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**Challenges of Nutrition in Malaysia:  
Poverty, Land Appropriation, and Indigeneity**

Submitted to Professor William Ascher

by  
Jeanie Han Kim

for Senior Thesis  
Fall 2022 and Spring 2023  
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Working on hunger and poverty reduction has been one of the most demanding experiences of my college career. It has also been the greatest honor. I hope to continue uplifting and helping the most marginalized, underserved communities, knowing that I have the world's best support system by my side.

I am incredibly grateful for my family, friends, and professors. A special thank you to my mom, who has taught me everything I know.

Thank you. Gracias. 감사합니다.

*“Podrán cortar todas las flores, pero no podrán detener la primavera.” - Pablo Neruda*

## **ABSTRACT**

Malnutrition, especially in the form of wasting, stunting, and obesity, is disproportionately harming the Indigenous communities in Malaysia. Under the current legal system, Indigenous people receive little to no recognition and protection. Their land is often appropriated by the oil palm and dam industries, resulting in higher incidences of malnutrition and poverty. In order to improve the nutritional status of Malaysia as a whole, potential policies and programs include food fortification, crop diversification, and social safety nets. For the most marginalized communities, indigeneity and land restitution are analyzed as avenues to improve their livelihood.

**Key Words:** Malnutrition, poverty alleviation, food security, land rights, indigeneity

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## LIST OF ABBREVIATIONS

<b>Abbreviation</b>	<b>Meaning</b>
AMAN	Aliansi Masyarakat Adat Nusantara
APA	Aboriginal Peoples Act
ASB	Amanah Saham Bumiputera
BCIC	Bumiputera Commercial and Industry Community
BR1M	Bantuan Rakyat 1Malaysia
BSH	Bandu Sara Hidup
CADT	Certificate of Ancestral Domain Title
CDA	Community Development Agreement
DLS	Department of Land and Survey
EIA	Environmental Impact Assessment
F&B	Food & Beverage Industries
FAMA	Federal Agricultural Marketing Authority
FAO	Food and Agriculture Organization of the United Nations
FELCRA	Federal Land Consolidation and Rehabilitation Authority
FELDA	Federal Land Development Authority
FMM	Federation of Malaysia Manufacturers
HLS	Healthy Lifestyle Program
ICC	Indigenous Cultural Communities
IMF	International Monetary Fund
ILO	International Labor Organization
IPRA	Indigenous Peoples' Rights Act
IPs	Indigenous Peoples
LCDA	Land Custody and Development Authority
LHDN	Malaysian Inland Revenue Board
LPP	Farmers' Organization Authority of Malaysia
MAFI	Ministry of Agriculture and Food Industries
MANS	Malaysian Adult Nutrition Survey
MoA	Ministry of Agriculture and Agro-based Industries
NCR	Native Customary Rights
NDP	New Development Policy
NEP	New Economic Policy
NGO	Non-governmental Organization
NIN	National Institution of Nutrition
NNPM	National Nutrition Policy of Malaysia
NPANM	National Plan of Action for Nutrition in Malaysia
NT	Native Titles
NVP	National Vision Policy

OECD	Organization for Economic Cooperation and Development
PBR	Home Assistance Program
PLI	Poverty Line Income
PLKK	Skills and Career Training Program
PPKZM	Rehabilitation Programme for Malnourished Children
PPMS	Education Excellence Program
PPP	Income Improvement Program
PTMS	Balanced Food Supplement Program
RISDA	Rubber Industry Smallholder Development Authority
RNI	Recommended Nutrient Intake
SALCRA	Sarawak Land Consolidation and Rehabilitation Authority
SIA	Social Impact Assessment
SLO	Sabah Land Ordinance
SSL	Self-Sufficiency Level
SSB	sugar-sweetened beverage
SUHAKAM	Human Rights Commission of Malaysia
TASKA	Child Care Centre
UN	United Nations
UNICEF	United Nations International Children's Emergency Fund
WASH	Water, sanitation, and hygiene
WHO	World Health Organization

## CHAPTER 1: INTRODUCTION AND PROBLEM DEFINITION

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### Malnutrition in Malaysia

Despite multiple global efforts to tackle hunger and malnutrition over the past decades, data from the World Health Organization (WHO) show that hunger and malnutrition is on the rise.<sup>1</sup> Malnutrition happens “when the body is deprived of vitamins, minerals, and other nutrients it needs to maintain healthy tissues and organ function”.<sup>2</sup> This results in several negative consequences, such as a decline in muscle, cardio-respiratory, and gastrointestinal functions. Additionally, there are psychosocial effects, such as depression and anxiety.<sup>3</sup> Malnutrition can manifest in several ways, such as wasting (when someone has a low weight for their height), stunting (low weight for someone’s age), and being underweight, overweight, or obese.<sup>4</sup>

Malnutrition in Malaysia is particularly worrisome because it deals with this issue on all levels. Too many people are eating too little food, while also eating too much unhealthy food.<sup>5</sup> As a whole, in 2021, Malaysia was ranked 39th in the world in terms of food security.<sup>6</sup> This ranking might suggest that Malaysia is doing relatively well as a country, but as this chapter will explore, the wide discrepancy in the proportion of different communities that face food insecurity within the country are an extreme cause of concern. For instance, in 2021, 81.2 to 88

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<sup>1</sup>“UN Report: Global Hunger Numbers Rose to as Many as 828 Million in 2021,” July 6, 2022.

<https://www.who.int/news/item/06-07-2022-un-report--global-hunger-numbers-rose-to-as-many-as-828-million-in-2021>.

<sup>2</sup>“Malnutrition,” August 8, 2021. <https://www.hopkinsmedicine.org/health/conditions-and-diseases/malnutrition>.

<sup>3</sup> Saunders, John, and Trevor Smith. “Malnutrition: Causes and Consequences.” *Clinical Medicine* 10, no. 6 (December 2010): 624–27. <https://doi.org/10.7861/clinmedicine.10-6-624>.

<sup>4</sup> “Fact Sheets - Malnutrition,” June 9, 2021. <https://www.who.int/news-room/fact-sheets/detail/malnutrition>.

<sup>5</sup>UNICEF, ed. *Children, Food and Nutrition. The State of the World’s Children 2019*. New York, NY: UNICEF, 2019. [https://www.unicef.org/malaysia/children-food-and-nutrition-state-worlds-children-2019#:~:text=Malaysia%20faces%20the%20threat%20of,year%2Dolds\)%20are%20obese](https://www.unicef.org/malaysia/children-food-and-nutrition-state-worlds-children-2019#:~:text=Malaysia%20faces%20the%20threat%20of,year%2Dolds)%20are%20obese).

<sup>6</sup>Global Food Security Index (GFSI). “Global Food Security Index (GFSI)” <https://impact.economist.com/sustainability/project/food-security-index>.



percent of the Orang Asli (one of Malaysia's Indigenous communities) experienced food insecurity.<sup>7</sup> Thus, it is imperative to look at the experiences of different communities in Malaysia to understand why food insecurity is such a crucial issue.

In 2019, 9.7 percent of children in Malaysia under the age of five suffered from wasting.<sup>8</sup> This is identified by seeing if a child's weight is low in comparison to their height, a child is officially considered as "wasted" if their "weight falls two standard deviations below their expected weight for their height". Though there are many causes, the most common is long periods of food insecurity.<sup>9</sup> Wasting is the most life-threatening form of malnutrition. Children suffer from weakened immune systems, developmental delays, and often death.<sup>10</sup>

Though 9.7 percent is an extremely alarming national figure, 40.0 percent of Orang Asli children in Kelantan suffered from wasting.<sup>11</sup> In addition, a 2014 study found that in a Biyaduh community in Sarawak, 10.2 percent of children were wasted.<sup>12</sup>

In 2019, 14.1 percent of children under the age of five in Malaysia were underweight. This is a drastic fall from the peak value of 23.1 percent of children in 1991, though the number has been increasing since 2015 (when the value was 12.4 percent).<sup>13</sup> Nonetheless, it is critical to highlight the fact that 63.4 percent of Orang Asli children were underweight. While the general

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<sup>7</sup> Sulaiman, Norhasmah, et al. "A Food Insecurity Systematic Review: Experience from Malaysia." *Nutrients* 13, no. 3 (March 2021): 945. <https://doi.org/10.3390/nu13030945>.

<sup>8</sup>World Bank Open Data. "Prevalence of Wasting, Weight for Height (% of Children under 5) - Malaysia," 2019. <https://data.worldbank.org/indicator/SH.STA.WAST.ZS?locations=MY>.

<sup>9</sup>Our World in Data. "What Is Childhood Wasting?," February 6, 2022. <https://ourworldindata.org/wasting-definition>.

<sup>10</sup>UNICEF. "Nutrition and Care for Children with Wasting". <https://www.unicef.org/nutrition/child-wasting>.

<sup>11</sup>Rahman, et al. "Prevalence and Factors Associated with Undernutrition among Dayak Children in Rural Areas of Sarawak, Malaysia." *Malaysian Journal of Nutrition* 27, no. 3 (November 23, 2021). <https://doi.org/10.31246/mjn-2021-0045>.

<sup>12</sup>Rahman, et al. "Prevalence and Factors", 2021.

<sup>13</sup>Prevalence of underweight, weight for age (% of children under 5) - Malaysia. "World Bank Open Data," 2021. <https://data.worldbank.org/indicator/SH.STA.MALN.ZS?locations=MY>.

trend nationwide has been decreasing, the number for Orang Asli has been increasing over the years.<sup>14</sup> In 2014, 20.9 percent of Biyah children in Sarawak were underweight.<sup>15</sup>

In 2019, 21.8 percent of children under the age of five in Malaysia were stunted.<sup>16</sup> In other words, nearly two million children had “impaired growth and development from poor nutrition”.<sup>17</sup> Huge inequalities exist in terms of food access throughout Malaysia, as demonstrated by the fact that 69.0 percent of Orang Asli children in rural areas of Kelantan are stunted.<sup>18</sup> Even more concerning is the fact that in 2014, 11.9 percent of children in the Bidayuh community in Sarawak were stunted.<sup>19</sup>

Stunting is mainly irreversible because, for the most part, one cannot grow in height the way one can increase their weight. As opposed to wasting, which is considered as a short-term type of malnutrition, stunting is a form of chronic malnutrition.<sup>20</sup> According to the WHO, “if the problem is not caught and corrected before the age of two (within the first 1,000 days of life), a child may have to spend an entire lifetime dealing with the repercussions of stunting.”<sup>21</sup>

Children who are stunted are at an extreme disadvantage; some of the repercussions include impaired cognitive development, elevated blood pressure, weakened immune systems, and lower life expectancies. This severe problem can begin even before the child is born. If the

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<sup>14</sup>Rahman, et al. “Prevalence and Factors”, 2021.

<sup>15</sup>Rahman, et al. “Prevalence and Factors”, 2021.

<sup>16</sup>Borneo Post Online. “Stunting: The Children Aren’t Just Short,” May 13, 2022.  
<https://www.theborneopost.com/2022/05/13/stunting-the-children-arent-just-short/>.

<sup>17</sup>World Health Organization. “Stunting in a Nutshell,” November 19, 2015.  
<https://www.who.int/news/item/19-11-2015-stunting-in-a-nutshell>.

<sup>18</sup>Rahman, et al. “Prevalence and Factors”, 2021.

<sup>19</sup>Rahman, et al. “Prevalence and Factors”, 2021.

<sup>20</sup>Our World in Data. “What is Childhood”, 2022.

<sup>21</sup>Borneo Post Online. “Stunting”, 2022.

mother is undernourished during the pregnancy, children are more likely to have restricted growth in life.<sup>22</sup> Thus, to prevent stunting, interventions must occur before pregnancy begins.

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<sup>22</sup>PRB. "Stunting Limits Learning and Future Earnings of Children," October 11, 2012.

<https://www.prb.org/resources/stunting-limits-learning-and-future-earnings-of-children/#:~:text=But%20short%20stature%20is%20just,%2Dthan%2Daverage%20life%20expectancies.>

## Malnutrition and Food Insecurity Across the World

The situation in Malaysia is dire and reflects the broader problems of lack of access to nutritious, affordable food. In 2020, nearly 150 million children worldwide were stunted. That means that more than one in five children in the world suffer from malnutrition. In 33 countries, at least 30 percent of children were stunted, all in Africa and South and Southeast Asia. Though there has been a dramatic decrease from one in three children being stunted in 2000 and one in five in 2020, there is still a lot more progress to be made.<sup>23</sup> Forty-five percent of deaths among children younger than 5 years old are related to malnutrition.<sup>24</sup>

It is essential to put the Malaysian case in the broader context of other countries facing food insecurity to understand what the best approach is to decrease food insecurity. As defined by the Food and Agriculture Organization of the United Nations (FAO), food insecurity is the condition in which people “lack regular access to enough safe and nutritious food for normal growth and development and an active and healthy life”.<sup>25</sup> Furthermore, the FAO has emphasized that food security often depends on socioeconomic conditions rather than the production, availability, or agro climatic conditions relating to food.<sup>26</sup>

The question of affordability is expected to cause major problems in the upcoming years. Food prices have been increasing worldwide during the COVID-19 pandemic. The World Bank reports that people in Malaysia faced up to 7.2 percent higher prices due to food inflation in

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<sup>23</sup>UNICEF DATA. “Child Malnutrition,” March 2023. <https://data.unicef.org/topic/nutrition/malnutrition/>.

<sup>24</sup>WHO, “Fact Sheets”, 2021.

<sup>25</sup>Food and Agriculture Organization of the United Nations. “Hunger and Food Insecurity”. <http://www.fao.org/hunger/en/>.

<sup>26</sup>Firdaus, R. B. Radin, et al. “Paddy, Rice and Food Security in Malaysia: A Review of Climate Change Impacts.” Edited by Sandra Ricart Casadevall. *Cogent Social Sciences* 6, no. 1 (September 14, 2020): 1818373. <https://doi.org/10.1080/23311886.2020.1818373>.

2022.<sup>27</sup> The COVID-19 pandemic and the war in Ukraine are examples of the different kinds of conflicts that could lead to the disruptions in the global food supply chain. The interconnected nature of food relations shows that it is imperative to know the global context in order to analyze the situation in Malaysia.

In 2015, the United Nations (UN) developed many goals, one of them being to “end hunger, achieve food security, improve nutrition, and promote sustainable agriculture” by 2030.<sup>28</sup> In 2020, one in three people faced food insecurity worldwide. Between 768 million people were undernourished; the vast majority concentrated in Asia (418 million). Africa (282 million), and Latin America (60 million).<sup>29</sup> This is cause for major concern as food insecurity has a plethora of negative effects.

The most food secure countries are Ireland, Austria, the United Kingdom, Finland, and Switzerland. Within Southeast Asia, the rankings are Singapore (15th worldwide), Malaysia (39th), Vietnam (61st), Philippines (64th), Indonesia (69th), Myanmar (72nd), Cambodia (81st), and Laos (91st).<sup>30</sup> These rankings are based on the Global Food Security Index, which is measured by considering many factors, such as affordability, availability, quality and safety, and natural resources and resilience, which includes a total of 113 countries.<sup>31</sup>

Though these rankings are helpful, it is misleading to think that Malaysia does not have a food security problem. Once again, it is key to remember the disparity may exist within a

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<sup>27</sup>“Food Security Update.” The World Bank, 2022.

<https://thedocs.worldbank.org/en/doc/40ebbf38f5a6b68bfc11e5273e1405d4-0090012022/related/Food-Security-Update-LXXI-October-13-2022.pdf>.

<sup>28</sup>National Geographic Society. “Sustainable Development Goal: Zero Hunger,” April 18, 2023.

<https://education.nationalgeographic.org/resource/sustainable-development-goal-zero-hunger>.

<sup>29</sup>Food and Agriculture Organization of the United Nations. “The State of Food Security and Nutrition in the World 2021: The World Is at a Critical Juncture”. <https://doi.org/10.4060/CB4474EN>.

<sup>30</sup> GFSI, “Global Security Index”.

<sup>31</sup> GFSI, “Global Security Index”.

country. Taking a deeper look into Malaysia's demographics can help account for the high levels of food insecurity.

## Demographics and Context in Malaysia

Malaysia is divided into 13 states (Perlis, Kedah, Penang, Perak, Selangor, Negeri Sembilan, Malacca, Johore, Kelantan, Terengganu, Pahang, Sabah, and Sarawak) and three federal territories.<sup>32</sup> Two of these states, Sabah and Sarawak, are located in Borneo. The island of Borneo is divided among three countries, Indonesia (73 percent), Malaysia (26 percent), and Brunei (one percent). The Malaysian states comprise the northwestern part of the island.<sup>33</sup>

Due to the COVID-19 pandemic, the Malaysian government was unable to conduct its census. The most recently available census data (2010) report that the total population of Malaysia was 28.3 million. The majority of the population (91.8 percent) were Malaysian citizens and the remaining 8.2 percent were non-citizens. Among those Malaysian citizens, the ethnic breakdown was 67.4 percent Bumiputera, 24.6 percent Chinese, 7.3 percent Indians, and 0.7 percent were others. Additionally, among the Bumiputera, Ibans made up 30.3 percent of total citizens in Sarawak while the Kadazan/Dusun made up 24.5 percent of total citizens in Sabah.<sup>34</sup> There are stark socioeconomic differences among the different ethnic groups; for instance, 18.8 percent of Bumiputera, 12.3 percent Chinese, 15.4 percent Indians, and 27.9 percent of “others” lived in relative poverty. In 2019, 7.2 percent of Bumiputera, 1.4 percent of Chinese, 4.8 percent of Indians, and 13.5 percent of “others” lived in absolute poverty.<sup>35</sup>

The Malaysian government’s census reports four main ethnic groups in Malaysia: Bumiputera, Chinese, Indians, and Others.<sup>36</sup> The Orang Asli fall under the “Others” category”,

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<sup>32</sup>Ministry of Foreign Affairs, Malaysia. “Malaysia Country Profile”.

[https://www.kln.gov.my/web/gha\\_accra/history](https://www.kln.gov.my/web/gha_accra/history).

<sup>33</sup>Geology: Geoscience News and Information. “Map of Borneo”. <https://geology.com/world/borneo.shtml>.

<sup>34</sup>Department of Statistics Malaysia. “Ministry of Economy Department of Statistics Malaysia Official Portal”. <https://www.dosm.gov.my/portal-main/landingv2>.

<sup>35</sup> Sulaiman, et al. “Food Insecurity Systematic”, 2021.

<sup>36</sup> Department of Statistics “Ministry of Economy”.

and are considered to be “aboriginal”. In Malay, “Orang Asli” translates as “original people”. The Orang Asli population comprises of 18 tribal communities in Peninsular Malaysia. They are often looked down upon as “backward” and “primitive” and are the most marginalized and smallest minority group in Malaysia.<sup>37</sup>

Typically, all Malays are considered Bumiputera and the term “Bumiputera” translates to “sons of soil”.<sup>38</sup> Bumiputera is a complex term as it groups native Sarawakans and native Sabahans with the rest of the Malay population.<sup>39</sup>

Here, it is crucial to make a distinction about the concept of indigeneity in Malaysia. Since the government has not designated an appropriate definition to refer to this community, one could alternatively use the UN Cobo definition of “Indigenous”. Coined by Jose R. Martinez-Cobo, this definition specifies that “indigenous communities, peoples, and nations are those that, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing in those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop, and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal systems”. This definition is helpful for understanding who could be defined as Indigenous in Malaysia. It is

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<sup>37</sup>Idrus, Rusalina. “From Wards to Citizens: Indigenous Rights and Citizenship in Malaysia.” *Political and Legal Anthropology Review* 33, no. 1 (2010): 89–108.

<sup>38</sup>Floyd, Calvin W. “Sons of the Soil: The Past, Present, and Future of Malaysia’s Bumiputera.” *Perspectives on Business and Economics* 37 (2019). <https://preserve.lib.lehigh.edu/islandora/object/preserve%3AAbp-15927778>.

<sup>39</sup>Jomo, K.S. “The New Economic Policy and Interethnic Relations in Malaysia.” *Identities, Conflict and Cohesion*. United Nations Research Institute for Social Development, 2004. <https://www.files.ethz.ch/isn/45937/7.pdf>.



useful to highlight the connection to territory, as this thesis will later explore, because the Indigenous people in Malaysia are being forced out of their land.<sup>40</sup>

Thus, returning to the tribal communities residing in Sabah and Sarawak, these communities are grouped together with the rest of the Malay population. Though they are considered “native”, they do not receive additional legal protection and are often at a disadvantage in comparison to the rest of the population. One of the biggest problems these Indigenous groups face is that the state governments have allowed for Indigenous lands to be appropriated for oil palm plantations.<sup>41</sup> The population in Sarawak in 2020 was 2.9 million people<sup>42</sup> and the population in Sabah in 2022 was 3.4 million people.<sup>43</sup> While this is a large portion of the population, they face significantly more barriers than the rest of the population.

In the broader Malaysian context, racial and ethnic groups experience food insecurity at different levels. For instance, studies show that Chinese adolescents have access to healthier, nutritious food in comparison to Malay adolescents.<sup>44</sup>

As both the Orang Asli and natives in Sabah and Sarawak face disproportionate incidences of poverty and malnutrition; the primary focus of this thesis will center around these communities.

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<sup>40</sup>Perera, Jayantha and Asian Development Bank, eds. *Land and Cultural Survival: The Communal Land Rights of Indigenous Peoples in Asia*. Mandaluyong City, Metro Manila, Philippines: Asian Development Bank, 2009.

<sup>41</sup>Aiken, S. Robert, and Colin H. Leigh. “In the Way of Development: Indigenous Land-Rights Issues in Malaysia.” *Geographical Review* 101, no. 4 (2011): 471–96. <https://doi.org/10.1111/j.1931-0846.2011.00113.x>.

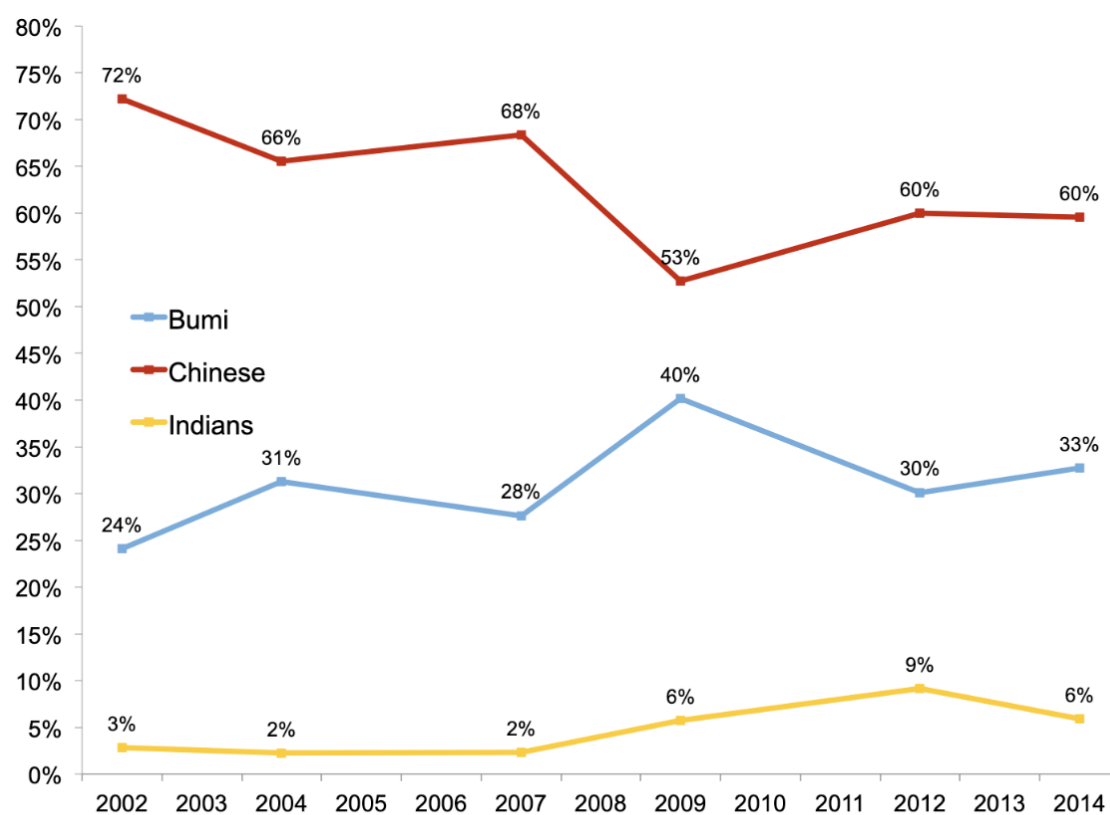
<sup>42</sup>Sarawak Population. “The Official Portal of the Sarawak Government,” 2020. [https://sarawak.gov.my/web/home/article\\_view/240/175/](https://sarawak.gov.my/web/home/article_view/240/175/).

