 workshops and the Orang asli Community based Organisations in Peninsular Malaysia has conducted 5 workshops with the support of (JOAS) Indigenous Peoples Network of Malaysia.

These workshops consist of a few steps; first step is making a sketch map of the traditional areas with full participation of the community, men and women, young and old sketch out their areas. Later these sketch maps are presented during a workshop. Next step is to work out zoning of their area based on the sketch map, which will be debated. When the community finally makes a consensus, the actual survey will then be conducted after two days of mapping training in using mapping equipment and map plotting. During the actual survey, the elders usually headed by the community leaders will determine the boundary based on the sketch map. This methods however varies from different organisations depending on the capacity and availability of human resources.



Most of the community maps compiled by NGOs are now produced using GIS technology; with most of the field survey using GPS conducted by community themselves with minimum supervision from NGOs. Data collected by the community will be sent to NGOs to be used to produce GIS maps. There are already initiatives to train community to use GIS software to produce their own maps without relying too much on NGOs that already bogged by many request by communities for such maps.

With the full participative method in the mapping and zoning workshops, a documentation of conservation practices by the indigenous communities can be projected on to a medium that can show traditional management practices, this is important for the

community to gain recognition so that the traditional territories will continue to be effectively managed with the communities.

Maps for Advocacy

Existing legislation have no protection of Indigenous Peoples' rights over natural resources and their territory. No prior informed consent in the planning of development projects and establishment of protected areas. Protected areas have extinguished Indigenous Peoples rights and access to the resources to these areas. Most of areas identified for Forest Reserves, Parks, and Watersheds are located in Indigenous Peoples territory because the environment are still intact and it has high biodiversity resulting from traditional management practiced for generations. The law in protected areas is too rigid and has no room for participation or recognition of Indigenous Peoples in management of these areas.

However, there is a move to change these policies. This move came from Indigenous



peoples' struggle both at the national and international level over the years to get recognition of customary rights over land and resources. Maps have played major role in this policy change. Community maps produced by the community have given a better perspective to government authorities of the traditional resource management system practiced by the indigenous communities. Strategic planning of natural resources utilisation through sustainable land use zoning by indigenous communities ensures sustainable use of land and resources are gaining

recognition.

Mapping is a fundamental approach to tackle land rights disputes; the maps produced through participative community mapping workshops by the community. The usage of map as tool in negotiation or dialogue with concerned parties has helped to solve boundary disputes. Maps also create awareness on issues happening outside the territory and identify threats. The following case studies are just few examples how maps were used in advocating indigenous peoples issues and struggle for policy changes.

Case study 1: Community Hunting area, Monsok Tambunan Sabah

In 1997 new Sabah wildlife Enactment was passed followed by wildlife rules in 1998, however the new enactment was not implemented due to the lack of mechanism of implementation. In 2001, a pilot project on community hunting area was initiated with the support of DANIDA

The project involves consultation workshops with indigenous communities in pilot project area including formulation of community protocol. Community mapping was conducted to determine traditional hunting area of the community, followed by wildlife inventory.

The community conducted community mapping with the training from PACOS. From this project, community mapping has been included in the mechanism of implementation of future establishment of community hunting areas by the Sabah Wildlife Department. Maps used to convince authority of traditional management practice of IPs. IPs now are able to show the area in 2 Dimension, Used as notice for outsiders and local government.

Case study 2: Sagong Tasi vs Selangor State Government

In 1996 an Orang Asli community in Bukit Tampoi, Selangor filed a case against the Selangor Government for failing to compensate them of the land taken for a highway project from Kuala Lumpur International Airport to Kuala Lumpur city. Maps have been used as the community's main evidence for this case, Old maps from the archives including government maps was placed in layers of the community map to show traditional areas.

The community won the case in 2002, This case has become a landmark for the Orang Asli, as this is the first time their rights over traditional territories outside their reservation was recognised. The outcome of this case has helped other cases and will be used as a common law for future cases. Many communities have been eventually paid compensation, however community in Bukit Tampoi is yet to be compensated since the Selangor government have challenge the verdict to the high court of Malaya.

