

## **UBFA DECLARATION**

This declaration is formed and agreed upon by 118 participants who participated in the meeting between representatives of the communities in the Upper Baram Forest Area (UBFA) in Long Laman on 23<sup>rd</sup>-26<sup>th</sup> February 2023. They represented 26 villages from the Penan, Kenyah and Saban community.

### **OPENING**

First, we would like to honour our ancestors, the indigenous people of the UBFA area for their wisdom and traditions. We are grateful for how they strive to create a system of life where community respect the limitations of nature and does not exploit it to scarcity. They diligently made sure the balance of nature is maintained and passed it on to us - their successors, to continue to protect nature and ensure its sustainability.

#### **1. FREE PRIOR AND INFORMED CONSENT PRINCIPLE**

- i. According to the UNDRIP (United Nations Declaration of the Rights of Indigenous People Rights) that has been agreed upon by the Malaysian government, we the Indigenous People in UBFA would like to highlight our rights to Free Prior and Informed Consent.
- ii. We must be involved in all discussions involving our areas, we deserve to know all the information regarding our area. These information and process must be made transparent and matches the relevant/appropriate timeframe of action. Then, we have the rights to approve or disapprove of any projects that is deemed unsustainable and unbeneficial to our community and environment. Every projects and initiatives must be agreed upon and approved by us before it commences in our respective areas.
- iii. Free Prior and Informed Consent Principle also highlights our rights to decide if our areas are placed under any logging licenses/certifications, or any other third-party projects or initiatives. We, the community of Indigenous People in UBFA have the rights to stop companies or any third-parties in taking the natural resources of our customary lands.

#### **2. GOVERNANCE AND SELF-DETERMINATION**

- i. We, the community of UBFA reserve the rights to decide on the representatives of our community without partiality within the shared-governance of UBFA.
- ii. Article 1 in UNDRIP stated that, "Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities"
- iii. As per our custom and tradition, our village heads must be appointed/elected by their respective communities. Thus, we, the community of UBFA deserve to select our own village head and this decision must be accepted officially by the relevant government agencies.

#### **Important Information:**

*The Indigenous people realized the relationships and important connections between their traditions and the sustainability of nature. Our traditional practices are established in order to ensure sustainability of our ecosystems.*

### **3. PROTECTION AND CONSERVATION OF OUR ECOSYSTEM**

- i. The premier forest zone (virgin forest) of UBFA is prohibited from being exploited and must be protected from any industrial scale destruction.
- ii. High Conservation Value (HVC) in UBFA that has been identified by us must be respected and protected.
- iii. Traditional forest conservation practices should be respected and we should not be prevented to exercise these practices.

### **4. CULTURE SUSTAINABILITY**

- i. Our culture and traditional knowledge should be included in the education system in UBFA. (We are aware that education falls under the federal mandate, but we are demanding intentional inclusion of it by the support of the district/local schools and education boards).
- ii. History and traditions of our culture must be officially documented.
- iii. Education on traditions and traditional knowledge of Indigenous people are important knowledge and should not be regarded as inferior to the conventional education.

### **5. LAND**

- i. We the community UBFA will continue to highlight our rights on areas and the borders of that constitute our customary rights areas.
- ii. We urge the government to officially acknowledge the areas within our protection and be given official documentation to prove the ownership of our ancestral/customary lands.
- iii. The communities of UBFA should be given the authority to decide their respective boundaries based on their traditions and consensus of the neighbouring villages. After the borders has been determined, it should be accepted by the authorities and government bodies involved. It is to be approved with official documentations.
- iv. We deserve to determine how we will utilise our lands base on our traditions for today and all the coming future.

### **6. BASIC SERVICES AND INFRASTRUCTURES**

- i. As Malaysians, we also deserved to be given the basic services and infrastructures just like other communities in Malaysia. This includes government provided roads for our main roads commute in Baram.
- ii. Until today, we are still commuting via the logging roads that lack real accessibilities.
- iii. We urge the respective parties to prepare this very basic infrastructure of a government provided tar road due to us in Baram.
- iv. We like to highlight that as part of the efforts to uphold the FPIC of our respective communities, apart from the main Baram road (which we collective agree that it should be provided by our government) – respective communities still reserve the rights to determine if they need roads build into their respective communities branching out from the main Baram road.
- v. We must be involved in the decision making to determine where the major road will be constructed in Upper Baram.

- vi. Our areas have been underserved in basic facilities and infrastructures. We are behind in accessibility to telecommunications, internets, educations, and healthcare centre such as clinics and hospitals. Baram which has a population of 63,499 and the place of origin of the Indigenous people (Orang Ulu) in Sarawak - should also be given priorities in terms of infrastructure and basic needs facilities.
- vii. We suggest that the Indigenous communities are also given the priority and opportunity in employment or training as personnels in government departments that are currently available or in the future within our UBFA area or its district.

#### **7. THE UNITY AMONG VILLAGES**

- i. We understand the importance of respect of each other and among communities in UBFA and thus, we will always strive to reach a consensus that will bring good and benefit for every party involved.
- ii. We, the community of UBFA will discuss with openness when determining the boundaries of our villages and resolve any issues between villages or communities in the spirit of respect.
- iii. We will not make a final decision before every party involved are given complete information and that they have given their opinions and decisions.

#### **8. INCOME GENERATION**

- i. We have the rights (intellectual property) upon our traditional knowledge of the forest and all that in-line with it. Any third-party must get our permission before any information is shared with others outside of our communities. Third-party agent has no rights to earn income from our traditional knowledge without shared benefits with us or our consent.
- ii. We deserve to form and conduct any activities to generate income sustainably based on our heritage and culture.

#### **CLOSING**

We, the communities of the Upper Baram Forest Area (UBFA) fully support the initiatives and vision of this project and hope that it will be a success. We would also like to co-operate with all parties involved as an equal stakeholder in the UBFA management and operation.