<sup>43</sup>Statista. “Malaysia: Sabah Total Population 2022.” <https://www.statista.com/statistics/1041494/total-population-sabah-malaysia/>.

<sup>44</sup>Abdullah, Nurul-Fadhilah, Pey Sze Teo, and Leng Huat Foo. “Ethnic Differences in the Food Intake Patterns and Its Associated Factors of Adolescents in Kelantan, Malaysia.” *Nutrients* 8, no. 9 (September 12, 2016): 551. <https://doi.org/10.3390/nu8090551>.

## Socioeconomic Characteristics and Food Insecurity

Looking at the socioeconomic conditions in Malaysia is imperative to comprehend the complex narrative of food security. Data show that Sabah and State are some of the poorest states in Malaysia, which is where most of the Indigenous population lives. These communities often have less access to nutritious food in comparison to Chinese Malaysians. For instance, the graphs below show the wide level of income inequality in Malaysia.<sup>45</sup>



**Figure 1.** Population share by ethnic group — the top one percent income group (pre-tax national income) in Malaysia.<sup>46</sup>

<sup>45</sup> Khalid, Muhammed Abdul, and Li Yang. “Income Inequality and Ethnic Cleavages in Malaysia: Evidence from Distributional National Accounts (1984–2014).” *World Inequality Lab*, 2019. [https://wid.world/document/wid\\_issue\\_brief\\_2019\\_9-pdf/#:~:text=Despite%20the%20negative%20growth%20rate,%2C%20and%203%25%20Indians](https://wid.world/document/wid_issue_brief_2019_9-pdf/#:~:text=Despite%20the%20negative%20growth%20rate,%2C%20and%203%25%20Indians)).

<sup>46</sup> “Figure 4 Population share by ethnic group — the top 1% income group (pre-tax national income) in Malaysia” by Khalid, Muhammed Abdul, and Li Yang. “Income Inequality and Ethnic Cleavages in Malaysia”, 2019.

Several studies have shown that among low income rural communities in Malaysia, at least 50 percent or more of these households are food insecure, with an average of 34.5 percent child hunger.<sup>47</sup> A study looking at Northeastern Peninsular Malaysia, particularly in Kelantan, in 2014 found that about 84 percent of households experienced some form of food insecurity. The highest risk factors for food insecurity were the mother's level of education, household size, number of children, total household income, income per capita, and food expenditure.<sup>48</sup>

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<sup>47</sup> Alam, M.M., Siwar, C., Wahid, A.N.M., and Talib, B. 2016. Food Security and LowIncome Households in the Malaysian East Coast Economic Region: An Empirical Analysis. *Review of Urban & Regional Development Studies*, Vol. 28(1), pp. 2-15.

<sup>48</sup>Ali Naser, Ihab, Rohana Jalil, Wan Manan Wan Muda, Wan Suriati Wan Nik, Zalilah Mohd Shariff, and Mohamed Rusli Abdullah. "Association between Household Food Insecurity and Nutritional Outcomes among Children in Northeastern of Peninsular Malaysia." *Nutrition Research and Practice* 8, no. 3 (2014): 304–11. <https://doi.org/10.4162/nrp.2014.8.3.304>.

## Agriculture and Land

In Malaysia, “forested land” is defined as “land spanning more than 0.5 hectares with trees higher than 5 meters and a canopy cover of more than 10 percent, or trees able to reach these thresholds in situ. It does not include land that is predominantly under agricultural or urban land use”. In 2019, Sabah and Sarawak had the highest rates of forested area, at 64.5 percent and 62.3 percent respectively.<sup>49</sup>

Since 1963, the agricultural land (percentage of land area) in Malaysia has increased from ten percent to 26.1 percent in 2020.<sup>50</sup> In 2020, the total agricultural land in Malaysia was 85,610 sq. km.<sup>51</sup> The agricultural, fishery, and forestry sectors account for ten percent of the labor force and eight percent of the total GDP nationwide. Within agriculture, palm oil, rubber, cocoa, and wood products make up for over half of production.<sup>52</sup> In 2017, Sarawak and Sabah accounted for 16.5 percent and 15.8 percent respectively of the agriculture sector in Malaysia.<sup>53</sup> In 2021, over 28 percent of the total planted area in Sarawak was oil palm plantations.<sup>54</sup>

Oil palm plantations are regarded as agricultural land. Between 1990 and 2000, new oil palm plantations accounted for 62 percent and 48 percent of forest conversion in Sabah and

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<sup>49</sup>“Sustainable Development Goals (SDG) Indicators Malaysia 2019.” Department of Statistics Malaysia, 2020. <https://www.epu.gov.my/sites/default/files/2021-02/Sustainable-Development-Goals-%28SDG%29-Indicators-Malaysia-2019.pdf>.

<sup>50</sup>Agricultural land (% of land area) - Malaysia. “World Bank Open Data”. <https://data.worldbank.org/indicator/AG.LND.AGRI.ZS?locations=MY>.

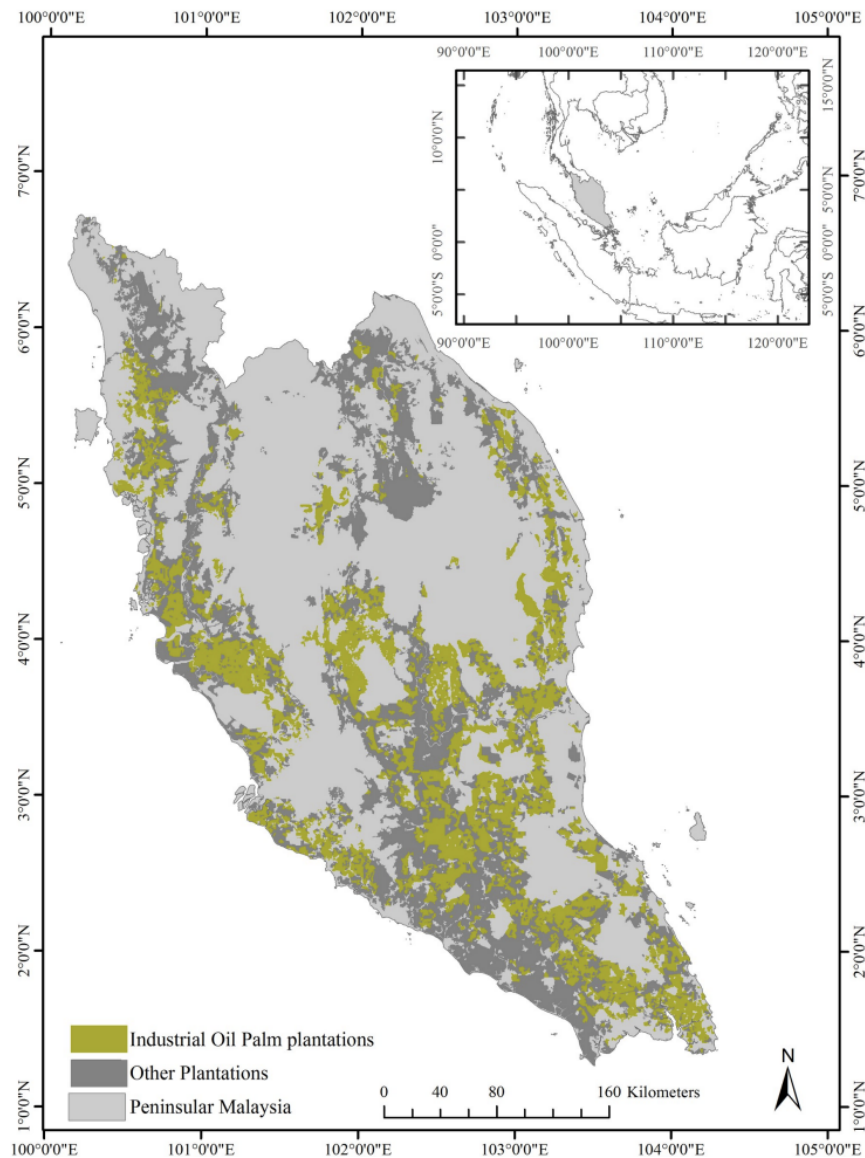
<sup>51</sup>Knoema. “Malaysia - Agricultural Land Area”. <https://knoema.com/atlas/Malaysia/Agricultural-land-area>.

<sup>52</sup>US Department of Commerce International Trade Administration. “Malaysia - Agricultural Sector,” November 23, 2022. <https://www.trade.gov/country-commercial-guides/malaysia-agricultural-sector>.

<sup>53</sup>“Sabah Agriculture Blueprint 2021-2030.” Ministry of Agriculture and Food Industry, 2019. [https://vet.sabah.gov.my/sites/default/files/uploads/download/2020-11/Lampiran%20F\\_SABBlueprint.pdf](https://vet.sabah.gov.my/sites/default/files/uploads/download/2020-11/Lampiran%20F_SABBlueprint.pdf).

<sup>54</sup>Statista. “Share of Malaysia’s Total Planted Area under Palm Oil Fund in Sarawak from 2012 to 2021,” June 2022. <https://www.statista.com/statistics/1093015/malaysia-oil-palm-planted-area-share-sarawak/>.

Sarawak respectively. In fact, between 2000 and 2012, Malaysia had the highest percentage in the world of tree cover loss relative to its land area.<sup>55</sup>



**Figure 2.** Map of Oil Palm Plantations in Peninsular Malaysia in 2012<sup>56</sup>

<sup>55</sup>Shevade, Varada S., and Tatiana V. Loboda. "Oil Palm Plantations in Peninsular Malaysia: Determinants and Constraints on Expansion." *PLOS ONE* 14, no. 2 (February 20, 2019): e0210628.

<https://doi.org/10.1371/journal.pone.0210628>.

<sup>56</sup> "Fig 1. Peninsular Malaysia with industrial oil palm plantations and other plantations from World Resources Institute (WRI)" by Shevade, Varada S., and Tatiana V. Loboda. "Oil Palm Plantations in Peninsular Malaysia", 2019.

Accordingly, it is worth highlighting Malaysia's oil palm industry, as Malaysia is the world's second largest palm oil producer and exporter. In 2020, Malaysia produced 26 percent of the world's palm oil and made up 34 percent of global exports.<sup>57</sup> Furthermore, palm oil accounts for over 75 percent of the cultivated land nationwide.<sup>58</sup> In 2016, forest reserves accounted for 60.2 percent (4.43 million hectares) of the land in Sabah. Agricultural land accounted for 27 percent of the land (1.96 million hectares) —87 percent of this land was dedicated to oil palm plantations.<sup>59</sup> The maps below show the dramatic increase in oil palm plantations in Sarawak and Sabah between 1990 and 2018.<sup>60</sup> Overall, it is estimated that oil palm production worldwide will double by 2050.<sup>61</sup>

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<sup>57</sup>US Department of Commerce International Trade Administration. "Malaysia - Agricultural Sector," 2022.

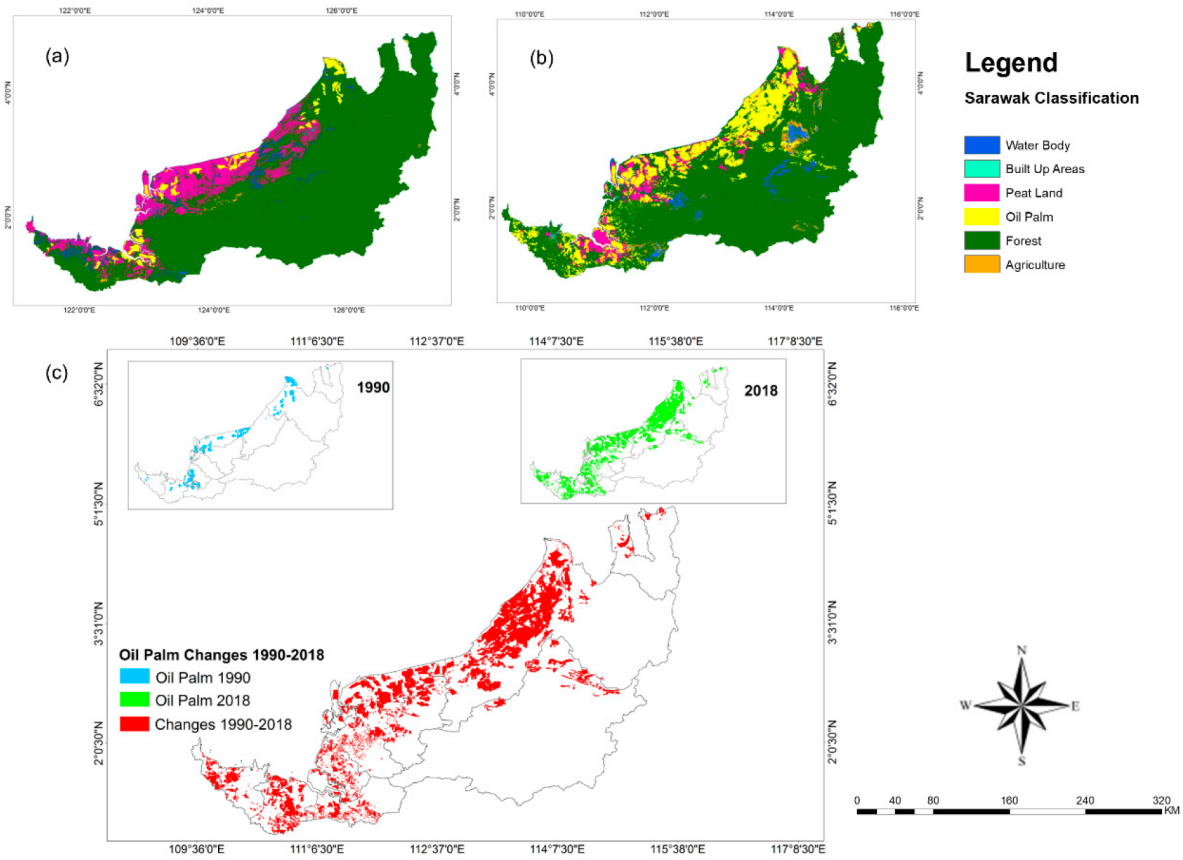
<sup>58</sup>The World Bank. "Transforming the Agricultural Sector Is Needed to Support Malaysia's Transition to High-Income Nation Status", November 20, 2019.

<https://www.worldbank.org/en/news/press-release/2019/11/20/transforming-the-agricultural-sector-is-needed-to-support-malaysias-transition-to-high-income-nation-status-world-bank>.

<sup>59</sup> Ministry of Agriculture and Food Industry, "Sabah Agriculture Blueprint", 2019.

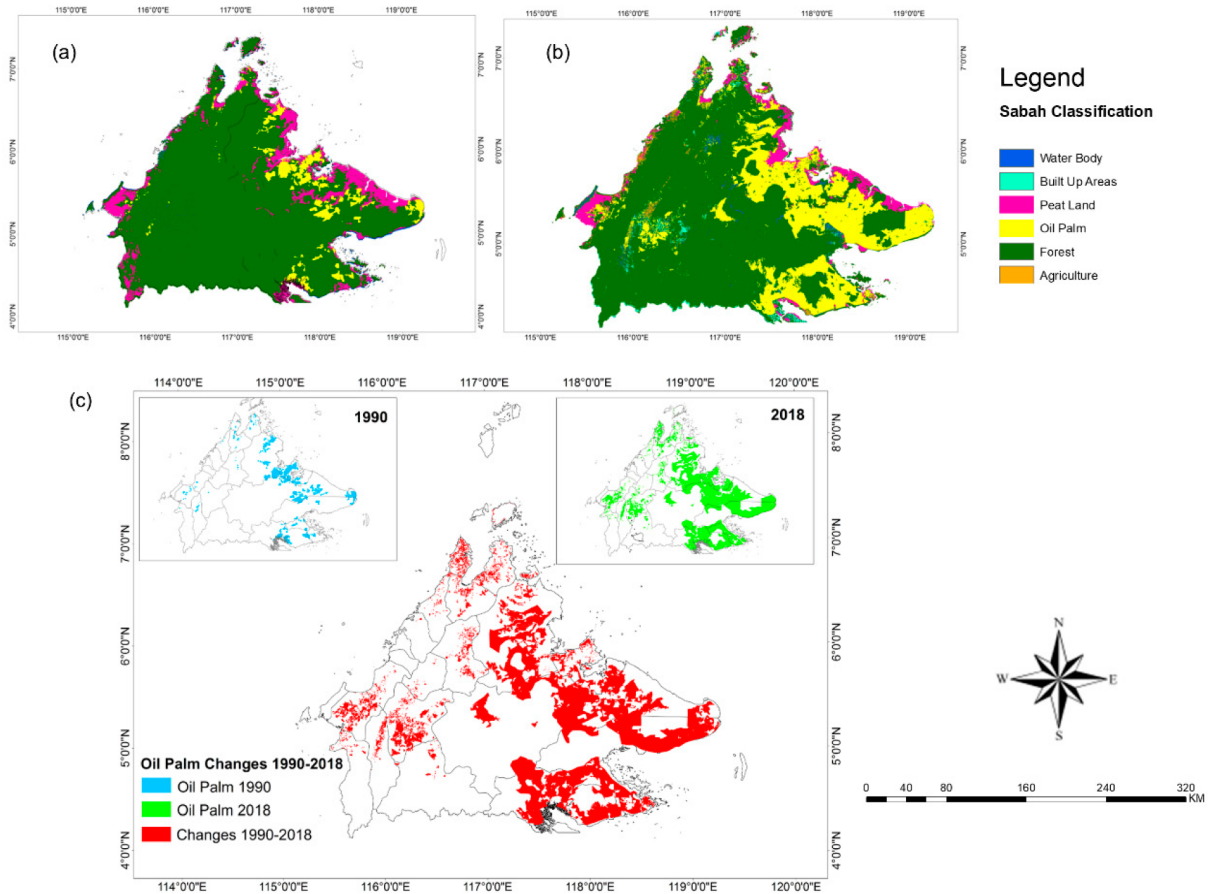
<sup>60</sup> Wan Mohd Jaafar, et al. "Carbon Emissions from Oil Palm Induced Forest and Peatland Conversion in Sabah and Sarawak, Malaysia." *Forests* 11, no. 12 (December 2020): 1285. <https://doi.org/10.3390/f11121285>.

<sup>61</sup> Shoumatoff, Alex. "Vanishing Borneo: Saving One of the World's Last Great Places." *Yale Environment* 360, May 18, 2017. <https://e360.yale.edu/features/vanishing-borneo-saving-one-of-worlds-last-great-places-palm-oil>.



**Figure 3.** Map of Oil Palm Plantations in Sarawak between 1990 and 2018.<sup>62</sup>

<sup>62</sup> “Figure 6 Sarawak oil palm development: (a) 1990 as the initial state, (b) 2018, and (c) changes in oil palm development.” by Wan Mohd Jaafar, et al. “Carbon Emissions from Oil Palm Induced Forest and Peatland Conversion in Sabah and Sarawak, Malaysia”, 2020.



**Figure 4.** Map of Oil Palm Plantations in Sabah between 1990 and 2018.<sup>63</sup>

The agricultural possibilities are severely restricted, especially due to the proliferation of oil palm plantations, especially in Borneo. In the 1980s, Borneo had the highest deforestation rate in the world. Today, over fifty percent of the lowland rainforest in Borneo has been deforested.<sup>64</sup> The palm oil industry played a huge role in this. In Malaysia, 86 percent of deforestation between 1995 and 2000 was for oil palm plantations.<sup>65</sup> In more recent years, the oil

<sup>63</sup> “Figure 8 Sabah oil palm development: (a) 1990 as the initial state, (b) 2018, and (c) changes in oil palm development.” by Wan Mohd Jaafar, et al. “Carbon Emissions from Oil Palm Induced Forest and Peatland Conversion in Sabah and Sarawak, Malaysia”, 2020.

<sup>64</sup> Shoumatoff, Alex. “Vanishing Borneo”, 2017.

<sup>65</sup> Rainforests Mongabay. “The Impact of Oil Palm in Borneo”.

[https://rainforests.mongabay.com/borneo/borneo\\_logging.html](https://rainforests.mongabay.com/borneo/borneo_logging.html).



palm industry accounted for at least 39 percent of the deforestation in Borneo between 2000 and 2018.<sup>66</sup>

The devastating environmental impacts aside, this extreme rate of deforestation is harmful to the agricultural state itself. In Malaysia, the three main agricultural crops are rubber, palm oil and cocoa.<sup>67</sup> None of these products offers substantive food for people in Malaysia, they still account for most of the agricultural land use.

For smallholder farms, defined as having less than 100 acres (40.46 hectares), the bulk are between one and two hectares. On the other hand, plantation farms (over 500 hectares) are typically devoted to cash crops, such as palm oil, rubber, and cocoa.<sup>68</sup> The vast amount of land that continues to be deforested in order to export palm oil, as opposed to sustainable practices that could produce food is concerning. In addition, the agricultural productivity in Malaysia is less than half of the average agricultural productivity in high-income countries.<sup>69</sup>

There are six main categories of oil palm producers. In 2019, the first and largest group were the privately owned plantations, occupying 61.1 percent of the agricultural land in Malaysia (3,605,000 hectares). The next category is the independent smallholders, working on 16.7 percent of the agricultural land (980,000 hectares). Then, there are organized smallholders that work with the Federal Land Development Authority (FELDA), the Federal Land Consolidation and Rehabilitation Authority (FELCRA), and the Rubber Industry Smallholder Development Authority (RISDA). FELDA, FELCRA, and RISDA smallholder farms own 12.3 percent (723,00 hectares), 3.1 percent (185,000 hectares), and 1.2 percent (72,000 hectares) of the

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<sup>66</sup>Ananthlakshimi, A. "Palm Oil to Blame for 39% of Forest Loss in Borneo since 2000 : Study." *Reuters*, September 19, 2019, sec. Environment.

<https://www.reuters.com/article/us-palmoil-deforestation-study-idUKKBN1W41HD>.

<sup>67</sup>Rainforests Mongabay. "Oil Palm in Borneo".

<sup>68</sup>Bakar, B. B. "The Malaysian Agricultural Industry in the New Millennium: Issues and Challenges," 337–56. Cairo University, Egypt, 2009. <https://eprints.um.edu.my/10909/>.

<sup>69</sup>The World Bank. "Transforming the Agricultural Sector", 2019.

agricultural land respectively. Finally, state-owned farms make up 5.5 percent of oil palm land cultivation (327,000 hectares).

In 2020, 40 percent of Malaysia's oil palm was produced by smallholder farmers. There is a wide range of experience within these small holder farmers— such as whether they are independent or organised. 13.6 percent of smallholder farmers are family-run and have a household income of 1,600 Malaysian Ringgit (\$US 337)— the poverty line is 2,208 Malaysian Ringgit (\$US 465).<sup>70</sup>

The impact of the agricultural, forestry, and fishing industries on the economy has been decreasing. In 1961, they accounted for 45.1 percent of Malaysia's GDP; 21.8 percent in 1981; eight percent in 2011 and 9.6 percent in 2021.<sup>71</sup> Between the 1970s and 1980s, the agricultural sector was the biggest contributor to the economy. As Malaysia's economy grew, the manufacturing sector became the biggest contributor to the country's GDP. As Malaysia becomes more and more industrialized, it is unclear whether its own agricultural production will be a solution to these high levels of food insecurity.

Consequently, it is evident that the agricultural possibilities in Malaysia are heavily limited, which is a cause for concern when so many people in the country are facing high levels of food insecurity.

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<sup>70</sup>Rahman, Serina. "Malaysian Independent Oil Palm Smallholders and Their Struggle to Survive 2020," 2020. [https://www.iseas.edu.sg/wp-content/uploads/2020/12/ISEAS\\_Perspective\\_2020\\_144.pdf](https://www.iseas.edu.sg/wp-content/uploads/2020/12/ISEAS_Perspective_2020_144.pdf).

<sup>71</sup>Agriculture, forestry, and fishing, value added (% of GDP) - Malaysia. "World Bank Open Data." <https://data.worldbank.org/indicator/NV.AGR.TOTL.ZS?locations=MY>.

