



**Circular No 260/2011
Dated 10 Nov 2011**

To all Members of the Malaysian Bar

Seminar on Rights Denied – The Orang Asli Struggle Continues! (19 Nov 2011)

The Bar Council Committee on Orang Asli Rights (“COAR”) is organising a seminar on the land rights and other challenges currently faced by the Orang Asli in Peninsular Malaysia. The seminar will be held at Bar Council on 19 Nov 2011 (Saturday).

The aim of the seminar is to increase awareness of the critical issues that continue to threaten the Orang Asli’s customary way of life and their very existence as indigenous people of the land – and to provide an avenue by which lawyers can address this situation.

Time and again we read reports and public statements on the protection of the Orang Asli and their rights. However, the reality is that their rights are, more often than not, trampled upon and ignored. There are many cases where the Orang Asli are forced to vacate their ancestral lands and give up their livelihood and heritage due to indiscriminate logging, and arbitrary and unwelcome “development”. The predicament of the Orang Asli is a matter of grave concern and must be brought to light.

Apart from the awareness aspect, lectures and training will also be conducted at the seminar to equip Members of the Bar to represent the Orang Asli in the many disputes and cases that are either pending or already in court. To this end, there will be an open invitation at this seminar for Members of the Bar to come forward and volunteer their services to be part of the COAR’s pro bono legal team that handles these matters for the Orang Asli.

At the seminar, Lim Chee Wee, President of the Malaysian Bar, will also launch the Bar Council Orang Asli Defence Fund, which aims to help defray the expenses (for disbursements and travel) incurred by lawyers who take up such cases.

This is a clarion call for a worthy cause that is central to the calling of all lawyers who aspire to advocate the rights of the poor, downtrodden and marginalised members of our society. If you want to know more about issues affecting the Orang Asli, and want to be involved in the pursuit of justice for them, please do not miss the opportunity of attending this seminar.

Details of the seminar are as follows:

Date:	19 Nov 2011 (Saturday)
Time:	9:00 am to 5:00 pm
Venue:	Raja Aziz Addruse Auditorium First Floor, Bar Council No 15 Leboh Pasar Besar 50050 Kuala Lumpur

Registration Fees:**Members RM30 | Pupils in Chambers RM10 | Non-Members RM50**

The highlight of the seminar will be case presentations by lawyers, and Orang Asli representatives from different settlements, whose lands are being threatened or are encroached upon. They will share their experiences and the many struggles they have to overcome in espousing and protecting the fundamental rights of the Orang Asli.

COAR will invite the Human Rights Commission of Malaysia (“SUHAKAM”) to speak on the ongoing historical national inquiry on indigenous land rights. We will also invite experienced lawyers and academicians to conduct practical training on the basic elements, practice, procedure and evidence of native title law.

The constitutional fundamental right to life means more than mere existence. It includes the right to land, the right to dwelling and the right to livelihood. These rights must be protected for all peoples of our land, including the Orang Asli. So, we urge you to come join us in this endeavour to work with, defend and empower the Orang Asli to realise their just rights.

For more information on the seminar, please refer to the attached programme and registration form. Should you have any enquiries, please contact Christina Gomez by telephone at 03-2050 2087, or by email at christina@malaysianbar.org.my.

Thank you.

Ambiga Sreenevasan and Steven Thiru
Co-Chairpersons
Committee on Orang Asli Rights

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Programme

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|----------------------|---|
| 08:30 am to 09:00 am | Registration |
| 09:00 am to 09:15 am | Opening Address by
Ambiga Sreenevasan, <i>Co-Chairperson, Bar Council Committee on Orang Asli Rights (“COAR”)</i> |
| 09:15 am to 09:30 am | Speech and Launch of the Bar Council Orang Asli Defence Fund by Lim Chee Wee, <i>President, Malaysian Bar</i> |
| 09:30 am to 09:45 am | Overview of Orang Asli Issues and Current Challenges by
Dr Colin Nicholas, <i>Director, Center for Orang Asli Concerns</i> |
| 09:45 am to 10:15 am | “Hak Dinafikan”: Video Presentation by
Tijah Yop Chopil, <i>Member, COAR</i> |
| 10:15 am to 10:30 am | Tea Break |
| 10:30 am to 01:00 pm | Case Presentations |
- (1) The Landslide at Kampung Ruil, Cameron Highlands: Loss of Life and Lands of the Semai People by
Cherian Kuruvila, *Member, COAR*, and
Orang Asli Representatives
 - (2) Indiscriminate Logging and the Deprivation of Land Rights of the Temiar People by
Siti Kasim, *Member, COAR*, and Orang Asli
Representatives
 - (3) Orang Asli Lands in National Parks: The Orang Jakun of Kampung Peta by
Yogeswaran Subramaniam and M Rajkumar, *Members, COAR*, and Orang Asli Representatives
 - (4) Drowning without Water: The Predicament of Orang Seletar along the Straits of Johore by
Aaron Mathews, *Member, COAR*, Chung Yi Fan, *Bar Council Research Officer*, and Orang Asli Representatives
 - (5) Sacrificing Customs for Progress: The Case of East Coast Economic Region (“ECER”) in Kampung Jemeri, Rompin, Pahang by
Hon Kai Ping, *Member, COAR*, and Orang Asli
Representatives

