
Sarawak: Dayak Ibans sue the police

Seven Dayak Iban natives from Rumah Bugah, Tubai, Ukong, Limbang are suing the Police for wrongful arrest and baseless imprisonment.

The facts date back to 19 October 1996. The Ibans of Rumah Bugah longhouse were putting up a blockade to stop logging activities of Syarikat Gunung Utama, a contractor to Limbang Trading Limbang Ltd, a company owned by Datuk Amar James Wong, the Sarawak State Environment and Health Minister. A police party wrongfully and without reasonable or probable cause or suspicion arrested the Ibans on their native customary land at upper Sungai Tubai Eka, Ukong and caused them to be taken to the Limbang Central Police Station where they were detained without being told of the charges against them. They were released two days later. In the Magistrate's Court the police failed to frame any charge against them.

On 15 June 1998 the Ibans denounced in Court that the above named logging company illegally encroached and extracted timbers on their native customary land without their informed consent. The operation of the company caused extensive destruction to their land, forest and resources. The Court was told that they acquired the customary rights by virtue of their "Adat" or custom and the extent of their native customary land is well defined by a territorial boundary map issued by the colonial government and is still recognised by the Sarawak Land Code. They also denounced the action of the police as an abuse of power and opposed to the rights of the native Ibans guaranteed under the Federal Constitution. Despite of repeated inquiries by the Ibans, the Police was not able to provide to the Court the reasons for their arrest and detention.

Source: Borneo Resources Institute (BRIMAS), June 1988.