## The Self Sufficiency Trap

The Malaysian government must enact policies to address the growing issues of food insecurity, combined with the curtailed agricultural possibilities. A holistic approach to food security has been given the label of “food sovereignty”, which “is broadly defined as the right of local peoples to control their own food systems, including markets, ecological resources, food cultures, and production modes”.<sup>72</sup> This must be distinguished from self sufficiency, which is where the Malaysian government is centering its focus.

Self sufficiency is defined as “the extent to which a country can satisfy its food needs from its own domestic production”. The FAO has described this concept as a continuum— some countries may close their borders to all food trade whereas some countries may choose to produce “a proportion of its own food needs that approaches 100 percent of its food consumption”. Due to the highly globalized nature of the food industry, many countries adopt the latter policy and attempt to specialize their food production. A 2016 report released by the FAO states that self sufficiency policies are typically well received politically because citizens may view that dependence on other countries leaves their own country vulnerable to food cutoffs by exporting nations. This was particularly the case in the 1970s when food prices were at an all time high. However, some citizens criticize self sufficiency policies because they very often include a ban on imports. While this may be a very popular policy among farmers, ban on imports can increase food prices.

Many economists argue against self sufficiency due to its inefficiency— tariffs, trade restrictions, and subsidies can be extremely costly. More importantly, self sufficiency policies may actually exacerbate food insecurity. By promoting trade-restricting policies, this limits the

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<sup>72</sup>Wittman, Hannah. “Food Sovereignty: A New Rights Framework for Food and Nature?” *Environment and Society* 2, no. 1 (September 1, 2011): 87–105. <https://doi.org/10.3167/ares.2011.020106>.

industry's capacity to capture efficiency gain, which could lead to lower food production and higher prices.<sup>73</sup> Maximo Torero Cullen, FAO's chief economist, has explained how global food supply difficulties could lead into a global disaster. There are three main challenges countries in a food crisis face: internal conflict, economic downturns, and climate change. The war in Ukraine clearly illustrates this theory.<sup>74</sup> Today's global food networks are indispensable, especially in the face of climate change and potential crop failure. If a country were to ban imports, this could sever vital networks to bring in food in the future.

After the 2007-2008 food price crisis, self sufficiency became a priority for many countries. Since most countries tend to specialize in certain crops, it is fundamental to remember that different crops will provide different nutritional benefits. Countries "may produce more than enough of some food crops, but too little of others that are required for a healthy diet".<sup>75</sup> For instance, Malaysia has historically only focused its self sufficiency efforts around rice.

Rice is the second most abundant crop in the world (after wheat). In 2011-2012, the National Agrofood Policy of Malaysia stated that "local rice production should be increased to ensure the country's demand in the future". Recent studies have shown that the increasing demand for rice can be only offset by rice imports and that local rice production will not necessarily help with issues of food security.<sup>76</sup>

As previously mentioned, rice paddy cultivation typically involves small-scale farming. In 2020, there were approximately over 194,00 farmers involved in this process but typically

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<sup>73</sup>"Food Self-Sufficiency and International Trade: A False Dichotomy?" Food and Agriculture Organization of the United Nations, 2016. <https://www.fao.org/3/i5222e/i5222e.pdf>.

<sup>74</sup>Edwards, Bruce. "A Looming Food Crisis." IMF, September 2022.

<https://www.imf.org/en/Publications/fandd/issues/2022/09/Cafe-Econ-a-looming-Food-Crisis>.

<sup>75</sup>Clapp, Jennifer. "Food Self-Sufficiency: Making Sense of It, and When It Makes Sense." *Food Policy* 66 (January 1, 2017): 88–96. <https://doi.org/10.1016/j.foodpol.2016.12.001>.

<sup>76</sup>Rajamoorthy, Yogambigai, Khalid b Abdul Rahim, and Subramaniam Munusamy. "Rice Industry in Malaysia: Challenges, Policies and Implications." *Procedia Economics and Finance*, International Accounting and Business Conference 2015, IABC 2015, 31 (January 1, 2015): 861–67. [https://doi.org/10.1016/S2212-5671\(15\)01183-1](https://doi.org/10.1016/S2212-5671(15)01183-1).

with plots smaller than two hectares. One reason why the self sufficiency policies do not adapt well to the Malaysian case is that these farmers often do not have the luxury of economies of scale. This is particularly worrisome when one considers the impacts climate change will have on rice paddies and the infrastructure these farmers will have to deal with those challenges. For example, some studies predict that rice production will decrease in Asia by 50 percent due to extreme weather patterns.<sup>77</sup>

In 2022, the Malaysian Agriculture and Food Industry Minister Datuk Seri Ronald Kiandee said that “the effort to tackle food security is a continuous effort and we have the capability to produce the food needs in our country. We only need to import products we don’t produce (or are insufficient) in the country, that’s why ministries and agencies are using various methods to boost the level of self-sustainable food products in our country”. One of the key targets will be to reduce “the country’s dependence on foreign rice imports of 30 percent”.<sup>78</sup> Furthermore, the Deputy Minister Datuk Seri Ahmad Hamzah has stated that moving forward, the Ministry of Agriculture and Food Industries (MAFI) is going to focus on decreasing the dependency on meat and milk exports. The Economic Action Council has approved of these programs and “urged MAFI to immediately implement national food security programmes”.

The emphasis on rice production will negatively impact the already burdened communities in Sabah. The Chief Minister Datuk Seri Hajiji Noor has stated that the Sabah “state wants to ensure that the Self-Sufficiency Level (SSL) under the agricultural sector...to increase”. As of August 2022, over 561.81 million Malaysian Ringgit (around \$US 120 million)

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<sup>77</sup> Firdaus, R.B. Badin, “Paddy, Rice and Food Security”, 2020.

<sup>78</sup> Borneo Post Online. “Agriculture Minister: Four Main Dimensions as Measures to Ensure Lasting Food Security in Malaysia,” July 24, 2022.

<https://www.theborneopost.com/2022/07/24/agriculture-minister-four-main-dimensions-as-measures-to-ensure-lasting-food-security-in-malaysia/>.

have been invested in Sabah's agricultural products.<sup>79</sup> Additionally, in 2022, the government approved over 4,000 hectares of paddy cultivation near Sandakan (a city in Sabah). The state government has also approved a one-time stimulus of 5 million Malaysian Ringgit (around \$US one million) to rice paddy farmers.<sup>80</sup> Nevertheless, these projects have come under harsh criticism from the native Sabahans due to the continued deforestation of their land. In 2021 alone, over 123,000 hectares of natural forest were cut down.<sup>81</sup>

Despite the problems self sufficiency poses, the Ministry of Agriculture and Agro-based Industries (MoA) has affirmed its mission "to position Malaysia as a major world food exporter and to develop the agriculture sector as the country's engine of growth."<sup>82</sup> This commitment does not take into account the substantial inequalities that people in Malaysia face and will continue to face if the government does not adopt policies that will holistically improve food security.

It is concerning that the Malaysian government's approach to solve food security is merely to produce more rice. The Malaysian government should promote crop diversification, especially more nutritional crops. Instead, the Malaysian government's emphasis in promoting the production of a particular crop is negatively impacting the people facing the highest rates of food insecurity.

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<sup>79</sup>Vanar, Muguntan. "Sabah's Agricultural Modernisation Efforts Will Increase Food Sufficiency Levels, Says Hajiji." *The Star*, August 5, 2022.

<https://www.thestar.com.my/news/nation/2022/08/05/sabah039s-agricultural-modernisation-efforts-will-increase-food-sufficiency-levels-says-hajiji>.

<sup>80</sup>Miwil, Olivia. "Sabah to Focus on Sectors That Ensure Food Security." *NST Online*, April 15, 2020.

<https://www.nst.com.my/news/nation/2020/04/584616/sabah-focus-sectors-ensure-food-security>.

<sup>81</sup>Eco-Business. "'Too Many Forests Lost Because Indigenous Peoples Have Had to Fight Alone': Malaysian Activist Shaq Koyok." *Eco-Business*, September 13, 2022.

<https://www.eco-business.com/news/too-many-forests-lost-because-indigenous-peoples-have-had-to-fight-alone-malaysian-activist-shaq-koyok/>.

<sup>82</sup>"Country Profile - Malaysia." Rome: Food and Agriculture Organization of the United Nations, 2011.

<https://www.fao.org/aquastat/en/countries-and-basins/country-profiles/country/MYS>.

Ultimately, the problem of malnutrition in Malaysia is intrinsically linked to Indigenous rights, land ownership, oil palm plantations, and political issues. Chapter 2 will analyze the current trends and policies relating to malnutrition, land appropriation and agriculture, poverty alleviation, and Indigenous rights. Chapter 3 will place the Malaysian challenges in context, particularly in Southeast Asia. It will cover indigeneity, malnutrition, food access, land rights, and poverty alleviation. Chapter 4 covers the policy projections and recommendations to improve malnutrition, and Chapter 5 describes broader conclusions and takeaways.

## CHAPTER 2: CURRENT TRENDS AND POLICIES

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### **Policies Addressing Malnutrition in Malaysia**

As the Malaysian economy grew, the food industry in Malaysia became more globalized. Direct foreign investment in food processing and retailing led to a dietary shift towards highly processed foods, which were often imported. People transitioned from a traditional diet to a more “westernized” diet, leading to a more overweight population in Peninsular Malaysia.<sup>83</sup>

Consequently, Malaysia faces the double burden of malnutrition— with rising rates of obesity and stunting. As previously mentioned, the rates of stunting may reflect greater numbers of poor families whose children suffer from malnutrition. It could be the case that the birth rate of Indigenous children is higher than that of non-Indigenous children, but as previously mentioned, official statistics do not separate the Indigenous from the Bumiputera in Malaysia. One proxy, however, is to look at the birth rate of the different states. In 2019, as shown by Figure 5 below, Sabah and Sarawak had some of the lowest birth rates in Malaysia.<sup>84</sup> Given that most of the Indigenous population is concentrated in these two states, it is unlikely that Indigenous people had a higher birth rate than non-Indigenous people. Thus, this suggests that the increase in the rate of stunting is representative of a problem in the entirety of Malaysia, not just the Indigenous population.

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<sup>83</sup>Suleiman, T S, and T E Siong. “Nutrition and the Malaysian Healthy Lifestyle Programme: Challenges in Implementation.” *Asia Pacific Journal of Clinical Nutrition* 7, no. 3/4 (December 1, 1998): 230–37.

<sup>84</sup> Department of Statistics “Ministry of Economy”.





**Figure 5.** Birth Rates in Malaysian States from 2018 and 2019.<sup>85</sup>

The statistics related to children’s malnutrition are striking. In 1991, the Malaysian government launched the Healthy Lifestyle (HLS) Program, which was meant to tackle diet-related chronic diseases such as obesity, hypertension, and heart disease.<sup>86</sup> Nonetheless, between 1996 and 2006, the prevalence of obesity among adults increased from 4.5 percent to 14 percent. A 2013 study showed that 50 percent of school-aged (six to 17 years) children achieved 80 percent of the recommended nutrient intake (RNI) for vitamin A, vitamin C, iron, and other important nutrients. Only 35.6 percent of school-aged children achieved the recommended intake of calcium. Furthermore, 24.6 percent of school-aged children skipped breakfast at least three times a week. In 2012, the Malaysia School-Based Nutrition Survey showed that while 93.7 of

<sup>85</sup> “Exhibit 1: Crude Birth Rate by state, Malaysia, 2018 and 2019” by DOSM. “Vital Statistics, Malaysia, 2020.” Department of Statistics Malaysia, 2020.

<https://www.dosm.gov.my/portal-main/release-content/vital-statistics-malaysia-2020>.

<sup>86</sup>Suleiman, T S, and T E Siong. “Nutrition and the Malaysian Healthy Lifestyle Programme”, 1998.

adolescents met the daily serving recommendations for vegetables, only 51.7 percent met the recommendation for fruits. The National Nutrition Policy of Malaysia (NNPM) was enacted in 2003 to “provide access to adequate, nutritious, safe and quality food for all”. The Rehabilitation Programme for Malnourished Children (PPKZM) has been administered since 1989 to help children aged from six months to six years of age. Children receive supplies of food to help them meet food and nutrition requirements in addition to medical treatments.<sup>87</sup>

To increase the health of its citizens, the government developed the National Plan of Action for Nutrition for Malaysia (NPANM), from the HLS program.<sup>88</sup> NPANM I ran from 1996 to 2000 and NPANM II ran from 2006 to 2015.<sup>89</sup> NPANM II’s main goal was to expand and strengthen current strategies, such as more cooperation with the Nutrition Council and the National Coordinating Committee on Food and Nutrition. Additionally, the previous emphasis had been on tackling household food security as opposed to targeted approaches for women and children to fight against stunting and wasting.<sup>90</sup> The third and current NPANM is expected to run between 2016 and 2025 and “has focused on food and nutrition security to promote healthy eating through increasing food quantity and quality, increasing purchasing power of food as well as reducing unhealthy eating behaviours such as skipping meals and reducing portion size.”<sup>91</sup>

The first two NPANMs met some of their goals, such as the percent of the adult population reaching at least 25 percent of the RNI for all nutrients (except for iron). One of the goals was to improve dietary practices with adults meeting the recommended servings for the

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<sup>87</sup>“National Plan of Action for Nutrition Malaysia 2016-2025.” Ministry of Health, 2016. [https://www.moh.gov.my/moh/resources/Pemakanan/Buku\\_National\\_Plan\\_of\\_Action\\_for\\_Nutrition\\_of\\_Malaysia\\_I\\_II\\_2016-20251.pdf](https://www.moh.gov.my/moh/resources/Pemakanan/Buku_National_Plan_of_Action_for_Nutrition_of_Malaysia_I_II_2016-20251.pdf).

<sup>88</sup>Suleiman, T S, and T E Siong. “Nutrition and the Malaysian Healthy Lifestyle Programme”, 1998.

<sup>89</sup>Goh, Ee Von et al. “The Nutrition Transition in Malaysia; Key Drivers and Recommendations for Improved Health Outcomes.” *BMC Nutrition* 6 (June 29, 2020): 32. <https://doi.org/10.1186/s40795-020-00348-5>.

<sup>90</sup>“National Plan of Action for Nutrition Malaysia 2016-2025.” Ministry of Health, 2016.

<sup>91</sup> Sulaiman, et al. “Food Insecurity Systematic”, 2021.

different food groups such as cereals, fruits, vegetables, meat, poultry, and eggs, fish, legumes and nuts, and milk and dairy products. As indicated by the table, there still needs to be more done to ensure that Malaysians are getting their nutrients from diverse food groups.

Food groups	Servings per day	Baseline % (MANS 2003)	Target to be achieved in 2015	Achievement % (MANS 2014)
Cereal and cereal products and tubers	4 to 8*	52.9	At least 58.0% meeting the recommendation for cereal and cereal products and tubers	41.3
Fruits	2*	17.0	At least 18.7% meeting the recommendation for fruits	14.9
Vegetables	3*	13.9	At least 15.3% meeting the recommendation for vegetables	7.9
Meat, poultry & egg	1/2 to 2*	52.4	At least 57.6% meeting the recommendation meat, poultry & egg	66.8
Fish & fish products	1*	20.6	At least 22.6% meeting the recommendation for fish & fish products	31.3
Legumes & nuts	1/2 to 1*	12.3	At least 13.5% meeting the recommendation for legumes & nuts	17.1
Milk & dairy products	1 to 3*	21.9	At least 24.1% meeting the recommendation for milk & dairy products	24.4

**Figure 6.** Dietary Food Intake and Practices in Malaysia in 2014.<sup>92</sup>

However, one of the biggest limitations of the first two NPANMs was that they did not directly target the underserved communities. In the poorer and more remote areas of Malaysia, it is troubling that the first two NPANMs were unsuccessful at reducing protein-energy malnutrition. For instance, the incidences of low birth weight, stunting, and thinness for children

<sup>92</sup> “Table 2: Improving Food Intake and Dietary Practices.” by “National Plan of Action for Nutrition Malaysia 2016-2025.” Ministry of Health, 2016.

The asterisks notate the recommended servings by the Malaysian government.

under the age of 12 actually increased during the years of the programs.<sup>93</sup> It is a major cause for concern that stunting for children below the age of five actually increased from 2006 (17.2 percent) to 2016 (20.7 percent).<sup>94</sup> In a 2008 survey, 50.7 percent of school children who were 8-10 years old in Peninsular Malaysia had an iodine deficiency disorder (IDD).<sup>95</sup> IDD occurs when the thyroid gland cannot function properly due to a lack of iodine, which directly impacts bone and brain development during pregnancy. IDD in a pregnant person could lead to stunted growth of the child, developmental delays, and miscarriages.<sup>96</sup>

These increasing rates of malnutrition can be partly attributed to the inadequate level of food available. In 2012, adolescents were consistently consuming less foods than the recommended intake. For example, 93.7 percent consumed vegetables below the recommended servings, with comparable levels for fruit (51.7 percent) and milk and dairy (81.5 percent) intake. Moreover, a 2013 study showed that 24.6 percent of school children skipped breakfast at least three times a week. The same study found that 97.7 percent of school aged children did not consume adequate levels of whole grains.

The data for adults do not show more promising outcomes. For instance, the 2014 Malaysian Adult Nutrition Survey (MANS) showed that 81.7 percent of adults did not consume the sufficient levels of vegetables, 59.1 percent of fruit, and 73.6 percent of milk and dairy products. It is striking that for adults, 45.6 percent exceeded the recommended levels of fat.<sup>97</sup>

The survey also tried to identify the different reasons why people faced food insecurity. Over 25 percent of respondents said that there was a lack of food variety, 25 percent stated that there was

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<sup>93</sup>“National Plan of Action for Nutrition Malaysia 2016-2025.” Ministry of Health, 2016.

<sup>94</sup> Sulaiman, et al. “Food Insecurity Systematic”, 2021.

<sup>95</sup>“National Plan of Action for Nutrition Malaysia 2016-2025.” Ministry of Health, 2016.

<sup>96</sup>Cleveland Clinic. “Iodine Deficiency: Symptoms, Causes, Treatment & Prevention.”  
<https://my.clevelandclinic.org/health/diseases/23417-iodine-deficiency>.

<sup>97</sup>“National Plan of Action for Nutrition Malaysia 2016-2025.” Ministry of Health, 2016.

a lack of food quantity, and 23.7 percent stated that they could “only rely on cheap and affordable food to feed children”.<sup>98</sup>

In 2013, the PPKZM program was extended to the Orang Asli and the small Pribumi community in Sarawak and by 2014, the program was implemented in remote areas in Perak, Pahang, Kelantan, and Sarawak.<sup>99</sup> It took 25 years for childhood nutritional programs to begin to focus on the communities facing the highest levels of stunting.

Despite these programs, Malaysia became the country with the most overweight people in Asia in 2014, a record it still holds today. Between 1980 and 2013, the Malaysian population was consistently consuming higher than the average daily requirements, particularly in the form of wheat, sugar, and sweeteners. At the same time, there was a decline in fruit and vegetable consumption. Up until the mid-1990s, rice was the main source of protein for Malaysians, eventually being replaced by fish in Peninsular Malaysia.<sup>100</sup> The prevalence of obesity in children increased from all ages from 2006 to 2015.<sup>101</sup>

The Malaysian government itself has acknowledged its shortcomings in previous NPANMs. For instance, the establishment of the National Institution of Nutrition (NIN) was delayed and will now be a part of the third NPANM. Even though the NPANMs proposed an increase in nutritionists, there was still a large shortage of nutritionists. According to WHO, there should be at least 10 nutritionists for every 100,000 people— Malaysia currently has three nutritionists per 100,000 people. More importantly, the Malaysian government has recognized

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<sup>98</sup> Mohamad Hasnan Ahmad, Rusidah Selamat, Ruhaya Salleh, Nur Liana Abdul Majid, Ahmad Ali Zainuddin, Wan Azdie Mohd Abu Bakar, & Tahir Aris. (2020). FOOD INSECURITY SITUATION IN MALAYSIA: FINDINGS FROM MALAYSIAN ADULT NUTRITION SURVEY (MANS) 2014. *Malaysian Journal of Public Health Medicine*, 20(1), 167-174. <https://doi.org/10.37268/mjphm/vol.20/no.1/art.553>

<sup>99</sup>“National Plan of Action for Nutrition Malaysia 2016-2025.” Ministry of Health, 2016.

<sup>100</sup>Goh, Ee Von et al. “The Nutrition Transition in Malaysia”, 2020.

<sup>101</sup>“National Plan of Action for Nutrition Malaysia 2016-2025.” Ministry of Health, 2016.

that the protein-energy efforts have focused on the Orang Asli, and not all children under the age of five, many of whom live in Sabah and Sarawak.<sup>102</sup>

The Malaysian government has mainly carried out its malnutrition policies through schools. For instance, nutrition is integrated in schools' curriculums, the sale of unhealthy foods is banned in nearby school perimeters, and the nutritional status of children is often assessed through fitness level tests conducted at schools.

While having nutritionists in schools is certainly valuable, this does not tackle the root cause of malnutrition. It is important to keep in mind that the high levels of malnutrition in Sabah and Sarawak often can be attributed to the wide gap in socioeconomic conditions. Although the 1996 Education Act requires that all children must enroll in primary school at the age of seven and receive at least six years of education, there is still a significant number of children in Sabah and Sarawak who do not have the same access to education.<sup>103</sup> A 2017 study found that 39.6 percent of the small Indigenous Orang Sungai community in Sabah did not attend school. Out of those who did attend school, only 43.9 percent graduated primary school, and 16.6 percent attended secondary school.<sup>104</sup>

Furthermore, it is also worth noting that the schools in Sabah and Sarawak will probably not have the necessary resources to ensure that children receive a proper education in nutrition. The schools are already extremely under-resourced. In 2020, the State Education and Innovation Minister Datuk Dr. Yusof Yacob stated that 45 percent of schools in Sabah, or 589 out of 1,296 schools, were classified as "dilapidated". Ninety-one schools were even deemed as "unsafe to

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<sup>102</sup>"National Plan of Action for Nutrition Malaysia 2016-2025." Ministry of Health, 2016.

<sup>103</sup>Peng, Tey Nai, Lai Siow Li, and Jennifer Chan Kim Lian. *Demographic and Socioeconomic Changes in Sabah*. Universiti Malaysia Sabah Press, 2022.

<sup>104</sup>Mohamad, Mohd Suhaimi, and Manisah Mohd. Ali. "Inequality in Education: Experience of Critical Pedagogy and Community Engagement with Orang Sungai in Paitan, Sabah." *ASEAN Journal of Community Engagement* 1 (December 1, 2017): 1. <https://doi.org/10.7454/ajce.v1i2.83>.

occupy”.<sup>105</sup> In 2022, the education ministry in Sarawak identified 351 dilapidated schools, 107 of which were deemed unsafe.<sup>106</sup> This means that 24 percent of schools in Sarawak are in dire need of reconstruction.<sup>107</sup>

If changing family eating habits is the goal, it is also worth noting that the education rates decrease as age increases in Sabah and Sarawak. In that same Orang Sungai community in Sabah, 47.4 percent of heads of families did not attend or complete their primary education, and 74.4 percent of their spouses also did not attend or complete their primary education.<sup>108</sup> As Figure 7 shows, education rates drop significantly for those in Sabah and Sarawak as students enter secondary and tertiary levels of education.

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<sup>105</sup>Chan, Neil. “589 Dilapidated Schools in Sabah Unsafe,” April 23, 2020.

<https://www.dailyexpress.com.my/news/151317/589-dilapidated-schools-in-sabah-unsafe/>.

<sup>106</sup>Reporters, F. M. T. “351 Dilapidated Schools in Sarawak, 107 Deemed Unsafe.” Free Malaysia Today (FMT), July 21, 2022.

<https://www.freemalaysiatoday.com/category/nation/2022/07/21/351-dilapidated-schools-in-sarawak-107-deemed-unsafe/>.

<sup>107</sup>NL, Editor. “Statistics Show Declining Trend in Number of Teachers in Sarawak.” DayakDaily, June 14, 2022.

<https://dayakdaily.com/statistics-show-declining-trend-in-number-of-teachers-in-sarawak/>.

<sup>108</sup>Mohamad, Mohd Suhaimi, and Manisah Mohd. Ali. “Inequality in Education”, 2017.