01:00 pm to 01:30 pm	<p>Handling Pro Bono Orang Asli Claims: Why Should You Volunteer? by Jessica Binwani, <i>Member, Malaysian Bar</i> (TBC) and Steven Thiru, <i>Co-Chairperson, COAR</i></p>
01:30 pm to 02:30 pm	Lunch
02:30 pm to 02:50 pm	<p>Overview of SUHAKAM's National Inquiry on Orang Asli Rights by Jannie Lasimbang, <i>Commissioner, Human Rights Commission of Malaysia ("SUHAKAM")</i> (TBC)</p> <p>Moderator: Andrew Khoo, <i>Member, COAR</i></p>
02:50 pm to 04:00 pm	<p>Practical Training</p> <p>(1) Practice, Pleadings and Procedure by Lim Heng Seng, <i>Member, Malaysian Bar</i> (TBC)</p> <p>(2) Unearthing and Adducing Evidence in Native Title Cases by Jerald Gomez and Annou Xavier, <i>Members, Malaysian Bar</i> (TBC)</p> <p>(3) The Basic Principles of Native Title Rights by Professor Dr Ramy Bulan, <i>Member, COAR</i></p> <p>Moderator: M Rajkumar, <i>Member, COAR</i></p>
04:00 pm to 04:15 pm	Closing Address by Steven Thiru, <i>Co-Chairperson, COAR</i>
04:15 pm to 05:00 pm	Refreshments

PERATURAN HUKUM ASLI
SERIBI 616 JLN LABU
HUKUM DAN TAWAN KUALAH
NAY HELIP ORANG ASLI

Seminar on

Rights Denied – The Orang Asli Struggle Continues!

19 Nov 2011 (Saturday) | 9:00 am to 5:00 pm

Raja Aziz Addruse Auditorium, Bar Council, No 15 Leboh Pasar Besar, 50050 Kuala Lumpur

Registration Fees

Members of the Bar RM30 | Pupils in Chambers RM10 | Non-Members RM50

I/ We would like to register for the seminar:

Name : _____

Email Add : _____

Member Pupil in Chambers Non-Member *(Tick where applicable)*

Name : _____

Email Add : _____

Member Pupil in Chambers Non-Member *(Tick where applicable)*

Name : _____

Email Add : _____

Member Pupil in Chambers Non-Member *(Tick where applicable)*

Name of Firm/Organisation : _____

Address : _____

Telephone : _____ Fax : _____

Date : _____ Signature : _____

Payment can be made by direct deposit (bank in to **Hong Leong Bank Berhad, No 9 Jln Tun Cheng Lock, 50000 Kuala Lumpur; Acc No 0006-10-001810-1; SWIFT CODE NO: EOBBMYKL**), or by cheque or bank draft (made payable to **“Bar Council”**). Payment by cash can be made at the ground floor of the Bar Council Secretariat. Registration will be confirmed once full payment is received.

Please be informed that all bank charges are to be borne by applicants; further processing fees will otherwise be levied.

All payments must be made in advance of the event. There will be no refunds if cancellations are made after **17 Nov 2011 (Thursday)** but substitutions are allowed. All cancellations have to be done by email or facsimile.

There are limited places available and registration is on a first-come, first-served basis. Completed forms are to be forwarded to:

Bar Council
No 15 Leboh Pasar Besar, 50050 Kuala Lumpur
Tel No: 03-2050 2050
Fax No: 03-2032 2043/2026 1313

Organised by Bar Council



For more details or to register, kindly contact

Md Faizal Mahat (03-2050 2088; mdfaizal@malaysianbar.org.my) or

Christina Gomez (03-2050 2087; christina@malaysianbar.org.my)