Case study 3: Terian Traditional use zone in Crocker Range Park

In 1969, Crocker Range forest reserve was established without any Prior Informed consent from the indigenous communities in the effected area. This become worst when the forest reserve was converted to Crocker Range Park in 1984, also without any negotiations. With the establishment of the park, land and access rights of the indigenous communities were extinguished.

With the help of PACOS, community conducted community mapping to draw the traditional territory of the community and documentation of historical evidence of their Native Customary Rights (NCR) in the area. Documentation of traditional management practice of indigenous peoples in the area was also produced. The documents are then submitted by the community to the Sabah Parks authorities. During the recent plan by the Sabah Parks for their management plan of CRP, this concept of traditional use zone was included. The mechanism of determining the traditional use zone based on community mapping was also adopted by the Sabah Parks

Different perceptions

Government especially, however has mixed feelings on community mapping and zoning. At one point the government is not happy with the use of community maps in courts.

With the outcome of the Noh Anak Nyawai case, the Sarawak government has made amendments to the surveyor's Act, which with the new amendment, all maps should be produced only by an authorised surveyor, making community maps illegal and would not be accepted in courts in the future.

But at another point, most of the government departments are very supportive in community mapping and zoning particularly in terms of resource management. The government department felt that such efforts by the community have helped in their work to monitor and manage the forest, rivers, fish and wild life.

Challenges

The main challenges of the community mapping and zoning is

1) Resource person/human resource in teaching the skills

Community mapping and zoning started in Malaysia with the help of several International NGO. It started with the training and funding to conduct traininer's training in mapping workshops back in the mid 90s. Up to now, little improvement has been made to the manual and method to conduct the community mapping. Capacity of trainers is still limited as no follow-up training to further build their capacity. Little improvement even with the advancement of technology such as the use of Global Positioning System (GPS) and Geographic Information System (GIS) that will greatly improve the community maps, as this technology is far from the reach of most indigenous communities in Malaysia because of limited technical capacity and financial resources.

2) Funding for organising community workshops

One of the main reasons why community mapping has not progressed well over the years is mainly due to lack of funding to organise more workshops and conduct further trainings for mapping trainer and technicians. Such funding is vital for the struggle of the indigenous communities as the maps produced is the key to successful management of traditional areas, resources and securing land rights.

3) Equipment and training cost

Another challenge of indigenous communities in Malaysia is the limited ability to secure mapping equipments and attend training. This mainly due to this equipment, for example surveyor's compass, GPS and GIS are very costly. The community is then forced to use cheaper equipment such as ordinary compass and measuring tape, which have lower accuracy and very time consuming especially when mapping a very huge area. The cost for attending GIS training or conducting a training program is also very expensive.

4) Restriction of important data/ information

For the indigenous people's communities, the restriction of maps and aerial photos is another obstacle. Topographic maps especially in the scale of 1:50,000 or lower is restricted by the Malaysia government. One has to have a permit to obtain these maps, and permits are only given to government agencies or big organisations. Communities had to source photocopied map, which, have very low quality or distorted causing some important information to be lost.

5) Building and strengthening networks,

Networks are vital to ensure the sustainability of mapping programs. Network can address the need to upgrade or enhance capacity of mapping program from time to time. The network can also facilitate resource sharing, experience and expertise sharing, training as well as exposure programme. This network can also help secure funding for smaller organisations to establish and develop their own mapping program.

Conclusion

It is proven that community mapping and zoning have significant roles in management of resources in Indigenous people's territories. The direct impact of the mapping and zoning to the communities are the increased awareness of sustainable management of resources, marking of traditional areas, documentation of systematic land use management and the empowerment of the community through skills obtained from the workshops and trainings.

It is fair that such effort by the community should be given recognition by the authority especially in protected areas, where communities have conflicts between lively hood and conservation. Community mapping should be recognised and strengthened as a method to determine and promote Community Conserved Areas and Collaborative Management of Protected Areas.

Restriction of vital information such as topographic and GIS data and maps by the concerned authority should not be imposed to the communities. This information is very important for a successful community mapping and zoning process.

Therefore, support from various organisations in terms of funding and training is vital to make sure community will be able to obtain skills, equipment and organise more mapping and zoning workshops in the future. This support is still needed by the communities to further increase their capacity. Support through regional networking between mapping programs will ensure the continuation and enhancement of mapping program in this region.

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