Year	Sabah		Sarawak		Malaysia	
	Male	Female	Male	Female	Male	Female
<b>Primary level</b>						
2014	99.2	99.6	98.5	98.2	97.9	98.0
2015	98.2	98.8	98.0	97.8	97.1	97.2
2016	96.1	97.5	97.9	98.5	96.8	97.4
2017	99.1	100.4	98.9	98.7	97.6	98.2
2018	100.1	101.6	99.0	99.2	97.6	98.2
2019	102.3	102.9	98.1	98.2	98.2	98.1
<b>Secondary level</b>						
2014	73.8	79.8	82.7	89.1	87.2	93.0
2015	75.4	82.9	81.2	88.6	84.9	92.0
2016	79.9	85.8	83.6	89.3	85.8	91.3
2017	84.2	90.1	86.0	92.0	88.5	94.6
2018	87.6	93.8	87.9	93.4	89.2	94.2
2019	88.1	94.7	88.1	93.1	90.5	94.7
<b>Tertiary level</b>						
2014	5.7	9.0	11.6	17.8	31.3	44.9
2015	5.4	7.8	11.5	17.8	34.6	45.5
2016	5.0	8.3	13.5	20.2	37.8	49.8
2017	5.3	9.5	12.8	19.0	38.2	48.3
2018	6.1	10.8	16.0	24.9	37.8	50.3
2019	6.3	11.1	16.2	24.3	36.3	50.2

**Figure 7.** Gross enrollment rate (%) at primary, secondary, and tertiary levels of school by state, year, and sex<sup>109</sup>

Though the third NPANM attempts to manage some of the limitations of previous NPANMs, the methodology of reaching out to children is still focused on schools. For instance,

<sup>109</sup> “Table 3.4 Gross enrolment rate at primary, secondary, and tertiary levels by sex, state, and year.” by Peng, Tey Nai, Lai Siow Li, and Jennifer Chan Kim Lian. *Demographic and Socioeconomic Changes in Sabah*. Universiti Malaysia Sabah Press, 2022.



the Ministry of Health Malaysia has stated in its NPANM III report that “the only way for these [periodic monitoring of BMI] activities to be effectively implemented is to assign nutritionists to be in schools”.<sup>110</sup> The outreach via education only will likely not improve the rates of malnutrition. Instead, these need to be supplemented with policies that decrease the levels of poverty in Sabah and Sarawak and increase the levels of nutritious, affordable food.<sup>111</sup>

Under NPANM III, several programs have been executed to address maternal malnutrition. The Supplementary Feeding Program for Pregnant and Lactating Mothers has been in place since the 1970s, which provides additional nutrients to tackle. The Anemia Prevention Program was kickstarted in the 1980s to provide iron, folic acid, vitamin C, and B12 to pregnant mothers attending government clinics.<sup>112</sup> However, there is a wide inequality in the distribution of clinics, doctors, and resources. In 2013, a study analyzed the public health clinics density across Malaysia. Even accounting for population size, Sabah and Sarawak have significantly less government clinics.<sup>113</sup> On top of that, the distribution of medical practitioners is concerning. In Sarawak, 45.6 percent of rural clinics did not have a doctor in 2020 and were run by medical assistants and nurses instead.<sup>114</sup>

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<sup>110</sup>“National Plan of Action for Nutrition Malaysia 2016-2025.” Ministry of Health, 2016.

<sup>111</sup>“National Plan of Action for Nutrition Malaysia 2016-2025.” Ministry of Health, 2016.

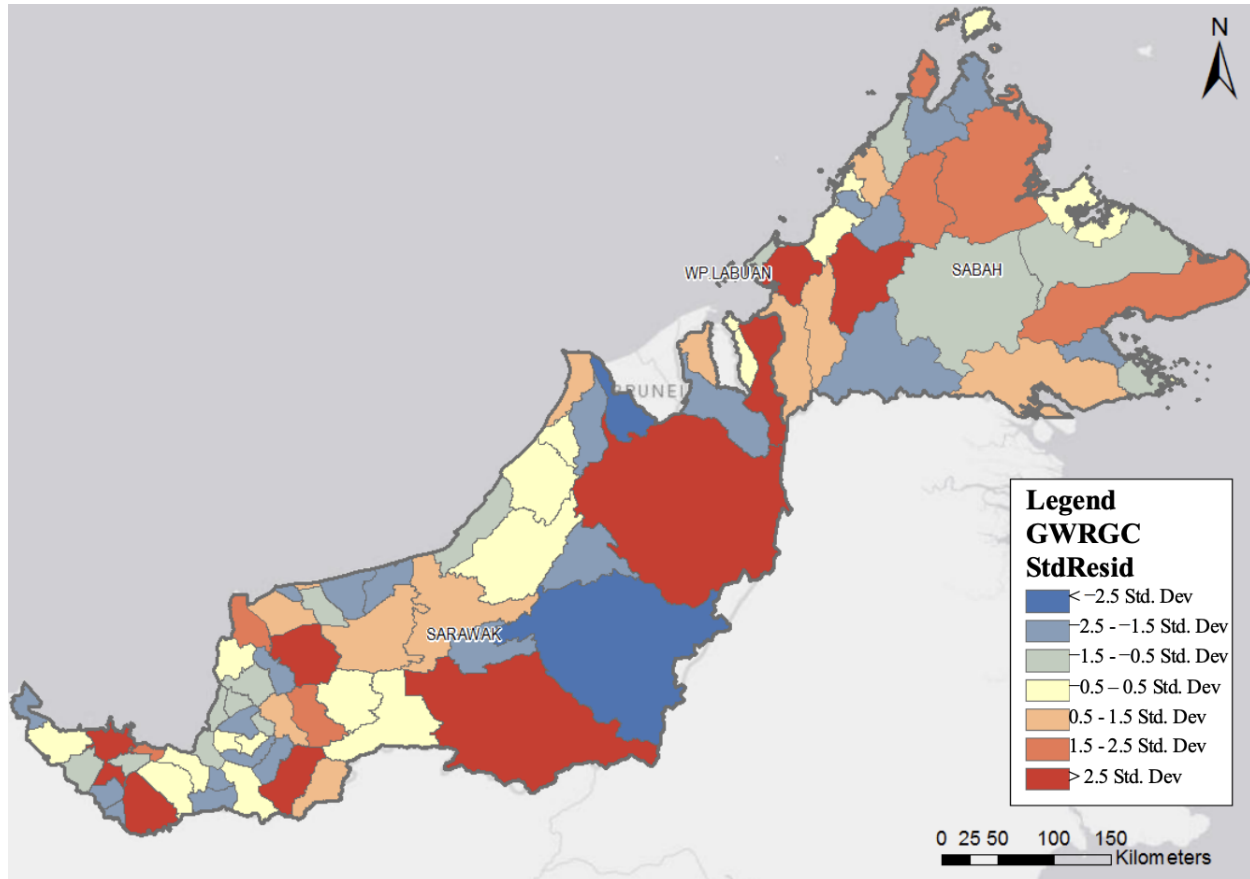
<sup>112</sup>“National Plan of Action for Nutrition Malaysia 2016-2025.” Ministry of Health, 2016.

<sup>113</sup>Hazrin, H, et al. “Spatial Patterns of Health Clinics in Malaysia.” *Health*, 2013.

<https://doi.org/10.4236/health.2013.512287>.

<sup>114</sup>Batimalai, Kanmani. “57 Years Later, Do Sarawak, Sabah Enjoy Equal Health Care To Peninsula?” *CodeBlue*, September 16, 2020.

<https://codeblue.galencentre.org/2020/09/16/57-years-later-do-sarawak-sabah-enjoy-equal-health-care-to-peninsula/>.



**Figure 8.** Public Health Clinics Density in Sabah and Sarawak<sup>115</sup>

A promising sign of NPANM III is the priority on maternal, infant, and young child nutrition. One of its objectives is that 100 percent of women attending government health clinics receive iron and folic acid supplements. Additionally, the Ministry of Health intends to distribute full cream milk to at least 50 percent of “poor” mothers (with a monthly household income below 2000 Malaysian Ringgit or \$US446) by 2025. There are strategies to implement training for parents on healthy and balanced meals and requiring healthy meals at schools.

While it is positive that NPANM III addresses the need for supplements, there is vast room for improvement. In 2006, only 41.5 percent of infants received complementary feeding.<sup>116</sup>

<sup>115</sup> “Figure 5. Public health clinics density in relation to population size by sub-district in Sabah and Sarawak” by Hasim, Hazrin et al., “Spatial patterns of health clinics in Malaysia”, 2013.

<sup>116</sup> “National Plan of Action for Nutrition Malaysia 2016-2025.” Ministry of Health, 2016.

Complementary foods are required to meet infants' needs for energy and nutrients, which cannot be fulfilled by breast milk alone.<sup>117</sup> Yet, in NPANM III, the plan is to promote complementary feeding through social and mass media, as opposed to providing cash transfers or subsidized complementary foods.<sup>118</sup>

NPANM III is exploring a new approach that is to provide cash or food transfers to underserved communities through the Jabatan Perdana Menteri (JPM), the Prime Minister's Department. Other approaches include the creation of at least three new community feeding centers per year would increase the access to healthy, nutritious food. This is crucial as NPANM III also restricts the operating hours for all food outlets. In addition, the Malaysian government looks to promote community gardening as they plan to have at least 15 advocacy activities related to community gardening every year.

It is also important to look at what foods are subsidized or taxed, and which ones are not. For instance, NPANM III looks to reduce the cooking oil subsidy by 20 percent by 2025. NPANM III also had planned to impose a tax on certain foods such as sugar-sweetened beverages (SSBs), carbonated beverages, and processed foods by 2020.

It is necessary to consider the food availability, as NPANM III would like Malaysians to increase their consumption of healthier foods and so the Federation of Malaysia Manufacturers (FMM) and Food & Beverage Industries (F&B) must increase the production of "wholemeal bread, low sugar beverages, whole grain cereals/biscuits, and low fat milk".

While NPANM III is a meaningful step, there is much more that needs to be done. For instance, the goal is that by 2025 there is at least one meeting per year with a nutrition agenda by all the related ministries and agencies. With Malaysia's malnutrition rates, there should be more

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<sup>117</sup>"Complementary Feeding". <https://www.who.int/health-topics/complementary-feeding>.

<sup>118</sup>"National Plan of Action for Nutrition Malaysia 2016-2025." Ministry of Health, 2016.

than one annual meeting among agencies, especially because another of the goals is to incorporate nutrition in other social welfare programs conducted by other agencies and ministries. Furthermore, several of the goals are related to establishing monitoring and regulations, which is an important initiative, but only the beginning of what the Malaysian government must do. In fact, it is concerning how little of the program is targeted at reducing the disproportionate levels of food insecurity and malnutrition faced by the people in Sabah and Sarawak.<sup>119</sup>

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<sup>119</sup>“National Plan of Action for Nutrition Malaysia 2016-2025.” Ministry of Health, 2016.

## History of Land Appropriation for Natives in Sabah and Sarawak

To understand why the land in Sabah and Sarawak has been unfairly appropriated, it is important to briefly look at Malaysia's experience under British colonization. The state of Sabah— then known as British North Borneo— was declared a British protectorate in 1888. Sabah was administered by the British North Borneo Company until 1941. On the other hand, the state of Sarawak was administered by the Brooke family. In 1841, British soldier James Brooke was installed as the Rajah of Sarawak. His family, the White Rajahs monarchy, ruled Sarawak until 1941.<sup>120</sup> The Japanese briefly occupied Sabah and Sarawak between 1941 and 1945, but ultimately the British re-gained control of both states, which became British Crown Colonies until 1963, with the official formation of the Federation of Malaysia.<sup>121</sup>

Many policies exemplify the British exploitation of the Indigenous people and their land. The Sabah Land Ordinance (SLO) 1930 is a law that grants the sale of native reserves— this policy set the foundation for the commercial agricultural interests, which were heavily pushed by the British North Borneo Company. Under this law, Indigenous people in Sabah (Kadazan-Dusun, Murut, Bajau, and other groups) are eligible to apply for eight hectares of land, known as “Native Titles” (NT). Another pivotal legislation is the Ladang Act of 1913, which greatly restricted shifting cultivation and set the foundation for the demarcation of land that would eventually be commodified in future decades. Land that was previously claimed, but untitled, was appropriated by the government to be considered as “forest reserves”. For much of Sabah, this excluded local communities from natural resources and introduced a hierarchy in which certain activities and uses of the natural resources were judged more valuable than others.

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<sup>120</sup>The Official Portal of the Sarawak Government. “Sarawak Before 1841”.  
[https://sarawak.gov.my/web/home/article\\_view/235/246/?id=228](https://sarawak.gov.my/web/home/article_view/235/246/?id=228).

<sup>121</sup>Sabah Tourist Association. “History of Sabah.” [http://www.sta.my/sabah\\_history.cfm](http://www.sta.my/sabah_history.cfm).

This is relevant because the oil palm plantations are encroaching on native land using the same colonial framework.<sup>122</sup> It is also worth noting how much land the British controlled and how much was left for Indigenous people. In the mid-20th century, British businesses alone owned 43 percent of the land in the Malaysian Peninsula.<sup>123</sup>

Under SLO, Indigenous people are the “beneficiaries” of the communal title, not the owners themselves. The district office or the assistant collector of land revenue are in charge of deciding what crops are cultivated on their land. One major cause for concern is that communal titles have been granted to “outsiders” and also with joint ventures with developers, often “without the free, prior, and informed consent of native communities”.<sup>124</sup>

In 2021, exports of palm oil generated 108 billion Malaysian Ringgit (\$US 24 billion).<sup>125</sup> The Malaysian government has argued that the development of the oil palm industry would reduce poverty, especially in Sabah and Sarawak. While some may argue that the socioeconomic status of local Sabahans has improved, it is not without a high cost.<sup>126</sup> Though there are limited data available on the traditional economic determinants (such as wage or GDP per capita) for natives in Sabah and Sarawak, proxies for impoverishment (stunting and wasting) show that their livelihoods are being negatively impacted by the oil palm industry. As previously mentioned, stunting and wasting are increasing in these areas. Moreover, the hearings organized by the

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<sup>122</sup>Majid Cooke, Fadzilah. “In the Name of Poverty Alleviation: Experiments with Oil Palm Smallholders and Customary Land in Sabah, Malaysia.” *Asia Pacific Viewpoint* 53, no. 3 (2012): 240–53. <https://doi.org/10.1111/j.1467-8373.2012.01490.x>.

<sup>123</sup>Khalid, Muhammed Abdul. “Economic Inequality in British Colonial Malaya.” *Economic History Malaya*. <https://www.ehm.my/publications/articles/economic-inequality-in-british-colonial-malaya>.

<sup>124</sup>“The Forest Is Our Heartbeat’ The Struggle to Defend Indigenous Land in Malaysia.” Amnesty International, November 29, 2018. <https://www.amnesty.org/en/documents/asa28/9424/2018/en/>.

<sup>125</sup>Ghulam Kadir, Ahmad Parveez, et al. “Oil Palm Economic Performance in Malaysia and R&D Progress in 2021.” *Journal of Oil Palm Research*, July 13, 2022. <https://doi.org/10.21894/jopr.2022.0036>.

<sup>126</sup>Majid Cooke, Fadzilan. “In the Name of Poverty Alleviation”, 2012.

National Human Rights Commission of Malaysia in 2012 found that cash crop production “caused the violation of rights of access to means of livelihood”.<sup>127</sup>

Even so, some Sabahans have embraced smallholder oil palm plantations. The price of oil palm fluctuates heavily. The increase in prices catalyzed the participation of smallholder farmers.<sup>128</sup> There are concerns about how voluntarily local communities embraced oil palm cultivation. In order to encroach on native Sabahans’ land, the rhetoric employed by businesses and the government has painted oil palm plantations as an exciting new opportunity. The techniques could include coercion to the “creation of desire (for education and a higher standard of living)”.<sup>129</sup> Even if the Indigenous people were not strictly forced out, infrastructure projects played a big role in creating the conditions in which it was less desirable to stay. Pollution and waste from oil palm plantations negatively impacted soil and agricultural production.<sup>130</sup> Dams have flooded villages and displaced tens of thousands of Indigenous people in Malaysia.<sup>131</sup>

Indigenous people have received subsidies to grow their own oil palms. In general, the Indigenous communities have preferred to work as smallholders and have received subsidies from The Malaysian Palm Oil Board. In the early 2000s, the Sabah Ministry of Rural Development supplied local people up to six hectares each. Many local people depend on government-linked agencies to help sustain their farms.<sup>132</sup> It is worth noting that an oil palm

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<sup>127</sup>Majid Cooke, Fadzilan. “In the Name of Poverty Alleviation”, 2012.

<sup>128</sup>Tang, Kuok Ho Daniel, and Hamad M. S. Al Qahtani. “Sustainability of Oil Palm Plantations in Malaysia.” *Environment, Development and Sustainability* 22, no. 6 (August 1, 2020): 4999–5023. <https://doi.org/10.1007/s10668-019-00458-6>.

<sup>129</sup>Majid Cooke, Fadzilan. “In the Name of Poverty Alleviation”, 2012.

<sup>130</sup>Tang, Kuok Ho Daniel, Al Qahtani, Hamad M.S., “Sustainability of Oil Palm Plantations in Malaysia”, 2020.

<sup>131</sup>Aiken, S. Robert, and Colin H. Leigh. “Dams and Indigenous Peoples in Malaysia: Development, Displacement and Resettlement.” *Geografiska Annaler: Series B, Human Geography* 97, no. 1 (2015): 69–93. <https://doi.org/10.1111/geob.12066>.

<sup>132</sup>Majid Cooke, Fadzilan. “In the Name of Poverty Alleviation”, 2012.

begins to produce fruit three or four years after it has been planted, and so reaping economic benefits would require waiting for years.<sup>133</sup>

Additionally, even though large-scale oil palm plantations were developed to provide local employment, this has not been the case. Oil palm plantations are now dependent on foreign workers, mainly from Indonesia, who are paid at lower wages. In 2005, 78 percent of oil palm plantation workers were foreign and in 2009, average wages were 14.5 Malaysian Ringgit (\$US 3.05).<sup>134</sup> This number has remained consistent— in 2017, 77 percent of plantation workers were foreign workers.<sup>135</sup>

The independent smallholder farmers are the Indigenous people in Sabah. Though independent smallholder farmers account for a small proportion of oil palm production, their contribution has been growing over time. In 1995, smallholders only owned 16,700 hectares of land, the majority of which was devoted to oil palm. By 2005, they owned over 85,200 hectares. This could indicate that the local people are embracing the oil palm industry.

However, there are still problems with the government “granting” land access. From an institutional perspective, the Department of Land and Survey (DLS) receives over 30,000 land applications annually, but only processes about 12,000. Moreover, these NT applications take an average of six to ten years to be processed.

It is vital to highlight the importance of shifting agriculture practices. Indigenous groups in Malaysia have been practicing shifting for hundreds of years, but as previously mentioned, this was severely limited under British rule. The Malaysian government continues to implement policies that discriminate against Indigenous agricultural practices.<sup>136</sup> Shifting agriculture is often

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<sup>133</sup>FAO. “Modern Oil Palm Cultivation”. <https://www.fao.org/3/t0309e/t0309e01.htm>.

<sup>134</sup>Majid Cooke, Fadzilan. “In the Name of Poverty Alleviation”, 2012.

<sup>135</sup>Tang, Kuok Ho Daniel, Al Qahtani, Hamad M.S., “Sustainability of Oil Palm Plantations in Malaysia”, 2020.

<sup>136</sup>Majid Cooke, Fadzilan. “In the Name of Poverty Alleviation”, 2012.



referred to as rotational farming, swidden agriculture/cultivation, or slash-and-burn agriculture. This agricultural practice is defined by the removal of natural vegetation through cutting and burning with an alternation between cultivation and a longer period of bush or forest fallow. In between these periods, there is a typical cyclical shifting of fields which allows for more sustainable land use.<sup>137</sup> In spite of that, the Malaysian government considers that “idle” land must be used in order to combat poverty. As a result, government agencies have pushed for oil palm plantations to be developed in Indigenous “idle” land. Thus, some critics have argued that Indigenous people are not developing their own oil palm plantations because they want to, but they do it out of necessity to keep their lands and prevent larger oil palm plantations from encroaching on their land.<sup>138</sup>

That being said, it is necessary to contextualize the Malaysian government’s skepticism about shifting agriculture in a global context. Colonial and post-colonial governments in Asia have enacted laws to ban shifting agriculture for over a century, partly in response to the FAO’s statement in 1957 that declared “shifting cultivation as the most serious land-use problem in the tropical world”. At the same time, eradicating these practices was also part of the discriminatory attitudes and policies implemented at Indigenous peoples. In recent years, shifting cultivation has been viewed in a more positive light. For example, studies have shown that shifting agriculture is considered “an ideal solution for agriculture in the humid tropics”.<sup>139</sup>

During the colonial era, specifically 1946 to 1963, land in Sarawak was divided into five different categories. There was the “interior area land”, which was state owned, and consisted of the primary forest. The “reserved land” referred to state land and included protected forests,

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<sup>137</sup>“Shifting Cultivation, Livelihood and Food Security. New and Old Challenges for Indigenous Peoples in Asia,” FAO, 2015. <https://www.fao.org/3/I4580E/i4580e.pdf>.

<sup>138</sup>Majid Cooke, Fadzilan. “In the Name of Poverty Alleviation”, 2012.

<sup>139</sup>FAO, “Shifting Cultivation, Livelihood and Food Security.”, 2015.

national parks, and sanctuaries. The “native customary land” or the “Native Customary Rights (NCR) land” was customary land that was created by clearing virgin forests. New customary rights could be created only if the government allowed for the additional clearing of virgin forests. The “native area land” was land that only Indigenous people had the right to possess. Finally, the “mixed zone land” was land to which anyone could hold titles.

The different categories of land and new land laws heavily restricted Indigenous people’s access to virgin forests. Communities could not move into new areas for the purpose of shifting cultivation. As a result, land frequently had to be reused with an insufficient fallow period, leading to low yields. Households with small landholdings were no longer able to sustain themselves.

In Sarawak, there are two categories of forests: permanent and state forests. Permanent forests include forest reserves, protected forests, and communal forests. The first two are protected for their timber and forest produce. Hence, Indigenous people cannot claim customary rights over these lands. Within the category of permanent forests, some areas are designated as “communal forests”, which are the smallest in terms of acreage and are set aside for Indigenous communities. On the other hand, some land of state forests can be allocated for agricultural purposes, but can be converted into the status of a permanent forest.

In the 1960s, commercial logging began in Sarawak. By 1984, over 60 percent of the forest area was under concession. As the logging industry declined, deforested land has been converted to swidden agriculture. The Iban outside of Miri (northeastern Sarawak) have been growing acacias that can thrive on hilly ground, unlike oil palms. In the 1970s, wet paddies in swampy areas increased as the Iban began to produce more rice. Yet, by the 1990s, rice production declined as employment opportunities shifted towards oil and timber industries. As

roads were cleared and more oil palm processing factories were built, the oil palm industry's efficiency increased greatly. As more land was cleared for oil palm plantations, Indigenous people lost access to their land. One study found that in the early 1970s, 94 percent of the Iban were self-sufficient in terms of rice. By 2001, this number dropped to 30 percent.<sup>140</sup>

In Sarawak, under British colonial rule, agricultural smallholders were in charge of export-based cash crops, becoming an essential part of Indigenous agriculture. Therefore, cash cropping of rubber, cocoa, and pepper was used to diversify the crops (as opposed to only rice). While this helped mitigate the negative environmental impacts, rural farmers were adversely impacted by global price fluctuations.

Among these cash crops, rubber was preferred because it was relatively easy to grow when cash was low. On the other hand, pepper requires intense labor, the use of chemical fertilizers and pesticides, and has a relatively short productive lifespan of four to five years.

In the 1960s and 1970s, the Department of Agriculture granted subsidies, seeds, and new technologies to promote cash cropping. This set the framework that allowed the government to push for large-scale oil palm plantations.

Before the 1990s, oil palm plantations were largely controlled by the government. In fact, a 1980 report found that 79 percent of oil palm plantations were in government land schemes, 17 percent in private schemes, and four percent in small holdings. By 2000 alone, the acreage under oil palm plantations increased over sixteen times. This was largely pushed by private estates, accounting for 74 percent of oil palm acreage, and the government's role declining at 24 percent, and only two percent of the land being controlled by smallholders. This transition occurred

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<sup>140</sup>Sim, Hew Cheng. "Coping With Change: Rural Transformation and Women in Contemporary Sarawak, Malaysia," 2011. <https://doi.org/10.1080/14672715.2011.623524>.

because government land schemes often failed due to labor shortages and management failures.<sup>141</sup>

In the 1970s, Sarawak Land Consolidation and Rehabilitation Authority (SALCRA) was launched to develop NCR land with Indigenous communities. As the price of these natural commodities fell globally, SALCRA's limited funding meant that projects were not run successfully. Consequently, in 1981, the government created the Land Custody and Development Authority (LCDA) to promote ventures with the private sectors. More specifically, LCDA identifies suitable land and acquires them for the development of plantations. Under this model, Indigenous people and local communities would provide labor and receive share certificates, which meant that community members were both laborers and shareholders, yet did not have a say in decision making. This strategy did not prove successful as it slowed the process of obtaining new lands.<sup>142</sup>

In 1994, Sarawak's chief minister, Taib Mahmud, introduced *Konsep Baru* or New Concept. Under this model, the private sector pays for the plantation development and owns 60 percent of the joint venture. Communities would pool their land into blocks of 5,000 hectares and lease it for sixty years, which is the equivalent of two cycles of an oil palm plantation. These communities would receive 30 percent of the venture. The State, with LCDA acting as the trustee, would hold 10 percent. While some Indigenous people have been receptive to *Konsep Baru*, many Indigenous communities were skeptical. Concerns included the division of profit, the promise of land being returned after 60 years, and the quality of land after oil palm introduction. These concerns also slowed down the process. The State of Sarawak had set a goal of having one million hectares of oil palm plantations by 2010 and the lengthy process meant

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<sup>141</sup> Sim, Hew Cheng. "Coping With Change", 2011.

<sup>142</sup> Sim, Hew Cheng. "Coping With Change", 2011.

that more drastic rhetoric was used by the government to obtain land ownership. In particular, the government drew from the colonial-era harmful narrative that “idle” land was land that was “uncultivated native land, fallowing land, land set aside for hunting and gathering, or left untouched for ecological reasons”. As a result, this was considered wasteful and was owned by the state. The 2000 Land Code Amendment was introduced to expedite the delineation of land boundaries, and Indigenous people had to prove ownership of NCR land. Hundreds of land dispute cases are still pending in the courts.<sup>143</sup>

Thus, while oil palm plantations were painted as a possibility of social mobility for Indigenous groups, the economic benefits concentrated towards the private corporations and the elite, not the local communities. Chief Minister Taib Mahmud’s government was plagued with corruption, especially with scandals that he favored his inner circle. Around 25 percent of total land in Sarawak is held by current party elites.<sup>144</sup>

Under Section 76 of SLO 1930, Indigenous groups can also apply for customary land rights. In practice, however, this has resulted with Indigenous groups eventually selling their land rights under the pressure of the private sector.

In 2009, Section 76 was amended so that Indigenous groups could be awarded customary rights over lands that were previously scheduled for development. Even though this could be interpreted as a win for Indigenous rights, there have been criticisms of this amendment. For instance, the chief minister has to personally approve the customary rights designation, and the customary rights are only awarded if they are linked to a government entity or private corporation that is sanctioned by the chief minister. This puts the chief minister in a position of power, with no checks to prevent corruption or exploitation. Thus, Indigenous groups do not

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<sup>143</sup> Sim, Hew Cheng. “Coping With Change”, 2011.

<sup>144</sup> Sim, Hew Cheng. “Coping With Change”, 2011.

really have control over these “customary rights” that SLO 1930 provides. At the same time, this model of customary rights enables the state government to benefit from additional funds that could be allocated to help the poor in Sabah. <sup>145</sup>

Most of the Orang Asli still live in rural areas and depend on cash crops, fishing, petty commerce, and wage labor. Since they are a relatively small proportion of the population, the Orang Asli do not have much political power. Under the Aboriginal Peoples Act, the Orang Asli’s legal status is defined and certain lands are assigned as “aboriginal areas/reserves”. However, even in these assigned areas, the Orang Asli have very limited flexibility in obtaining collective or individual land titles. Furthermore, the designation of these lands is voluntary and determined by each individual state and can be revoked by the state at any point without the consultation of the Orang Asli. <sup>146</sup> Thus, even the land rights possessed by the legally recognized Indigenous are not comprehensive.

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<sup>145</sup>Majid Cooke, Fadzilan. “In the Name of Poverty Alleviation”, 2012.

<sup>146</sup>Aiken, S. Robert and Leigh, Colin H. Leigh, “In the Way of Development”, 2011.

## Poverty Alleviation

According to the FAO, when referring to Indigenous people, it is crucial to make a distinction between “poor” and “the process of impoverishment”. Indigenous people have been impoverished through actions outside of their control, such as the “dispossession of their traditional lands, the denial of access to forests and other natural resources, or the prohibition of some livelihood practices, such as shifting cultivation”.<sup>147</sup> As this section will explore, the Malaysian government has not enacted any policies to adequately regulate the disproportionate levels of poverty the native Sabahans and Sarawakans face.

The Malaysian government’s policies to fight against poverty have been met with criticism. This is perhaps best represented by the fact that there is no consensus on the definitions of poverty and the poverty line in Malaysia. Currently, Malaysia’s Poverty Line Income (PLI) is based on the ability to access the three main requirements of a household: food, clothing, and footwear. Households are termed as being in “extreme poverty” if their monthly income falls below 460 Malaysian Ringgit (\$US 175), 630 Malaysian Ringgit (\$US 147), and 590 Malaysian Ringgit (\$US 137) in Peninsular Malaysia, Sabah, and Sarawak respectively. Poverty levels are defined differently among these areas because of additional transportation costs in Sabah and Sarawak.<sup>148</sup> These extremely poor households do not earn enough income to fulfill basic survival needs (food, clothing, and shelter). On the other hand, “poor” households earn an average monthly income of less than 760 Malaysian Ringgit (\$US 177), 1,050 Malaysian Ringgit (\$US 245), and 910 Malaysian Ringgit (\$US 213) in Peninsular Malaysia, Sabah, and Sarawak

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<sup>147</sup>FAO, “Shifting Cultivation, Livelihood and Food Security.”, 2015.

<sup>148</sup>Qi Ren, Derek Kok. “How Malaysia Is Measuring Poverty Levels and How It Can Do Better.” Jeffrey Cheah Institute on Southeast Malaysia, September 6, 2019.  
<https://jci.edu.my/how-malaysia-is-measuring-poverty-levels-and-how-it-can-do-better/>.

respectively. People who were considered “poor” were those who could not live in “decent” standards, such as being able to afford healthcare or education.

In the 1950s and 1960s, Malaysia’s economic growth was accelerated by the development of export commodities, which led to an unbalanced growth in different geographical areas. The Malaysian government has created several long-term plans to address the socio economic inequalities, across both ethnic and urban/rural dimensions. These policies included the New Economic Policy (NEP), which ran from 1971-1990, New Development Policy (NDP) from 1991-2000, and the National Vision Policy (NVP) from 2001-2010.<sup>149</sup>

In order to understand these policies, it is important to see how ethnicity played a role in socioeconomic inequality. British rulers established an ethnic division of labor, favoring non-Malays (the Chinese and Indian populations) in the workforce. Chinese workers and entrepreneurs came in as the plantation and mining sectors grew. The Indian population heavily increased as rubber plantations needed more workers. Some scholars argue that the Malays did not want to work as wage laborers, while others that British people had a negative perception of Malays and that they were only suitable as paddy farmers. It is also argued that the reason behind this ethnic division was that immigrants were willing to accept the low wages the British offered. Nonetheless, this resulted in the Bumiputera often living in rural areas with a lack of access to education, in comparison to the Chinese and Indian communities who lived in more urban areas. This resulted in the Bumiputera having less exposure to resources that would prepare them for Malaysia’s growing non-farm economy. The ethnic polarization continued with Malays working predominantly in the farm sector, and the non-Malays in different areas, resulting in mass socioeconomic differences. In Peninsular Malaysia in 1970, the Chinese’s income was more than

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<sup>149</sup>Golam Hassan, Asan Ali. “Poverty Eradication: The Malaysia Way of Organizing Poor and Landless People,” 2007.



three times that of the Bumiputera living in rural Malaysia. After social unrest in 1969, the Malaysian government began developing policies to address these differences.<sup>150</sup>

The NEP institutionalized the concept and identity of “Bumiputera”. Given the deep ethnic divide in the nation, NEP sought to unify the community, but it ended up harming the Indigenous communities in Sabah and Sarawak, as discussed in Chapter 1.<sup>151</sup> NEP’S two main goals were poverty alleviation and the elimination of the “identification of race with economic function”.<sup>152</sup> In practice, it served as an affirmative action program for the Bumiputera. The program attempted to restructure society to balance the economic levels between ethnic Malay and ethnic Chinese and Indian Malaysians. The overall goal was to reduce the poverty level of 49 percent in Peninsular Malaysia to 16 percent by 1990. There is debate on the success of the NEP, and the NDP quickly replaced it.<sup>153</sup>

NDP’s main goals were cast as “growth and equal distribution”, especially between urban and rural states.<sup>154</sup> In order to reach these goals, the government emphasized the growth of the private sector and reduced the involvement of the public sector. During the NDP, the bottom 40 percent of households improved their household income, which is reflected in improvements in the Gini coefficient from 0.480 to 0.445, 0.491 to 0.459, and 0.498 to 0.448 in Peninsular Malaysia, Sabah, and Sarawak, respectively. Despite these improvements, the Indigenous groups

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<sup>150</sup>Ravallion, Martin. “Ethnic Inequality and Poverty in Malaysia since May 1969. Part 1: Inequality.” *World Development* 134 (October 1, 2020): 105040. <https://doi.org/10.1016/j.worlddev.2020.105040>.

<sup>151</sup>Ibrahim, Zawawi. “The New Economic Policy and the Identity Question of the Indigenous Peoples of Sabah and Sarawak.” In *The New Economic Policy in Malaysia*, 2013. [https://www.researchgate.net/profile/Zawawi-Ibrahim/publication/287216692\\_The\\_New\\_Economic\\_Policy\\_and\\_the\\_identity\\_Question\\_of\\_the\\_Indigenous\\_Peoples\\_of\\_Sabah\\_and\\_Sarawak/links/56744aa808ae0ad265ba76d7/The-New-Economic-Policy-and-the-identity-Question-of-the-Indigenous-Peoples-of-Sabah-and-Sarawak.pdf](https://www.researchgate.net/profile/Zawawi-Ibrahim/publication/287216692_The_New_Economic_Policy_and_the_identity_Question_of_the_Indigenous_Peoples_of_Sabah_and_Sarawak/links/56744aa808ae0ad265ba76d7/The-New-Economic-Policy-and-the-identity-Question-of-the-Indigenous-Peoples-of-Sabah-and-Sarawak.pdf).

<sup>152</sup>Golam Hassan, Asan Ali. “Poverty Eradication”, 2007.

<sup>153</sup>Jomo, K.S., “The New Economic Policy and Interethnic Relations in Malaysia”, 2004.

<sup>154</sup>Golam Hassan, Asan Ali. “Poverty Eradication”, 2007.

in Sabah and Sarawak and the Orang Asli still faced disproportionate levels of poverty.<sup>155</sup> The main emphasis was to help the Bumiputera Commercial and Industry Community (BCIC).<sup>156</sup> Though the NDP states that “the Government will provide the necessary support facilities, in particular, to the hard-core poor in order to encourage them to be self-reliant” in Sabah and Sarawak, it does not specify what these facilities actually are.

NVP’s goals continue this goal by targeting ethnic groups within regions.<sup>157</sup> At the same time, NVP is the first plan that includes pursuing environmental protection alongside economic development goals.<sup>158</sup>

Despite several programs aimed to reduce poverty, the people living in Sabah and Sarawak still experienced disproportionate levels of poverty. Though land development programs such as FELDA and FELCRA were developed as a poverty alleviation tactic, they ended up displacing and harming the poorest, native communities in rural areas.<sup>159</sup>

In 1954, The World Bank issued a recommendation report where Malaysia should “create land tenure security condition for the poor rural families”.<sup>160</sup> Shortly thereafter, FELDA was founded in 1956 “for the development of land and relocation with the objective of poverty

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<sup>155</sup>“Policy Objectives and Framework”.

<https://www.epu.gov.my/sites/default/files/2020-08/Chapter%20I%20-%20Policy%2C%20Objectives%20and%20Framework.pdf>.

<sup>156</sup>Berma, Madeline. “Towards the National Vision Policy: Review of the New Economic Policy and New Development Policy Among the Bumiputera Communities in Sarawak” XXI, no. 1 & 2 (2003).

<http://web.usm.my/km/KM%2021,2003/21-9.pdf>.

<sup>157</sup>Golam Hassan, Asan Ali. “Poverty Eradication”, 2007.

<sup>158</sup>Saadatian, Omid, et al. “Perspective of Sustainable Development in Malaysia.” *International Journal of Energy and Environment*, January 1, 2012.

<sup>159</sup>Wahab, Haris Abd, William Bunyau, and M. Rezaul Islam. “Microcredit for Rural Poverty Alleviation and Social Well-Being: A Study of Sabah, Malaysia.” *Asian Social Work and Policy Review* 12, no. 1 (2018): 4–16.

<https://doi.org/10.1111/aswp.12133>.

<sup>160</sup>Barau, Aliyu Salisu, and Ismail Said. “From Goodwill to Good Deals: FELDA Land Resettlement Scheme and the Ascendancy of the Landless Poor in Malaysia.” *Land Use Policy* 54 (July 1, 2016): 423–31.

<https://doi.org/10.1016/j.landusepol.2016.03.009>.

eradication through the cultivation of oil palm and rubber.”<sup>161</sup> A 1962 article explains that FELDA is “an instrument designed to develop idle land”, which ties to the encroachment of Indigenous people’s land as they practice shifting agriculture. By 1981, FELDA became the world’s largest plantation company and up until 1990, FELDA was the largest producer and exporter of palm oil in Malaysia. This rapid expansion is due to the large amounts of land they were developing— in 1958 they had an expenditure of 3.2 million Malaysian Ringgit (\$US 704,000) and by 1981, their expenditure was \$538 million Malaysian Ringgit (\$US 118 million). As part of FELDA, poor people in rural areas were resettled. In 1979, eight percent of all inter-state migration was due to FELDA. As of 2016, FELDA has established over 400 settler communities, which cover 16 percent of Malaysia's total land area. <sup>162</sup>

As a result of FELDA, “urban villages” were created, in which inhabitants lead lives that no longer follow their villages’ traditions. The typical FELDA scheme starts when contractors are brought in to deforest the area and plant the desired crop (at the beginning, the most popular crop was rubber, but that has transitioned to oil palm). Contractors build basic infrastructure such as roads, schools, and homes. Sometimes settlers are employed as salaried workers until crops begin production. After the mortgage is paid off, each family is then given a title to a plot of land, but there are certain constraints, like the inability to subdivide the title. Even though families will eventually own their land (assuming they pay off the mortgage), the scheme is managed as an estate or plantation. The average FELDA scheme ranges from 3,000 to 5,000 acres (1,214 hectares to 2,023 hectares). Additionally, there are usually 10 FELDA staff members, such as a manager, social and community development worker, and agricultural

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<sup>161</sup> FELDA. “About FELDA”. <https://www.felda.gov.my/en/public/felda/about-felda>.

<sup>162</sup>Barau, Aliyu Salisu, and Ismail Said. “From Goodwill to Good Deals”, 2016.

extension workers. Non-FELDA staff members provide services like education and healthcare. Each FELDA scheme has a Scheme Development Committee, which serves as the decision-making body. A leader is appointed for each block of 20 families in the scheme, who then holds a seat in the committee. The Chair of the Committee is the scheme manager.<sup>163</sup>

FELDA resettlement schemes are mainly distributed in Peninsular Malaysia. Similar resettlement schemes in Sabah and Sarawak are often called “Sahabat”. That being said, communal lands in Sabah and Sarawak were integrated into FELDA schemes “through issuing land titles to Indigenous communities”. Although this was meant to integrate local communities, the introduction of monoculture, particularly oil palm, has led to heightened tension.

One big concern related to FELDA is the duration of settlement. Therefore, FELDA schemes have adopted different approaches to try and achieve long-term success. First, they are located in rural and semi-urban areas, in part to avoid conflicts with population pressure. Second, the transition from rubber to oil palm was meant to provide stability of the finances of the FELDA program itself. In more recent years, the focus has shifted to third-generation settlers, including benefits such as education, employment and training. A typical FELDA scheme will have a youth club, a parent-teachers association, women’s committees, and mosque committees. This is aimed to foster a sense of community and belonging. Additionally, it is worth noting that land titles are often given to the wives as the beneficiaries.

Between the 1950s and 1970s, most of the FELDA schemes were rural and did not have good infrastructure. By the late 1980s, FELDA sites developed into towns surrounded by agricultural land with supplemental social amenities.<sup>164</sup> As demonstrated by the case study of

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<sup>163</sup>Mamat, Mohd Zufri, et al. “An Attempt at Implementing a Holistic Inclusive Development Model: Insights from Malaysia’s Land Settlement Scheme.” *Asia Pacific Viewpoint* 57, no. 1 (2016): 106–20. <https://doi.org/10.1111/apv.12115>.

<sup>164</sup>Barau, Aliyu Salisu, and Ismail Said. “From Goodwill to Good Deals”, 2016.

one FELDA scheme, Semarak Jengka 15, some of the amenities include a mosque, civic hall, football field, police station, hospital, and school . This scheme consists of 126.9 hectares of residential land and 1787.5 hectares of agricultural land. It is one of the oldest schemes and one of the 25 settlements within the Jengka Triangle, which is the largest FELDA cluster. The Jengka Triangle is located in the state of Pahang. Not all of the settlers work on the plantation. For instance, in this one FELDA scheme, 56 percent of the settlers work as farmers, nine percent as fishermen, seven percent do not have a fixed job, and 21 percent fall under “Others”. That being said, due to the intense work oil palm processing requires, FELDA management established a standard by which each harvesting activity must be completed in a 10-day cycle. Thus, each block, including 30 settler families, must harvest a total of 300 acres (121 hectares). The harvesting work is completed in the spirit of *gotong royong*, or a collective effort from the block. The profit earned in a harvest cycle of 20 days for 300 acres is 30,000 Malaysian Ringgit (\$US 6,971). This is divided evenly among the families, meaning that each family receives 1,000 Malaysian Ringgit (\$US 232). The people who are considered “farmers” are settlers who work in other settlers’ farms to earn additional income.

		Current household income (MYR)					Total
		<500	501 – 1000	1001 – 2000	2001 – 3000	>3000	
Household income before joining FELDA	<200	8	80	20	4	4	116
	200 – 400	0	40	20	0	0	60
	401 – 600	0	0	4	4	4	12
	>600	0	4	4	0	0	8
Total		8	124	48	8	8	196

**Figure 9.** Income of Settlers in 2012 Before and After Joining FELDA Semarak.<sup>165</sup>

<sup>165</sup> “Table 2. A comparison of income of settlers before and after joining FELDA Semarak, 2012” by Mamat, Mohd Zufri, et al. “An Attempt at Implementing a Holistic Inclusive Development Model”, 2016.

Socioeconomic stability and mobility seem to be the main motivations for settlers to join the FELDA scheme. Since FELDA policy dictates that at least 10 acres of land will be allocated per household, people are attracted to the notion of securing a piece of land. As of 2016, 59 percent of the settlers in the FELDA Semarak Scheme earned 200 Malaysian Ringgit (\$US 46) or less per month. After joining the FELDA Semarak Scheme, 63 percent of settlers earn between 500 and 1,000 Malaysian Ringgit (\$US115 to \$US 231) per month.<sup>166</sup>

Land resettlement schemes have been heavily studied, such as the Transmigration projects in Indonesia or the Accelerated Mahaweale Project in Sri Lanka. The Scudder model is often used to analyze the success of land resettlement schemes. This model, created in 1984, follows the assumption that all land resettlement schemes follow a four stage process. The first stage is “planning infrastructure development and recruitment”, the second stage is “transition”, the third one is “economic and social development”, and the last stage involves “handing over and incorporation”. Though one may argue that the land resettlement schemes improve people’s accessibility to land, there needs to be an adjustment in the size of land allocation and user benefits.<sup>167</sup>

FELCRA was established to help rehabilitate the land in existing agricultural areas through “the adoption of modern agricultural practices”.<sup>168</sup> According to a World Bank report, this project was meant to increase the income of 12,000 low-income rural households, extend over 34,000 hectares, rehabilitate 40 unassisted land development schemes, and construct two palm oil mills. At least 75 percent of the beneficiaries were supposed to be rural households whose income fell below the poverty line and their incomes should have more than doubled upon

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<sup>166</sup>Mamat, Mohd Zufri, et al. “An Attempt at Implementing a Holistic Inclusive Development Model”, 2016.

<sup>167</sup>Barau, Aliyu Salisu, and Ismail Said. “From Goodwill to Good Deals”, 2016.

<sup>168</sup>Golam Hassan, Asan Ali. “Poverty Eradication”, 2007.

the completion of this program.<sup>169</sup> The World Bank loaned \$US 94 million in 1997 to support this project.<sup>170</sup> As of September 2022, FELCRA has developed nearly 204,000 hectares of farm land on behalf of over 105,000 participants across 1,366 projects.<sup>171</sup>

There are many institutions involved in the agricultural industry. The Farmers' Organization Authority of Malaysia (LPP) is focused on increasing the income and productivity of smallholder farmers. The Federal Agricultural Marketing Authority (FAMA) is focused on building the networks between farmers and consumers.

Under the Ministry of Rural and Regional Development, the government introduced two new authorities. RISDA helps rubber smallholders through subsidies and replanting of rubber trees.<sup>172</sup>

Some scholars have identified three main poverty alleviation strategies in Malaysia. The first one consists of increasing the agricultural sector's efficiency and providing financial assistance to those working in the sector. The second strategy is to encourage people to find employment in higher productivity sectors, such as shifting from agriculture to the industrial field. The third strategy is to implement social welfare programs, assisting with services such as housing and education.<sup>173</sup>

In 2016, Sabah and Sarawak reported the highest rates of poverty in the country.

Inhabitants of Sabah and Sarawak are mainly dependent on agriculture, forestry, and fishery.

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<sup>169</sup>World Bank. "Malaysia - FELCRA Project."

<https://documents.worldbank.org/en/publication/documents-reports/documentdetail/483301468045087770/Malaysia-FELCRA-Project>.

<sup>170</sup>Implementation Completion Report: Malaysia Third FELCRA Development Project." The World Bank, 1998.

<https://documents1.worldbank.org/curated/en/415731468281717770/pdf/multi-page.pdf>.

<sup>171</sup>"Company Overview FELCRA." FELCRA Berhad, October 27, 2020.

<https://felcra.com.my/corporate-information/company-overview/>.

<sup>172</sup>Golam Hassan, Asan Ali. "Poverty Eradication", 2007.

<sup>173</sup> Tedong, Peter Aning, et al. "Rural Residents' Perceptions on the Poverty Alleviation and Governance in Sarawak, Malaysia." *International Journal of Business and Society* 23, no. 2 (August 8, 2022): 649–64. <https://doi.org/10.33736/ijbs.4831.2022>.

Though the incidence of poverty in these states has been decreasing throughout the years, it is still a major cause for concern that they live in such high levels of poverty. In 2016 the level of absolute poverty was 11.9 percent, which fell to 9.0 percent in 2019. These incidences of poverty are related to limited access to healthcare, nutrition, housing, and sanitation.<sup>174</sup>

Sarawak is the biggest state in Malaysia in terms of area, but it is sparsely populated and mainly rural. In 2019, Sarawak had a population of 2.8 million people or 23 people per square kilometre. That same year, the median household monthly income was 4,544 Malaysian Ringgit (\$US 1039). There is also a significant difference between the urban and rural areas within Sarawak— urban areas have a median income of 5,789 Malaysian Ringgit (\$US 1324) as opposed to the median income of 3,195 (\$US730) for rural areas.<sup>175</sup>

The largest native group in Sarawak are the Iban, which also has the highest incidence of poverty in the state. This can be partly explained due to the remoteness of the community. This remoteness leads to a lack of access to urban markets and a greater dependency on agriculture as a main source of food and income. Most Iban communities live in “Rumah Panjai”, composed of 20 to 30 families. In order to reach these remote communities, one has to travel along the river by boat. The FAO listed the remoteness of Sarawak as one of the main reasons why there is rural poverty in this region.<sup>176</sup>

Many programs and policies have been put into effect to alleviate poverty in Sarawak. The Ministry of Rural and Regional Development also has introduced the People’s Welfare Development Scheme to “reduce poverty, especially for the Indigenous and Bumiputera in Sarawak.” Within this scheme, some programs include the Income Improvement Program (PPP), Skills and Career Training Program (PLKK), Home Assistance Program (PBR), Education

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<sup>174</sup> Tedong, Peter Aning, et al. “Rural Residents’ Perception on the Poverty Alleviation”, 2022.

<sup>175</sup> Tedong, Peter Aning, et al. “Rural Residents’ Perception on the Poverty Alleviation”, 2022.

<sup>176</sup> Tedong, Peter Aning, et al. “Rural Residents’ Perception on the Poverty Alleviation”, 2022.



Excellence Program (PPMS), The Balanced Food Supplement Program (PTMS), Child Care Centre (TASKA), and the Amanah Saham Bumiputera (ASB).<sup>177</sup>

The Ministry of Rural Development has implemented four main infrastructure programs: the Rural Road Program, Rural Water Supply Program, Rural Electricity Supply Program, and the Village Road Program. In 2015, all of the programs received funding to improve the facilities in rural areas, in accordance with the Ministry's goal of having 100 percent of basic infrastructure coverage in Peninsular Malaysia and 80 percent in Sabah and Sarawak.<sup>178</sup>

Researchers have interviewed the Iban community in the Kapit Division of Sarawak about their lived experiences and perceptions about the poverty alleviation programs in Sarawak. There seems to be a repeated sentiment of distrust against the government, claiming that discussions surrounding poverty alleviation were performative, particularly around election season. For instance, one interviewed individual stated that: "lots of promises were made during the State General Election to improve living conditions in our areas... but until today minimal implementation has been done" whereas another said that: "During elections, new water tanks will be rolled out and distributed to the rural areas' longhouses. Nevertheless, instead of distributing water tanks, wouldn't it be better to allocate funding to provide regular water supply into the houses in these areas? Access to a clean and regular water supply in rural areas has been a long-term problem in Sarawak. I think the government did not take action seriously in helping us". Among the respondents, there is a sense of frustration that the government does not listen to local people's needs: as voiced by one individual: "When it comes to state general election season, the government will start promising to develop our area...All these promises are to attract our attention so that we can vote for them... We just want improvement in terms of basic

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<sup>177</sup> Tedong, Peter Aning, et al. "Rural Residents' Perception on the Poverty Alleviation", 2022.

<sup>178</sup> Tedong, Peter Aning, et al. "Rural Residents' Perception on the Poverty Alleviation", 2022.

infrastructures such as road connectivity and access to electricity in our area, but until today, no significant changes have been made... After all, we still struggle in our daily life...".<sup>179</sup>

While the statistics about the success of the Ministry's specific welfare programs are not published by the Malaysian government, respondents alluded to the pitfalls of the programs. For instance, one individual stated that: "I am very poor, but my application was rejected by them just because I have children whom they (government) think will give monthly allowances to me". Another mentioned that "I believe that the government's social assistance has not reached the actual target as more poor people did not get the assistance... Although some poor people get help from the government, the assistance is not enough. I do not know how the government process the applications for the social assistance programs but some of the applications were rejected even though the applicants felt they were entitled to the assistance".<sup>180</sup> Even if the programs have been relatively successful, it is concerning that members of one of the poorest communities in Sarawak harbor these feelings.

In regard to the success of the infrastructure programs, several Iban community members voiced their concerns. They are well aware of the obstacles in economic advancement due to the remoteness of their village, and, as one resident voiced: "The government has promised to build roads from the nearby town to our longhouse... The promise has been made for the past 20 years, but the road is still not ready and still under construction... I think the construction of roads has been happening for the past years, but the construction is still ongoing... We cannot commercialize our agriculture products because we [are] highly depending on the river as our main transportation system... you imagine from my area to Song (small town) it will take me 3 to 4 hours by boat".<sup>181</sup>

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<sup>179</sup> Tedong, Peter Aning, et al. "Rural Residents' Perception on the Poverty Alleviation", 2022.

<sup>180</sup> Tedong, Peter Aning, et al. "Rural Residents' Perception on the Poverty Alleviation", 2022.

<sup>181</sup> Tedong, Peter Aning, et al. "Rural Residents' Perception on the Poverty Alleviation", 2022.

Others have expressed frustration regarding the infrastructure programs regarding electricity. For example, “the government recently has provided us with solar energy... not that we didn't appreciate the efforts but the battery capacity for the solar only allow us to use it for only 12 hours”. Thus, residents in Kapit often have to resort to using kerosene lamps or generators as opposed to solar energy. Not only does this harm the environment, but it also provides additional costs, as explained by a resident: “Cost to buy fuel for the electrical generator is very expensive... if we use a generator every day, we will spend at least RM300 [US\$ 70] per month to buy the fuel. This is a huge burden for us as we don't have money to buy the fuel. Personally, I am very sad about this situation... after more than 60 years of independence, we still live in this situation (no access to 24 hours electricity)”.<sup>182</sup>

The oil palm plantations have polluted the water in the river due to chemical fertilizers and pesticides. As one resident in Kapit explains: “10 years ago the water is so clean in our areas...after the palm plantations introduced in our area, our drinking water sources were very dirty... not that we reject development but the palm plantations destroyed rainforest in our areas.”<sup>183</sup>

As this thesis will explore, many rural communities are migrating and leaving their villages. Though some people are moving directly because of resettlement schemes, some of them are leaving due to the dire economic situation. One individual shared that “no significant changes in the area for the past 20 years... everything look[s] the same... so our children moved out from this area to get better jobs in other areas... no job opportunities here.”<sup>184</sup>

Furthermore, SALCRA is one of the state agencies that has received the most criticism. Though it was intended to improve the socioeconomic status of farmers, SALCRA's funding is

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<sup>182</sup> Tedong, Peter Aning, et al. “Rural Residents' Perception on the Poverty Alleviation”, 2022.

<sup>183</sup> Tedong, Peter Aning, et al. “Rural Residents' Perception on the Poverty Alleviation”, 2022.

<sup>184</sup> Tedong, Peter Aning, et al. “Rural Residents' Perception on the Poverty Alleviation”, 2022.

limited and does not have the capacity to fulfill all the needs of the rural poor.<sup>185</sup> SALCRA essentially functions as a resettlement scheme for the Indigenous communities.

For instance, under the Batang Ai Resettlement scheme, SALCRA was given the responsibility by the state not only to develop the land into a plantation, but also to compensate the inhabitants of the resettlement scheme. In 1982-1984, a hydro-electric dam was constructed that flooded the land of 3,000 Iban people. Most of these people were moved to a scheme six kilometers away, downstream of the dam. The size of the flooded area was approximately 8,500 hectares and the Batang Ai Resettlement scheme was 3,200 hectares. Although SALCRA has registered the settlers as owners, the settlers have no independent legal claim to the land. Each family received two acres less than the government first promised them, receiving nine acres instead. Regardless, the SALCRA scheme controls eight out of these nine acres. Five of them are planted with rubber and five of them are planted with oil palm. Studies investigating the success of the SALCRA scheme have a difficult time assessing whether the establishment of the program improves the lives of the participants.<sup>186</sup>

Another example is the Nanga Sumpa village located at the Delok river, above the Batang Ai Hydroelectric Dam. A study analyzing the impacts of the dam on the village showed how Indigenous people are still practicing shifting cultivation. The most fundamental crop is rice, as cultural and religious practices revolve around its importance. However, rice fields are only farmed for one year before they are fallowed for six years; this is not sufficient for subsistence levels. Intercropping includes crops such as cassava, pumpkin, bananas, and vegetables. While rubber has been cultivated for decades, tapping is irregular due to low global prices. While

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<sup>185</sup> Tedong, Peter Aning, et al. "Rural Residents' Perception on the Poverty Alleviation", 2022.

<sup>186</sup> Banerjee, Nina, and Kristina P.M. Bojsen. "Negotiability and Limits to Negotiability—Land Use Strategies in the SALCRA Batang Ai Resettlement Scheme, Sarawak, East Malaysia," 2005.

<https://www.tandfonline.com/doi/epdf/10.1080/00167223.2005.10649523?needAccess=true&role=button>.

Indigenous groups are resilient, they struggle to be self-sufficient as they are subject to global conditions.<sup>187</sup>

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<sup>187</sup>Mertz, Ole, et al. "Subsistence or Cash: Strategies for Change in Shifting Cultivation," 1999.  
<https://tidsskrift.dk/geografisktidskrift/article/download/42455/49373?inline=1>.

## Response and Treatment of the Indigenous Communities

As Malaysia continues to develop economically, many government officials have looked down upon Indigenous people's customs, as they see their traditions as an obstacle to capitalistic economic growth. The government continues to appropriate and develop Indigenous lands in the name of poverty alleviation of these marginalized groups. Despite this, the development of oil palm plantations, resettlement schemes, logging and dam construction have worsened their situation.<sup>188</sup>

Indigenous communities in Sarawak have been repeatedly harassed by what the Indigenous people call “gangsters”. In 2013, a 71-year old Iban activist from Melikin, Sarawak was attacked by four men and hospitalized for three months. Although he filed a police report, the police have claimed to have lost the file three times. Despite this incident, he has stated: “I will never stop defending my rights on the land— because this land is the forest, we depend on the forest for future generations— no land, no life. I am not scared, I am willing to fight for the land for the rest of my life.”<sup>189</sup>

A community leader from Melikin, Sarawak, Michael Luang, explained that the “conversation” between developers/contractors and Indigenous communities are one-sided. In 2011, he and his community were notified that a provisional lease was granted and that a spokesperson came and told them that the company was in charge of the land. Luang later described that his car was set on fire during the court battle for his ancestral land. The government ruled that the communities lacked sufficient evidence to claim ancestral land use. Nonetheless, Luang has stated that he will not give up defending his land: ““The trees, land,

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<sup>188</sup> Aiken, S. Robert and Leigh, Colin H. Leigh, “In the Way of Development”, 2011.

<sup>189</sup> “‘The Forest Is Our Heartbeat’ The Struggle to Defend Indigenous Land in Malaysia.” Amnesty International, 2018.

rivers belong to us. I was born there searching for food there. That land is our market and our bank – we cannot depart from our land.”<sup>190</sup>

These “gangsters” have been attacking Indigenous communities for years. In 2016, the Deputy Chief Minister of Sarawak, James Masing, stated that “Sarawak must be very serious and strict about people being described as gangsters and stop them once and for all. Or the problem of gangsterism in plantations will never end.” Moreover, companies that were found to employ “gangsters” would have their developing licenses revoked. Yet, not a single company has been even investigated for employing “gangsters” who have attacked Indigenous people.<sup>191</sup>

Indigenous communities have organized and fought against these policies. Several local and international non-governmental organizations (NGOs) in Malaysia focus on helping Indigenous groups. However, the Malaysian government has laws restricting political opposition, especially for groups advocating against mega dams and capital-intensive resource extraction. Though the Malaysian government can restrict the print and broadcast media, it does not censor access to the Internet, which is where NGOs are most active. There is a coalition of NGOs fighting for Indigenous rights The Indigenous Peoples Network of Malaysia. In Peninsular Malaysia, the Center for Orang Asli Concerns and the Orang Asli Association of Peninsular Malaysia are the two main organizations advocating for Orang Asli groups. In Sabah and Sarawak, Indigenous members have formed the Sarawak News, Partners of Community Organizations, and the Borneo Resources Institute.<sup>192</sup>

Indigenous communities have adopted peaceful mechanisms to reject the government’s approaches to their land. The Chewong (part of the Orang Asli in Pahang) abandoned a

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<sup>190</sup> “‘The Forest Is Our Heartbeat’ The Struggle to Defend Indigenous Land in Malaysia.” Amnesty International, 2018.

<sup>191</sup> “‘The Forest Is Our Heartbeat’ The Struggle to Defend Indigenous Land in Malaysia.” Amnesty International, 2018.

<sup>192</sup> Aiken, S. Robert and Leigh, Colin H. Leigh, “In the Way of Development”, 2011.

government settlement and returned to the forest. Some communities in Sarawak refuse to participate in the government's oil palm plantation schemes. The Eastern Penan of Sarawak have blocked access to the logging access roads. Though most of these blockades took place between 1989 and 1993, communities in Sarawak occasionally still continue to block the roads.<sup>193</sup> It is important to keep in mind that Sarawak is home to the largest number of Indigenous peoples, the Dayaks alone make up 40 percent of the State's population. Sarawak is rich in forest and natural resources and has been the most heavily targeted state for land appropriation.

Logging has been detrimental to the Indigenous communities in Sarawak, especially in terms of health. As a result of the intensive logging of primary forests, there has been a decline in game, both from habitat loss and increased hunting as roads become more accessible. Logging has also increased the incidence of soil erosion and the turbidity of rivers, leading to a decline in the fish population. Both of these factors have led to a decline in the Dayak people's intake of protein. Furthermore, the pools of standing water from the increase in erosion have led to an increase in mosquito infestations, resulting in higher incidences of malaria and dengue fever.<sup>194</sup>

Blockades are often used as a last resort by Indigenous communities. For instance, the government of Sarawak issued a provisional lease to an oil palm plantation in Sungai Bekelit in 2008. After a five-year legal dispute in the High Court, the Indigenous community lost its case. The community erected blockades and a *piring* — a religious rite of protection— to prevent the company from entering its land. Over 80 police officials destroyed the blockades and the *piring*, which greatly disturbed the community members. One described the *piring*: “That is a red line, this is one of the traditions that applies in Dayak culture— when a *piring* is set up, you have to

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<sup>193</sup>Aiken, S. Robert and Leigh, Colin H. Leigh, “In the Way of Development”, 2011.

<sup>194</sup>Xanthaki, Alexandra. “Land Rights of Indigenous Peoples in Southeast Asia.” *Melbourne Journal of International Law*. [https://law.unimelb.edu.au/\\_\\_data/assets/pdf\\_file/0007/1680361/Xanthaki.pdf](https://law.unimelb.edu.au/__data/assets/pdf_file/0007/1680361/Xanthaki.pdf).



show respect – you cannot go beyond (or destroy it).” Subsequent events led to cars and homes being burned down.<sup>195</sup>

Due to the government’s restrictions regarding freedom of assembly, it can be difficult for Indigenous groups to protest against the government. There are a few exceptions, such as the Orang Asli Association of Peninsular Malaysia’s march on the prime minister’s office in Putrajaya.<sup>196</sup> In 2015, the Sarawak Forests Ordinance criminalized the construction of blockades, punishable by up to two years in jail or a fine of 10,000 Malaysian Ringgit (\$US 2,228).

Indigenous people have also been labelled as “anti-government” or “political opposition” for defending their land rights. In Sabah, there has been a legal battle between the Indigenous community and the Forestry Department. The Department recently granted a 100-year concession to a timber company. A 2018 report by Amnesty International provides insight into the discrimination Indigenous communities face in Malaysia, particularly through interviews with Indigenous community members. An Indigenous activist has defended his claim to ancestral land, and has said that: “There’s a lot of threats from the Forestry Department [that insist the community is trespassing illegally on the land], the government, the community . When we claim our territory, we have been accused as opposition, black listed, and no more development given by the government [up to] now.”<sup>197</sup>

In response to the government’s encroachment of their land, Indigenous groups have formed community land-defense organizations (*Pertubuhan Pertahanan Tanah Rakyat*) and land action committees (*Jawatan Kuasa Bertindak Tanah*). These organizations were formed directly

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<sup>195</sup>“‘The Forest Is Our Heartbeat’ The Struggle to Defend Indigenous Land in Malaysia.” Amnesty International, 2018.

<sup>196</sup>Aiken, S. Robert and Leigh, Colin H. Leigh, “In the Way of Development”, 2011.

<sup>197</sup>“‘The Forest Is Our Heartbeat’ The Struggle to Defend Indigenous Land in Malaysia.” Amnesty International, 2018.

in response to the fact that government officials are made “trustees” of the land. Instead, these community land-defense organizations, made up of Indigenous communities, are fighting to be the “trustee” of the land.<sup>198</sup>

Another substantial consideration is that the government has disregarded Indigenous forms of government. The government can appoint village heads who tend to approve of the development projects. An activist has said that: “Usually from my experience, the head of the village will threaten us – (they say) if you are not going to stop, I will call the police to arrest you.” As a community leader from Pos Piah, Perak State said “Outside people want to change the way we live. This is our culture and our religion, and how we heal the sick is according to our ways. The forest is our heartbeat.”<sup>199</sup>

In terms of the oil palm industry, it is imperative to study the human loss associated with deforestation. For instance, a Murut community member from Sabah said that “the reason why they took our land was to plant palm oil. The land they are taking is the land where we collect our medicine, where we hunt, where the salt spring is and where the fruit trees are as well. We depend on hunting for our meat, we catch fish there. We don’t rear buffalo. That is why we will never let our land go. That is what our ancestors left for us, our inheritance. We are the caretakers now.” As an Indigenous leader from Sabah explains, “we live in a traditional way, and practice our traditional knowledge, carry out agriculture, hunt through traditional knowledge and catch our fish through traditional knowledge. Our ancestors passed their forest to us, including the knowledge of medicinal herbs, all the trees, and also most of the forest produce we gather. Our livelihoods depend on resources”. These sentiments are tied greatly to “adat”, or the written and

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<sup>198</sup>Majid Cooke, Fadzilan. “In the Name of Poverty Alleviation”, 2012.

<sup>199</sup> “‘The Forest Is Our Heartbeat’ The Struggle to Defend Indigenous Land in Malaysia.” Amnesty International, 2018.

unwritten laws and customs relating to land use, resources, and community governance used by Indigenous communities in Malaysia.<sup>200</sup>

This cultural loss must be put in the context of the vast amount of land that has been lost. Estimates from international organizations suggest that less than 10 percent of the State's primary forests are left and that less than one million hectares of virgin forest are left (from 10 million hectares of original forest cover). The previous Chief Minister of Sarawak, Abdul Taib Mahmud, was in power from 1963 up to 2014. Since the Chief Minister is responsible for granting licenses to plantations, there were several allegations of corruption, as his family benefited greatly from the extraction of natural resources in Sarawak.<sup>201</sup>

In the Malaysian Federal Constitution, Article 161(A) refers to the "Special position of natives of States of Sabah and Sarawak". Under this article, " Article 89 [related to reservations] shall not apply to the State of Sabah or Sarawak, and Article 8 [related to equality] shall not invalidate or prohibit any provision of State law in the State of Sabah or Sarawak for the reservation of land for natives of the State or for alienation to them, or for giving them preferential treatment as regards the alienation of land by the State." Furthermore, those considered "native" by the Malaysian Constitution includes "(a) in relation to Sarawak, a person who is a citizen and either belongs to one of the races specified in Clause (7) as Indigenous to the State or is of mixed blood deriving exclusively from those races; and (b) in relation to Sabah, a person who is a citizen, is the child or grandchild of a person of a race Indigenous to Sabah, and

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<sup>200</sup> "'The Forest Is Our Heartbeat' The Struggle to Defend Indigenous Land in Malaysia." Amnesty International, 2018.

<sup>201</sup> "'The Forest Is Our Heartbeat' The Struggle to Defend Indigenous Land in Malaysia." Amnesty International, 2018.

was born (whether on or after Malaysia Day or not) either in Sabah or to a father domiciled in Sabah at the time of the birth.”<sup>202</sup>

It is worth noting that the Orang Asli are not included in this Article. Their land rights are less protected and instead on Article 8(5)(c) of the Constitution, they have general rights related to “the protection, well-being or advancement of the aboriginal peoples of the Malay Peninsula (including the reservation of land)”.<sup>203</sup> Moreover, the Aboriginal Peoples Act (APA) of 1954 is the main policy regarding Indigenous people in Peninsular Malaysia and designates Indigenous land as “aboriginal reserves”. Only a small percentage of Orang Asli villages are actually considered “aboriginal reserves”, and the status of a reservation can be revoked by the state under the APA or the National Land Code for “other land use priorities, including land development”. Another source of conflict with the Orang Asli and the government is that the National Forestry Act of 1984 provides the Orang Asli limited access to the forest for domestic and subsistence use. The Forestry Department and the Orang Asli have gotten into several disputes over the years as Orang Asli are cultivating on forest reserves they consider “ancestral or customary”.

That being said, one of the reasons why it has been difficult to protect Indigenous land is because land and forest levels fall under the jurisdiction of individual states, and thus state policymakers can determine the extent to which the Indigenous land is protected. Consequently, Indigenous communities have taken legal action against the companies that have encroached on their land.

The Sarawak Land Code of 1958 dictates that customary land rights can be granted to Indigenous peoples by demonstrating land use ranging from swidden agriculture to burial

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<sup>202</sup> “Laws of Malaysia.” Federal Constitution.

[https://www.jac.gov.my/spk/images/stories/10\\_akta/perlembagaan\\_persekutuan/federal\\_constitution.pdf](https://www.jac.gov.my/spk/images/stories/10_akta/perlembagaan_persekutuan/federal_constitution.pdf).

<sup>203</sup> “Laws of Malaysia.” Federal Constitution.

grounds. Until an actual title has been issued, the land in question is government land and Indigenous people are considered “licence holder[s] from the Government”. Relatively few titles have been issued and Indigenous communities must follow government rules. In 2018, amendments to the Land Code were made that granted the possibility of a title in perpetuity (a permanent title) in respect to lands that were “beyond cleared, settled and cultivated areas”. However, permanent titles are limited to 1,000 hectares per title. This has been heavily criticized for being restrictive, as Indigenous communities have established customary land for over 10,000 hectares in the past.<sup>204</sup> This is particularly problematic because Indigenous agricultural practices naturally require more land. Fields are cleared (often by fire) and are cultivated for a shorter time period than they are fallowed. Consequently, lots of land is needed in order to rotate crops accordingly; lands are left “idle” to restore fertility for some years.<sup>205</sup> Activists have claimed that these new amendments, in the long term, inhibit Indigenous people’s ownership of land and instead grant them conditional rights to use the land.

Furthermore, it is important to note that even though some kinds of land appropriation might be considered legal, Indigenous communities were not a part of the decision making process when it came to these laws. Both the Human Rights Commission of Malaysia (SUHAKAM) and the UN special Rapporteur on the Right to Food, Olivier de Schutter, have noted the lack of participation by Indigenous groups regarding Indigenous land rights. After visiting Malaysia in 2013, de Schutter called for the “free, prior, and informed consent to be afforded to Indigenous peoples in Malaysia”. Previously, some states issued licenses to companies to develop Indigenous land without consulting with Indigenous communities. Though

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<sup>204</sup>“The Forest Is Our Heartbeat’ The Struggle to Defend Indigenous Land in Malaysia.” Amnesty International, 2018.

<sup>205</sup>Warner, Katherine. “Shifting Cultivators: Local Technical Knowledge and Natural Resource Management in the Humid Tropics.” Rome: FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS, 1991.

government policy dictates that “the special position of aborigines in respect of land usage and land rights shall be recognized... Aborigines will not be moved from their traditional areas without their full consent”, companies are allowed to engage in operations before beginning the consultations. Thus, it is understandable that this has led to levels of distrust against the government by the Indigenous communities.

In 2013, SUHAKAM released a report on Indigenous land rights after an 18-month investigation, which included 18 recommendations. As a result, the Malaysian government implemented a task force on Indigenous Land Rights that agreed to adopt 17 out of 18 recommendations. In spite of that, in 2017, SUHAKAM found that the government still had not executed any of the recommendations.<sup>206</sup>

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<sup>206</sup>“‘The Forest Is Our Heartbeat’ The Struggle to Defend Indigenous Land in Malaysia.” Amnesty International, 2018.

## CHAPTER 3: MALAYSIAN CHALLENGES IN CONTEXT

### Indigeneity in South and Southeast Asia

Comparing other countries' policy approaches can be helpful to assess what policies Malaysia should adopt to improve the situation for malnutrition, especially for Indigenous communities. For reference, the table below shows the designation of Indigenous groups across Southeast Asia.

Country	Common external designation	Number of ethnic groups	Percentage of total national population
Bangladesh	Tribal peoples, Pahari, Jumma, Adivasi, ethnic groups and minorities	45	1.2–2.5 %
Cambodia	Indigenous minorities	19–21	0.9–1.4 %
India	Scheduled tribes, Adivasi	622–635	8.3 %
Indonesia	Masyarakat Adat	> 700	20–29 %
Lao PDR	Ethnic minorities	ca 200 (49 officially recognized "ethnic minorities")	35–70 %
Malaysia	Natives, Orang Asli, Orang Asal	97	12 %
Myanmar	Ethnic minorities	135	30–40 %
Nepal	Indigenous nationalities, Adivasi, Janajati	> 80 (59 recognized "indigenous nationalities")	37.1 %
Philippines	Indigenous peoples, indigenous cultural communities	110 officially recognized indigenous peoples	10–15 %
Thailand	Ethnic minorities, Hill tribes, Hill/Mountain people	> 50 (10 officially recognized "hill tribes")	1.5 %
Viet Nam	Ethnic minorities	> 90 (43 officially recognized "ethnic minorities")	13.8 %

**Figure 10.** Indigenous Communities in Southeast Asia<sup>207</sup>

<sup>207</sup> "Table 2: Overview of concerned groups in the countries under review." by Errico, Stefania. "The Rights of Indigenous Peoples in Asia Human Rights-Based Overview of National Legal and Policy Frameworks against the

Over two thirds of the world's Indigenous peoples are estimated to live in Asia, with a variety of different terms used to describe these communities, such as “natives”, “tribal peoples”, and “ethnic minorities”. A study by the International Labor Organization (ILO) looking at South Asia and Southeast Asia found four main challenges in regard to Indigenous rights. The first issue is that the concept of indigeneity itself is contested. Countries, like Nepal, the Philippines, and Cambodia, have very recently started to incorporate the concept of indigeneity into their policy frameworks. The second issue is a lack of consultation and participation of Indigenous communities in the policies and laws that directly impact them. The third issue is a lack of recognition and protection of Indigenous rights to land. Cambodia and the Philippines are noted for their progress in legislation, but the process of obtaining a land title is very long. The fourth issue is the public policies on cultural, social and economic rights, particularly in terms of education, work, social protection, and health. Using this framework, one can better understand Malaysia and other countries' next steps for poverty alleviation, Indigenous rights, and food insecurity.<sup>208</sup>

Both Malaysia and Indonesia share similarities in their treatment of Indigenous groups, especially as they share territory on the island of Borneo. As noted by the Human Rights Watch report “When We Lost the Forest, We Lost Everything”, there are several human rights violations of Indigenous communities in Malaysia. While there is a parallel situation in terms of the proliferation of the oil palm industry, deforestation, and land encroachment,<sup>209</sup> communities in

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Backdrop of Country Strategies for Development and Poverty Reduction.” International Labor Organization. [https://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/publication/wcms\\_545484.pdf](https://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/publication/wcms_545484.pdf).

<sup>208</sup>Errico, Stefania. “The Rights of Indigenous Peoples in Asia”.

<sup>209</sup>Nnoko-Mewanu, Juliana. ““When We Lost the Forest, We Lost Everything.”” *Human Rights Watch*, September 22, 2019.

<https://www.hrw.org/report/2019/09/23/when-we-lost-forest-we-lost-everything/oil-palm-plantations-and-rights-violations>.



Indonesia are better organized to fight back. It is important to take into account how Indigenous people can mobilize and the solidarity that exists among states. For instance, the Aliansi Masyarakat Adat Nusantara (AMAN) or the Alliance of Indigenous Peoples of Archipelago represents over 2,300 Indigenous communities in Indonesia, or over 17 million people.<sup>210</sup>

Although Chapter 2 references different Indigenous NGOs in Malaysia, none of them come close to AMAN's reach and influence. As a result, Indigenous people's ability to mobilize in Indonesia is stronger.

In some respects, Indonesia has had better policies when it comes to Indigenous rights. For instance, in 2013, Indonesia's Constitutional Court, under No. 35/PUU-X/2012, declared that customary forests are no longer considered state forests. As a result, Indigenous people have the right to manage the lands in which they live.<sup>211</sup>

The Philippines could be a model for Malaysia. In 1997, the Indigenous Peoples' Rights Act (IPRA) was passed as "an Act to recognize, protect and promote the rights of Indigenous Cultural Communities (ICC)/Indigenous Peoples (IPs), creating a National Commission on Indigenous Peoples, establishing implementing mechanisms, appropriating funds therefor, and for other purposes."<sup>212</sup> Consequently, the Philippines became one of the first countries in Asia to use the term "Indigenous Peoples".

The language regarding "Indigenous people" varies greatly, particularly in Asia, with terms such as "tribal people, forest dwellers, scheduled tribes, ethnic minorities, national

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<sup>210</sup>Forest Peoples Programme (FPP). "Aliansi Masyarakat Adat Nusantara (AMAN): Indigenous Peoples Alliance of the Archipelago," January 21, 2022.

<https://www.forestpeoples.org/partner/aliansi-masyarakat-adat-nusantara-aman-indigenous-peoples-alliance-archipelago>.

<sup>211</sup>"Indigenous Peoples in the Asian Region." United Nations, 2014.

<https://www.un.org/esa/socdev/unpfii/documents/2014/press/asia.pdf>.

<sup>212</sup>Official Gazette of the Republic of the Philippines. "Republic Act No. 8371 | GOVPH," October 29, 1997.

<https://www.officialgazette.gov.ph/1997/10/29/republic-act-no-8371/>.

minorities, indigenous cultural communities, and indigenous groups”.<sup>213</sup> The language itself is important, especially because it can designate which communities are marginalized in a country. Analyzing the language is also consequential because sometimes it can be manipulated (e.g. the “original” but not “Indigenous” Orang Asli community in Malaysia). However, it is more productive to focus on the level of protection that these terms offer to the marginalized groups.

One of the most remarkable aspects of IPRA is the protection of land rights for these communities. “Ancestral domain” is defined as “land occupied, possessed and utilized by individuals, families and clans who are members of the ICC/IPs”. This can include “lands, inland waters, coastal areas and natural resources therein, held under a claim of ownership, occupied or possessed by ICC/IPs, by themselves or through their ancestors, communally or individually since time immemorial...”. Indigenous communities then receive a certificate of ancestral domain title (CADT) which will include the right of ownership, to develop, control, and use the lands and its natural resources, to stay on the land and not be removed from them, to resettle in suitable sites in case of displacement, to regulate the entry of immigrants, to clean air and water, to claim parts of reservations, and resolve land conflict in accordance to customary laws.<sup>214</sup>

Although IPRA has been criticized for not doing enough for Indigenous rights<sup>215</sup>, the Act itself demonstrates that it is possible to write an unambiguous law about indigeneity in Southeast Asia. In contrast to Malaysia’s laws which are extremely ambiguous about “native” or “original”, this Act clearly delineates the rights of Indigenous people in the Philippines. Demands on the

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<sup>213</sup>Perera, Jayantha and Asian Development Bank, eds. *Land and Cultural Survival: The Communal Land Rights of Indigenous Peoples in Asia*. Mandaluyong City, Metro Manila, Philippines: Asian Development Bank, 2009.

<sup>214</sup>Food and Agriculture Organization of the United Nations. “Indigenous Peoples Rights Act 1997 (Republic Act No. 8371 of 1997),” 2020. <https://www.fao.org/faolex/results/details/en/c/LEX-FAOC013930/>.

<sup>215</sup>International Work Group for Indigenous Affairs. “Philippines: Obstacles Concerning Access to Justice and Protection for Indigenous People,” 2012. <https://www.iwgia.org/en/philippines/1678-philippines-obstacles-concerning-access-to-justice>.

system are greater if the right is formally recognized and thus it is urgent for rights to be recognized, even if they are not strictly enforced.

It is important to note that there is limited information on the number of Indigenous people in the Philippines. Ethnicity variables were only introduced starting with the 2000 census, and estimates suggest that the Indigenous population could range between 10 and 20 percent of the national population.<sup>216</sup> Moreover, in 2015, nearly one in three children in the Philippines was stunted (in comparison to the 21.8 percent in Malaysia in 2019).<sup>217</sup> Nevertheless, this case study still provides a framework for legal recognition of indigeneity within the Southeast Asian context.

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<sup>216</sup>The World Bank. “No Data, No Story: What the Absence of Indigenous Peoples-Specific Data Reveals,” September 9, 2021.

<https://blogs.worldbank.org/opendata/no-data-no-story-what-absence-indigenous-peoples-specific-data-reveals>.

<sup>217</sup>Capanzana, Mario V., Gabriel Demombynes, and Paul Gubbins. *Why Are so Many Children Stunted in the Philippines?* World Bank, Washington, DC, 2020. <https://doi.org/10.1596/1813-9450-9294>.

## Approaches to Malnutrition

As of 2022, the ASEAN region supplies over 50 percent of the world's food and millions are suffering from malnutrition.<sup>218</sup> There are several action steps need to be taken worldwide in order to reduce child stunting. As Chapter 1 delineates, Malaysia faces the double burden of malnutrition. This follows the general trend that as countries become increasingly more developed, child stunting is likely to decrease. At the same time, the risk of the increase in overweight and obesity exists in higher income groups. WHO's main recommendation for the double burden is to increase public health and education programs to promote healthy diets.<sup>219</sup>

Limited appreciation of the importance of diverse diets is negatively impacting maternal and infant malnutrition. In 2021, the United Nations International Children's Emergency Fund (UNICEF) released a report focusing on maternal nutrition in Cambodia, Indonesia, Laos, Myanmar, Philippines, and Vietnam. As UNICEF explains, there is a general pattern in South East Asia in which the diets of young women and children (more than men) rely heavily on starchy staples, such as rice.

Cultural norms are heavily tied to rice consumption, with women consuming foods in high carbohydrates as opposed to other nutrient-rich foods, such as meat, eggs, vegetables and fruits. Other cultural norms influencing diet consumption include saving money for childbirth expenses or protein-rich foods for men.

Child stunting is directly tied to maternal health. During pregnancy and breastfeeding, it is crucial to have a higher intake in vitamins and minerals, especially iron and zinc. Studies

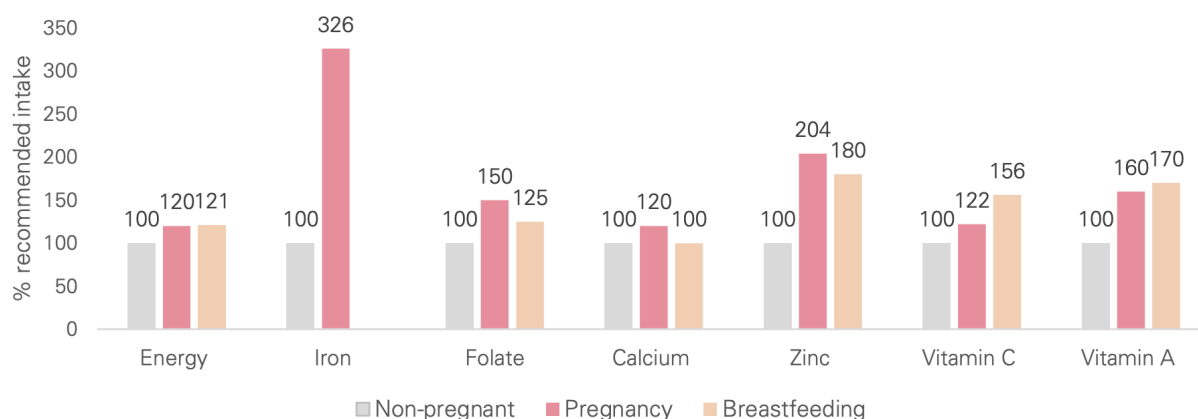
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<sup>218</sup>ASEAN Framework Action Plan on Rural Development and Poverty Eradication 2021-2025. Jakarta: ASEAN Secretariat, 2022.

<https://asean.org/wp-content/uploads/2022/10/09-3.-ASEAN-Framework-Action-Plan-on-Rural-Development-and-Poverty-Eradication-2021-2025.pdf>.

<sup>219</sup>World Health Organization. *Reducing Stunting in Children: Equity Considerations for Achieving the Global Nutrition Targets 2025*. Geneva: World Health Organization, 2018. <https://apps.who.int/iris/handle/10665/260202>.

across Southeast Asia have shown that 25 percent of low birth weight can be attributed to anemia during pregnancy.<sup>220</sup> A 2022 study found that the prevalence of anemia among pregnant women ranged from 19.3 to 57.4 percent in Malaysia.<sup>221</sup>



**Figure 11.** RNI by FAO and WHO during pregnancy and breastfeeding<sup>222</sup>

Young children in Southeast Asia often eat watery porridges made of rice. Children must actively consume nutrient dense foods as their bodies require very high nutrients. On average, children need to consume nine times as much iron in comparison to adult male. Additionally, pregnant and lactating people tend to consume higher amounts of rice than recommended in order to meet the increased calorie requirements, which leads to an inadequate intake of nutrients.<sup>223</sup>

Some countries have improved the nutritional status of the general population through the fortification of foods with supplements with essential micronutrients, such as iron, folic acid,

<sup>220</sup>“Southeast Asia Regional Report on Maternal Nutrition and Complementary Feeding.” UNICEF East Asia and Pacific Region, 2021.

<https://www.unicef.org/eap/media/9466/file/MaternalNutritionandComplementaryFeedingRegionalReport.pdf>.

<sup>221</sup>Abd Rahman, et al. “The Prevalence and Risk Factors of Iron Deficiency Anemia Among Pregnant Women in Malaysia: A Systematic Review.” *Frontiers in Nutrition* 9 (April 15, 2022): 847693.

<https://doi.org/10.3389/fnut.2022.847693>.

<sup>222</sup>“Figure 5. Increase in recommended nutrient intakes during pregnancy and breastfeeding” by “Southeast Asia Regional Report on Maternal Nutrition and Complementary Feeding.” UNICEF East Asia and Pacific Region, 2021.

<sup>223</sup> “Southeast Asia Regional Report” UNICEF East Asia and Pacific Region, 2021.

iodine, and vitamin A. Fortification is achieved through adding nutrition to staple foods and restoring micronutrient content lost during processing.<sup>224</sup> For instance, wheat flour can be fortified with folate and is required in Vietnam, Indonesia, and the Philippines. Fortifications (with iron) are only required in the Philippines.

	Wheat flour		Rice		Salt Iodization	
	Status	Coverage <sup>6</sup>	Status	Coverage	Status	Coverage <sup>7</sup>
Cambodia	Not in place		Not in place		Mandatory	68.2%
Lao PDR	Not in place		Not in place		Mandatory	94%
Indonesia	Mandatory Fortified with Folate, Thiamine, Iron, Riboflavin and Zinc	87%	Not in place		Mandatory	92%
Myanmar	Not in place		Not in place		Mandatory	80.9%
Philippines	Mandatory Fortified with Vitamin A And Iron		Mandatory Fortified with Iron	No data	Mandatory	52.4%
Vietnam	Mandatory Fortified with Iron, Vitamin A, Zinc, Folate, b12	No data	Not in place		Mandatory	60.9%

**Figure 12.** Food fortification in certain Southeast Asian countries<sup>225</sup>

Moreover, UNICEF has noted that there has been a general “nutrition transition”, in which communities are leaving behind traditional diets in favor of “modern” diets of more processed foods, high in saturated fat, sugar and sodium, and low in essential nutrients and fiber.<sup>226</sup>

Another area to focus on is the monitoring of health inequalities, especially in terms of access to healthcare. The hygienic conditions, such as access to clean water and improved

<sup>224</sup> World Health Organization. “Food Fortification”. <https://www.who.int/health-topics/food-fortification>.

<sup>225</sup> “Table 4. Type and coverage of selected food fortification in six Southeast Asian countries” by “Southeast Asia Regional Report on Maternal Nutrition and Complementary Feeding.” UNICEF East Asia and Pacific Region, 2021.

<sup>226</sup> “Southeast Asia Regional Report” UNICEF East Asia and Pacific Region, 2021.

sanitation, are also necessary to analyze. In Ethiopia, four different interventions were applied to help combat food insecurity, including water, sanitation, and hygiene (WASH), health, nutrition education, and a combination of all the interventions. WHO reported that a study found that WASH was the only intervention that had a significant impact in the reduction of child stunting rates. Studies have shown that diarrhea is directly linked to the malabsorption of nutrients and lack of appetite. One study focusing on Bangladesh, Brazil, Guinea Bissau, Ghana, and Peru found that each episode of diarrhea in the first 24 months of life greatly increased the risk of stunting.<sup>227</sup>

It is imperative to understand the direct link between food insecurity and WASH. In general, addressing WASH conditions is needed to improve overall health conditions. Precipitation extremes, from increased rainfall to prolonged drought, can lead to a higher exposure of bacteria, parasites, toxins, and viruses in water. As a result, people drinking this water have a higher likelihood of developing diseases.<sup>228</sup> Stunting is attributed to poor nutrition and repeated infection.<sup>229</sup> It is also meaningful to consider the fact that people are less productive if they are unhealthy, and the impact this has on people's ability to access food.

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<sup>227</sup> World Health Organization. *Reducing Stunting in Children*, 2018.

<sup>228</sup> Urgell-Lahuerta, Cristina, Elena Carrillo-Álvarez, and Blanca Salinas-Roca. "Interventions on Food Security and Water Uses for Improving Nutritional Status of Pregnant Women and Children Younger Than Five Years in Low-Middle Income Countries: A Systematic Review." *International Journal of Environmental Research and Public Health* 18, no. 9 (May 2, 2021): 4799. <https://doi.org/10.3390/ijerph18094799>.

<sup>229</sup> World Health Organization. "Stunting in a Nutshell," November 19, 2015.

<https://www.who.int/news/item/19-11-2015-stunting-in-a-nutshell>.

## Access to Food

Whereas Indigenous communities face the highest levels of malnutrition, the situation in Malaysia as a whole is dire. When considering food accessibility, it is necessary to examine both the financial (willingness and ability to pay for food) and physical accessibility of food. Food deserts are defined as “regions where people have limited access to healthy and affordable food”.<sup>230</sup> They are most likely to occur in areas with sparse or large populations, low income, high unemployment, lack of transportation, and a small number of food stores that supply fresh produce at affordable prices. A study conducted in Kedah found that 70 percent of the households live in food deserts (as measured by feasible access to stores offering healthy and affordable foods). People depended on alternative food suppliers; for instance, 55.1 percent of respondents got their food from convenience stores every day, as opposed to 7.7 percent from fishmongers, 7.1 percent from markets, 5.1 percent in farmers’ markets, and 3.6 percent in grocery stores. Whereas having a variety of food suppliers is not inherently bad, this can be problematic when they are not supplying nutritious and healthy food.<sup>231</sup>

Over 326 million people in Southeast Asia cannot afford the cheapest form of daily energy in their respective countries.<sup>232</sup> In Malaysia, food inflation has been increasing steadily over the past years, and it is necessary for the government to implement policies that address the wealth gap and increasing food prices.<sup>233</sup>

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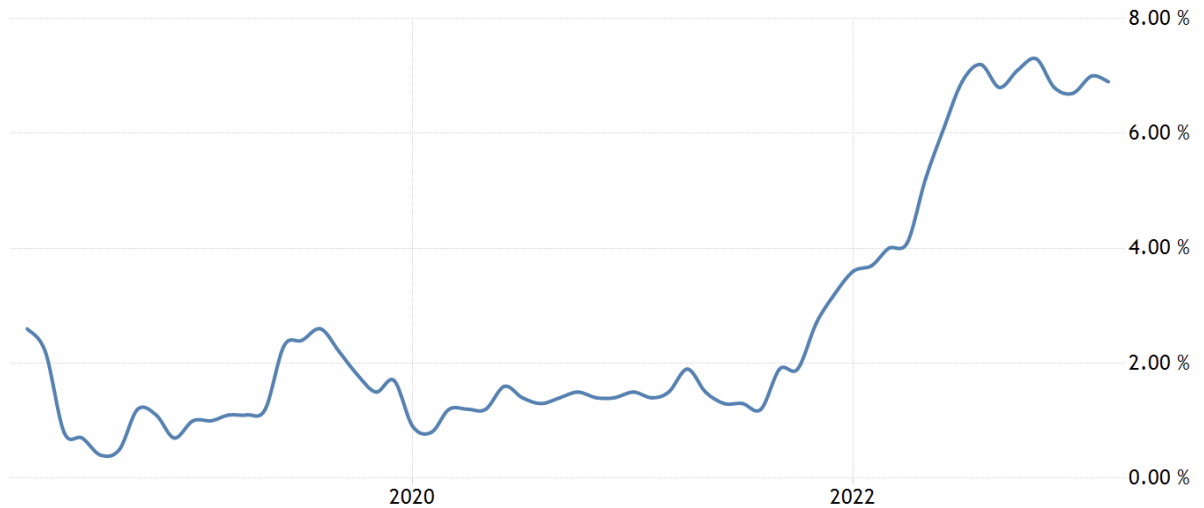
<sup>230</sup>Medical News Today. “What Are Food Deserts, and How Do They Impact Health?,” June 22, 2020. <https://www.medicalnewstoday.com/articles/what-are-food-deserts>.

<sup>231</sup>Ibrahim, Ahmad Zubir. “Determine the Food Access among Low-Income Households in Rural Area, Kedah, Malaysia,” no. 3990856 (2021). [https://doi.org/10.35609/jber.2021.6.3\(5\)](https://doi.org/10.35609/jber.2021.6.3(5)).

<sup>232</sup>Herforth, Anna et al. *Cost and Affordability of Healthy Diets across and within Countries*. FAO, 2020. <https://doi.org/10.4060/cb2431en>.

<sup>233</sup>Trading Economics. “Malaysia Food Inflation”. <https://tradingeconomics.com/malaysia/food-inflation>.





**Figure 13.** Food Inflation in Malaysia from 2018 to 2023<sup>234</sup>

In 2017, the Organization for Economic Cooperation and Development (OECD) published a report with three main recommendations for Southeast Asia. The first recommendation is to provide targeted support for vulnerable households. This support would include conditional cash transfers or food vouchers to improve access to food. In addition, training should be provided to help agricultural and fisheries producers improve their production. The second recommendation is to implement trade and domestic support reforms to create a competitive and open regional market, especially for rice. The third recommendation is to promote sustainable agricultural and fisheries productivity growth through improved environmental governance, regulations, and sustainable management.

Although malnourishment is often concentrated in low-income households, food producing households might have access to better food despite their low income levels. Nevertheless, it is important to be cautious about this idea, especially with rice production. For instance, in the Philippines, the bottom 20 percent of farm households are small-scale producers

<sup>234</sup> Trading Economics. "Malaysia Food Inflation".

and landless workers whose rice production does not meet their own needs and must purchase 77 percent of the rice they consume.

As mentioned in Chapter 1, there are several shortcomings with the concept of self sufficiency. In the ASEAN countries, the concept of self sufficiency dominates the discussion surrounding food insecurity. Self-sufficiency is often related to production-oriented and trade-restrictive policies, which can lead to greater inefficiencies due to a misallocation of resources and a discouragement in private investment (as there are greater uncertainties in doing business). Restrictions on exports have exacerbated food price volatility, which is expected to hit lower-income households the hardest. Countries adopting these policies, such as Indonesia, are already feeling these consequences. Between 2012 and 2014, domestic food prices increased by 70 percent. Some estimates predict that removing price support measures would improve access to rice and reduce undernourished populations by 10 and 54 percent in Indonesia and the Philippines.

Other ASEAN nations such as Vietnam, Cambodia, Thailand, and Myanmar have historically been net exporters of rice, whereas Indonesia, Malaysia, the Philippines, and Singapore have been net importers.

It is also worth noting the changes in rice consumption. In Malaysia, per capita consumption has fallen over time, whereas in Indonesia and the Philippines, rice consumption has increased. However, in all ASEAN countries, rice, as a means of meeting caloric consumption, has decreased as diets have diversified.<sup>235</sup> Thus, the emphasis on rice self

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<sup>235</sup>OECD. *Building Food Security and Managing Risk in Southeast Asia*. Paris: Organisation for Economic Co-operation and Development, 2017.

[https://www.oecd-ilibrary.org/agriculture-and-food/building-food-security-and-managing-risk-in-southeast-asia\\_9789264272392-en](https://www.oecd-ilibrary.org/agriculture-and-food/building-food-security-and-managing-risk-in-southeast-asia_9789264272392-en).

sufficiency is misplaced and Malaysia needs to focus on other aspects of food insecurity and more diversified food production. For instance, in comparison to other ASEAN countries, Malaysia's grain production, such as maize, has been decreasing as oil palm production offers higher rates of return. Furthermore, in comparison to other ASEAN countries, Malaysia has one of the lowest fisheries productions. Malaysia will have to import most of its coarse grains, wheat, rice, dairy, and meat to meet the consumption needs of the population.<sup>236</sup>

Additionally, it is worrisome that OECD models predict that climate change will lead to a 17 percent yield decrease in production by 2050. Although Malaysia is predicted to be one of the countries least affected by climate change and its impact on agricultural production, it is worth noting that few robust policies addressing the possibility. Although Malaysia's production will stay relatively stable, the price of rice is expected to increase between 45 and 55 percent by 2050 when climate change is included as a factor in the projections.<sup>237</sup>

ASEAN countries' food security policies center around the availability of domestically-produced rice. Malaysia, Philippines, Indonesia, among others, have committed to becoming self-sufficient in rice production. In particular, Malaysia wants to be 90 percent self-sufficient for rice production.<sup>238</sup> Protectionist measures put in place in order to reach self-sufficiency goals have resulted in higher prices for consumers, and do not meet the goal of improving accessibility to food.

In Malaysia, public rice stocks are managed by PadiBeras Nasional Berhad (BERNAS), a private company. BERNAS is the sole importer of rice, purchases paddies from farmers, manages subsidies, and maintains the nation's rice stockpile. It also acts as the purchaser of last resort for farmers. In 2009, the government subsidized rice (of lower quality) under the Rice

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<sup>236</sup> OECD. *Building Food Security and Managing Risk in Southeast Asia*, 2017.

<sup>237</sup> OECD. *Building Food Security and Managing Risk in Southeast Asia*, 2017.

<sup>238</sup> OECD. *Building Food Security and Managing Risk in Southeast Asia*, 2017.

Subsidy Programme for the People (SUBUR). This provided cash vouchers that could be exchanged for rice to low-income families, with a maximum of 30 kilograms per month. The OECD has found that oftentimes non-needy households were able to benefit from the program, as opposed to food insecure households. This was bolstered by the findings of the Malaysian government's Public Accounts Committee which has questioned the program's efficacy due to large costs and leakages.<sup>239</sup>

Since 1979, ASEAN countries have focused their food policy making efforts on rice. That year, Malaysia, Indonesia, Singapore, Thailand, and the Philippines signed the ASEAN Food Security Reserve which established an emergency rice reserve. In 2002, China, Japan, and Korea joined the program and expanded into the East Asia Emergency Rice Reserve. In 2012, the reserve program transformed into ASEAN Plus Three Emergency Emergency Rice Reserve (APTERR), in which 780,000 tonnes of rice were stored in case of an emergency. The three non-ASEAN countries pledged 700,000 tonnes.

Moving forward, Malaysia will have to consider how the international political trade system will impact poverty and food insecurity as a whole. The ASEAN Economic Community (AEC), formed in 2003, set a goal for regional integration by 2015. Predictions suggested that this would result in a 30 to 40 percent fall of rice prices for importing countries, including Malaysia.<sup>240</sup>

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<sup>239</sup> OECD. *Building Food Security and Managing Risk in Southeast Asia*, 2017.

<sup>240</sup> OECD. *Building Food Security and Managing Risk in Southeast Asia*, 2017.

## Land Rights

As mentioned in Chapter 2, the marginalized Indigenous people are not only fighting against the increase in oil palm plantations, but also for their access to land. If Indigenous people were to get their land back, however unlikely that may or may not be, it is worth reflecting on what that would look like in practice.

While there are not many instances of Indigenous people getting their land back in Southeast Asia, one can turn to different case studies to better understand the concerns and implications of land ownership. For instance, the Indigenous South Kalahari Bushmen in South Africa were dispossessed of their land between the 1930s and 1970s, eventually being reinstated as landowners in 1999, after Apartheid. In a 2012 documentary, community members explain that “the [land restitution] claim may have brought justice, but it could not ensure wellbeing”. One of the problems faced by the South Kalahari Bushmen that can be applied to the Malaysian case is the difficulty of deciding who should be considered Indigenous. When the government announced that land was going to be given back, several claimants came forward claiming to be Indigenous. Given the ambiguity around indigeneity and the history of land claims going to non-Indigenous groups in Malaysia, it is necessary to consider how the government will decide who to give land back to.

Moreover, the South African case demonstrates the different issues that may arise after land reclamation. Despite re-gaining access to their land, community members have struggled to be self-sufficient. In interviews, respondents have expressed resentment towards the government. One member claimed that: “the government gave us only the land, but with nothing else [...] look, we have all learned to farm, but we have not received any capital to farm on”. Additionally, the government promotes certain ideas of development, which according to community members

“came with a lot of strings attached [...] the western version. Everybody was determined to help the bushmen, and all had their own agendas to impose”. In particular, this included tourism and the commodification of “traditional” culture for tourists.<sup>241</sup>

It is also vital to consider the quality of land Indigenous people would be given land rights to. Land with higher quality (measured by its ability to yield more agriculture) was more likely to be occupied whereas land with lower quality was less likely to be occupied.<sup>242</sup>

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<sup>241</sup>Koot, Stasja, and Bram Büscher. “Giving Land (Back)? The Meaning of Land in the Indigenous Politics of the South Kalahari Bushmen Land Claim, South Africa.” *Journal of Southern African Studies* 45, no. 2 (March 4, 2019): 357–74. <https://doi.org/10.1080/03057070.2019.1605119>.

<sup>242</sup>Leonard, Bryan, Dominic P. Parker, and Terry L. Anderson. “Land Quality, Land Rights, and Indigenous Poverty.” *Journal of Development Economics* 143 (March 1, 2020): 102435. <https://doi.org/10.1016/j.jdeveco.2019.102435>.

## CHAPTER 4: POLICY PROJECTIONS AND RECOMMENDATIONS

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### Malnutrition, Poverty Alleviation, and Social Welfare Programs

Ending hunger in Malaysia is inherently tied to poverty reduction. In previous years, Malaysia failed to adequately grapple with the socioeconomic component of malnutrition. While the Malaysian government has implemented some programs addressing malnutrition nationwide, it has not done so at a targeted level. As detailed in Chapter 2, the first two NPANMs did not target underserved populations at all.

While the NPANM III begins to undertake these limitations, there is room for improvement. For instance, Malaysia’s current approach—targeting malnutrition in schools—does not address the root causes of malnutrition. The FAO finds that education and individual behavior change is insufficient to switch people to a healthy diet. Even the most affordable items for the required food groups are too expensive for low-income communities. Instead, in order for vulnerable communities to shift to healthy diets, it is necessary that the prices of nutrient-rich food groups decrease. A 2020 report by the FAO found that the average cost of meeting all essential nutrient requirements using the most affordable option was \$US 2.33, while meeting all the daily energy needs using the most affordable option was \$US 0.79.<sup>243</sup> As of March 2023, the cost of one kilogram of rice is 12.82 Malaysian Ringgit (\$US 2.89).<sup>244</sup> The hourly minimum wage in Peninsular Malaysia is 4.81 Malaysian Ringgit (\$US 1.08) and 4.42 Malaysian Ringgit (\$US 1) in Sabah and Sarawak.<sup>245</sup>

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<sup>243</sup>Herforth, Anna et al. *Cost and Affordability of Healthy Diets across and within Countries*, 2020.

<sup>244</sup>Global Product Prices. “Malaysia - Prices and Cost of Living,” 2023.

<https://www.globalproductprices.com/Malaysia/>.

<sup>245</sup>“Malaysia Minimum Wage - World Minimum Wage Rates 2023.”

<https://www.minimum-wage.org/international/malaysia>.

In addition, a 2020 study on low-income Malaysians found that price was the most important factor when deciding what food to purchase. Availability is also noteworthy, with 75 percent of respondents citing it as the second most important factor when purchasing food. The lack of healthy foods and high concentrations of convenience stores in low-income neighborhoods perpetuate the cycle of consumption of unhealthy food.<sup>246</sup>

This is not to say that education does not play a consequential role, but efforts to tackle malnutrition in schools must be complemented with access to nutritious, healthy foods. Since the most vulnerable communities, especially in Sabah and Sarawak, have the lowest education rates, an alternative approach to malnutrition must be taken into consideration.

The Malaysian government could take on several approaches to alleviate the cost of food. In Asia, one important strategy relating to poverty alleviation has been to propel economic growth. The implementation of social safety nets, both in-kind and cash transfers, has been one of the main strategies of poverty reduction. Welfare programs have played a big role in lifting people out of extreme poverty (living on less than \$US 1.9 per day). For instance, the World Bank estimates that welfare programs reduced the extreme poverty rate by 19 percent in the Philippines and 45 percent in Indonesia in 2015.<sup>247</sup>

Cash transfers were introduced in Malaysia in 2012. The first program, 1Malaysia People's Aid or Bantuan Rakyat 1Malaysia (BR1M), helped accelerate Malaysia's economic

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<sup>246</sup>Eng, Chee Wen, et al. "Dietary Practices, Food Purchasing, and Perceptions about Healthy Food Availability and Affordability: A Cross-Sectional Study of Low-Income Malaysian Adults." *BMC Public Health* 22, no. 1 (January 28, 2022): 192. <https://doi.org/10.1186/s12889-022-12598-y>.

<sup>247</sup>Gao, Qin, and Alex Jingwei He. "Poverty Alleviation in Asia: Future Directions in Measurement, Monitoring, and Impact Evaluation." *Journal of Asian Public Policy* 15, no. 1 (January 2, 2022): 32–42. <https://doi.org/10.1080/17516234.2021.2014627>.



growth.<sup>248</sup> As a result, the program was expanded and rebranded into Bandu Sara Hidup (BSH) in 2018. BSH is administered by the Malaysian Inland Revenue Board (LHDN) and targets the bottom 40 percent of households, or those earning less than \$3,166 Malaysian Ringgit (\$US 702) per month. Yet, within a year of its implementation, the number of recipients dropped from 7.2 million people to 3.9 million people as the government began to question the sustainability of the program. Many criticized the program, because despite providing overall economic benefits by promoting consumption, the program did not reduce poverty or inequality.<sup>249</sup>

Additionally, it is important to place the concerns about BSH in the broader context. One concern about cash transfers is who receives the money due to gender dynamics. In the case of BSH, the recipient is the “Malaysian female or male who is leading the responsibility for a household”.<sup>250</sup> Some studies have shown that providing cash transfers directly to women leads to better outcomes, especially for children.<sup>251</sup> As previously mentioned, there is also the major concern of a lack of healthy, nutritious food available near low-income communities.

The COVID-19 pandemic exacerbated questions of affordability. UNICEF found that, among the urban poor in Malaysia, 70 percent of households had no savings left in September 2021. The same study found that 63 percent were unable to afford adequate food supplies.<sup>252</sup>

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<sup>248</sup>“Data for Development.” Malaysia Economic Monitor, 2017.

<https://documents1.worldbank.org/curated/en/993771497248234713/pdf/116032-REVISED-MEM-9-June-2017-FINAL-COPY-EDITED-96pgs-13-6-17.pdf>.

<sup>249</sup>Ahadan, Mohd, Geetha Subramaniam, and Mohd Hanafiah. “Cash Transfer Programme in Malaysia - A Conceptual Analysis.” *International Journal of Academic Research in Business and Social Sciences* 11 (February 28, 2021). <https://doi.org/10.6007/IJARBS/v11-i2/7992>.

<sup>250</sup>Bantuan Keluarga Malaysia BKM 2022. “About BR1M.” <https://www.br1m.info/about-br1m/>.

<sup>251</sup>UNICEF. “Cash Transfers: What’s Gender Got to Do with It?” 2016.

<https://www.unicef-irc.org/evidence-for-action/cash-transfers-whats-gender-got-to-do-with-it/>.

<sup>252</sup>“Providing Cash Transfers to Help the Needy during This Pandemic - Focus Malaysia,” February 9, 2021.

<https://focusmalaysia.my/providing-cash-transfers-to-help-the-needy-during-this-pandemic/>.

Some of the COVID-19 programs included a one-off payment for after school care of \$US 500 per child aged between 4 to 13 years or cash transfers to civil servants.<sup>253</sup>

Despite the fact that cash transfers have been successful in other countries,<sup>254</sup> the increasing rates of stunting and wasting suggest that it is worth re-evaluating whether a different approach would be better suited in Malaysia. A 2022 International Monetary Fund (IMF) report found that although the social safety nets currently available cover a large share of the population, the benefits are small.<sup>255</sup> At the very least, the Malaysian government should consider creating complementary welfare programs.

While there are government programs that offer trainings for the preparation of healthy foods and overall nutrition education,<sup>256</sup> the Malaysian government has little to no welfare programs that directly provide *food* to vulnerable populations. Exceptions include the PPKZM program or food packages during the pandemic, but none that offer comprehensive coverage to underserved communities. As outlined in Chapter 2, the “targeted” programs through government clinics fail to manage people’s needs because the most vulnerable populations have limited access to said clinics. Therefore, it is imperative that the government examine other policy alternatives.

Providing food, as long as it is nutritious, directly could be an option that leads to a better outcome in Malaysia. During COVID-19, the Malaysian government distributed food aid packages, which contained five kilograms of rice, one kilogram of cooking oil, a packet of dried

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<sup>253</sup>Gentilini, Ugo. *Cash Transfers in Pandemic Times: Evidence, Practices, and Implications from the Largest Scale Up in History*. World Bank, 2022. <https://doi.org/10.1596/37700>.

<sup>254</sup>“What Have We Learned about Cash Transfers?,” May 10, 2021.

<https://blogs.worldbank.org/impactevaluations/what-have-we-learned-about-cash-transfers>.

<sup>255</sup> “IMF Engagement on Social Safety Net Issues in Surveillance and Program Work.” International Monetary Fund, 2022.

<https://www.imf.org/en/Publications/TNM/Issues/2022/10/03/IMF-Engagement-on-Social-Safety-Net-Issues-in-Surveillance-and-Program-Work-524087>.

<sup>256</sup>“National Plan of Action for Nutrition Malaysia 2016-2025.” Ministry of Health, 2016.

vermicelli, a packet of chocolate and cream cookies, and instant coffee. Multiple states receiving significantly less food packages than requested. For example, Member of Parliament Rasah Cha Kee Chin reported that he requested 950 food packages and only received 150 packages.<sup>257</sup> The government's distribution of cookies during a food shortage in a global pandemic is problematic due to health concerns.

The Malaysian government could further improve the nutritional status of the general population through food fortification. WHO recommends fortification of salt, maize flour, corn meal, wheat flour, and rice in all settings.<sup>258</sup> In comparison to other countries in Southeast Asia, Malaysia has implemented little to no policies requiring food fortification through supplements. In fact, Malaysia only instituted mandatory fortification of salt in 2018. Even after the requirement was passed, iodized salt only covers 28.2 percent of the population.<sup>259</sup>

In particular, the fortification of rice could be used as the majority of the Malaysian population consumes rice regularly. In Peru, the government began by including fortified rice in welfare programs in order to create a new market for fortified rice. The government supported the food industry and eventually instituted a mandatory rice fortification law.<sup>260</sup> The Malaysian government could follow similar action steps to ensure that vulnerable communities, who depend

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<sup>257</sup>Yap, Mao Yen. "Malaysia's Government Food Aid for the Poor Is Being Criticized for Its Lack of Value. Here's Why." Mashable SE Asia, 2020.  
<https://sea.mashable.com/culture/10209/malysias-government-food-aid-for-the-poor-is-being-criticized-for-its-lack-of-value-heres-why>.

<sup>258</sup> World Health Organization. "Food Fortification".

<sup>259</sup>Global Fortification Data Exchange. "Malaysia Fortification Dashboard".  
<https://fortificationdata.org/country-fortification-dashboard/>.

<sup>260</sup>"Harnessing Market Forces to Combat Anaemia through Rice Fortification in Peru." World Food Programme, 2022.  
[https://docs.wfp.org/api/documents/WFP-0000140804/download/?\\_ga=2.17882553.127931283.1682147498-1389550096.1682147498](https://docs.wfp.org/api/documents/WFP-0000140804/download/?_ga=2.17882553.127931283.1682147498-1389550096.1682147498).

heavily on rice, have access to necessary nutrients. The Malaysian Social Protection Council was established to strengthen the welfare system, and thus could help lead this initiative.<sup>261</sup>

Another option is to introduce a program that encourages people to change their consumption by providing them a rebate for purchasing healthy food items.<sup>262</sup> South Africa carried out rebates for healthy foods for low-income families, which led to an increase in the expenditure on healthy foods.<sup>263</sup>

While a focus on undernutrition is imperative, the burden of obesity also must be reduced. Food fortification has been linked to decreasing rates of obesity.<sup>264</sup> The direct provision of food would address the issue of the lack of healthy and nutritious food readily available. Rebates make food more affordable for families trying to purchase healthier options.

Malaysia's current approach to social welfare with cash transfers must be complemented with the aforementioned policy options. While some policies or programs may be more robust than others, in order to holistically improve the nutritional status of the population, all must be taken into consideration. In 2011, Malaysia had the lowest level of government expenditure on social security and welfare among South East Asian countries.<sup>265</sup> As Malaysia has one of the

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<sup>261</sup>“IMF Engagement on Social Safety Net Issues in Surveillance and Program Work”, 2022.

<sup>262</sup>Eng, Chee Wen, et al. “Dietary Practices, Food Purchasing, and Perceptions about Healthy Food Availability and Affordability: A Cross-Sectional Study of Low-Income Malaysian Adults.” *BMC Public Health* 22, no. 1 (January 28, 2022): 192. <https://doi.org/10.1186/s12889-022-12598-y>.

<sup>263</sup>Sturm, Roland, Ruopeng An, Darren Segal, and Deepak Patel. “A Cash-Back Rebate Program for Healthy Food Purchases in South Africa: Results from Scanner Data.” *American Journal of Preventive Medicine* 44, no. 6 (June 2013): 567–72. <https://doi.org/10.1016/j.amepre.2013.02.011>.

<sup>264</sup>Dutta, Debasmita, Anamika Nayak, and Debjani Dutta. “Reconnoitring the Usage of Agroindustrial Waste in Carotenoid Production for Food Fortification: A Sustainable Approach to Tackle Vitamin A Deficiency.” *Food and Bioprocess Technology* 16, no. 3 (March 1, 2023): 467–91. <https://doi.org/10.1007/s11947-022-02888-z>.

<sup>265</sup>Heshmati, Almas, Esfandiar Maasoumi, and Guanghua Wan, eds. *Poverty Reduction Policies and Practices in Developing Asia*. Economic Studies in Inequality, Social Exclusion and Well-Being. Singapore: Springer Singapore, 2015. <https://doi.org/10.1007/978-981-287-420-7>.

higher GDP per capita rates in the region<sup>266</sup>, it is time the government re-invest back into the citizens' welfare.

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<sup>266</sup>International Monetary Fund. "World Economic Outlook (April 2023) - GDP per Capita, Current Prices."  
<https://www.imf.org/external/datamapper/NGDPDPC@WEO>.

## Indigeneity

The ambiguous concept of “indigeneity” in Malaysia is detrimental to the protection and advancement of human rights. Across Southeast Asia, countries have begun to recognize the political need to recognize Indigenous rights. The Malaysian government needs to address the wide discrepancy between the Bumiputera and the natives in Sabah and Sarawak through legal protection. The treatment of Orang Asli indicates that it is possible to use “native” or “original” and offer certain protections to communities.

Some cases have indicated a positive future in Indigenous land rights recognition. For instance, the *Adong bin Kuwau v Kerajaan Negeri Johor* case was a landmark win, in which the High Court of Malaysia declared that the Jakun tribe had a proprietary “right to continue to live on their lands as their forefathers had lived”. In a different case, *Nor Anak Nyawai v Borneo Pulp Plantation*, the High Court declared that the plaintiffs are entitled to exercise native customary rights over the disputed area”.<sup>267</sup>

The Malaysian government’s strict restrictions on freedom of assembly has meant that Indigenous people face obstacles when trying to organize. AMAN in Indonesia is an example of solidarity among Indigenous people in the same country. NGOs can play a crucial role in the development of Indigenous rights. In Thailand, NGOs have helped Indigenous communities fight back against displacement. In a similar fashion, NGOs have helped Indigenous communities in Sarawak to fight against resettlement.<sup>268</sup> Building a coalition among Indigenous communities, facilitated by NGOs could help advance Indigenous solidarity and rights.

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<sup>267</sup>Xanthaki, Alexandra. “Land Rights of Indigenous Peoples in Southeast Asia.”

<sup>268</sup>Barney, Keith. “Re-Encountering Resistance: Plantation Activism and Smallholder Production in Thailand and Sarawak, Malaysia.” *Asia Pacific Viewpoint* 45, no. 3 (2004): 325–39.  
<https://doi.org/10.1111/j.1467-8373.2004.t01-1-00244.x>.

## Land Rights, Agriculture, and Palm Oil Industry

It is vital to highlight the connection between land ownership and Indigenous rights. In general, land is a fundamental asset for economic growth, and for Indigenous people, it holds an even higher value. Researchers find that land is connected to spiritual beliefs and traditional knowledge and practices.<sup>269</sup>

The current oil palm industry system in Malaysia is exploitative to Indigenous communities. Since they were never included in the decision making process, community development agreements (CDAs) can help facilitate negotiations between local communities and large-scale investment projects. Parties involved in CDAs must have free, prior, and informed consent. Governments can also partake in CDAs, especially in elevating the voices of local communities who might not have the sufficient resources to represent their positions.

As detailed in Chapter 2, Indigenous communities are often distrustful of the government and agencies. Therefore, best-practice CDAs involve a pre-negotiation stage, which involves a memorandum of understanding or some sort of negotiating framework to set guidelines for the negotiation. This includes the process for identifying parties, each parties' goals, protocols of communication, and time frame. It is perhaps more evident that communities that have a recognized legal right within or near the project should be part of the consultation process. It is also essential to include proximate communities who do not have legal claims, but stand to be affected by the project.

The second stage involves research and consultation, which typically involves environmental impact assessments (EIAs) and social impact assessments (SIAs). The company

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<sup>269</sup>OECD. "The Importance of Land for Indigenous Economic Development." In *Linking Indigenous Communities with Regional Development in Canada*, by OECD, 135–204. OECD Rural Policy Reviews. OECD, 2020. <https://doi.org/10.1787/fc2b28b3-en>.

or government agency is responsible for providing capacity building so that communities understand the impact of the proposed project. No CDA can be completed without the negotiation process and the endorsement of the final agreement by all parties.<sup>270</sup>

Malaysia implemented a requirement of EIAs in 1987.<sup>271</sup> The Town and Country Planning Act of 1976 was amended in 2017 to provide the legal basis for the requirement of SIA reports in Peninsular Malaysia.<sup>272</sup> The government should require developers of large-scale projects to conduct SIAs in all of Malaysia.

Overall, there needs to be more dialogue, especially with the most underserved communities. As Chapter 2 explains, a yearly meeting of agencies on the nutrition agenda is insufficient. Creating town hall meetings or advisory groups with Indigenous people is vital in facilitating a space for conversation. These advisory councils can and should be extended to broader problems with Indigenous communities. In general, there is a need for more communication. As Chapter 2 explains, there is only one annual meeting among agencies to discuss nutrition. Not only is the frequency of meetings a concern given the dire situation in Malaysia, but it is also worrying that Indigenous groups are not a part of the discussion.

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<sup>270</sup>Loutit, Jennifer, Jacqueline Mandelbaum, and Sam Szoke-Burke. “Emerging Practices in Community Development Agreements.” *Journal of Sustainable Development Law and Policy (The)* 7, no. 1 (July 26, 2016): 64. <https://doi.org/10.4314/jsdlp.v7i1.4>.

<sup>271</sup>Briffett, Clive, Jeff Obbard, and Jamie Mackee. “Environmental Assessment in Malaysia: A Means to an End or a New Beginning?” *Impact Assessment and Project Appraisal* 22, no. 3 (September 2004): 221–33. <https://doi.org/10.3152/147154604781765923>.

<sup>272</sup>“Implementation of Social Impact Assessment for Development Project in Malaysia.” Presented at the International Symposium on Social Impact Assessment in East Asia and the Pacific, 2022. <https://thedocs.worldbank.org/en/doc/ffed041c20d16790adc7ab1c6b9259a4-0090012022/original/Implementation-of-SIA-for-devt-proj-in-MY-Alias-Bin-Rameli.pdf>.



Moreover, as development projects hold land leases for 60 years, it is necessary that this land is returned to the rightful owners. There should be continuous monitoring of land quality throughout this time period.

Indigenous agricultural practices include crop diversification as part of their shifting agriculture system.<sup>273</sup> The South African case study in Chapter 3 provides insight into the need for governments to continue providing support after land restitution. As Indigenous people currently receive subsidies to grow oil palm, these subsidies could be modified to support different crops, such as chickpeas, lentils, or fortified rice.

As land continues to be divided in Malaysia, it is important to allocate the more fertile land in the hands of Indigenous peoples. Under the current model, land use policies are designed to attract foreign direct investment and are often associated with the assimilation of Indigenous groups into the general population.<sup>274</sup> The land rights system in Malaysia is conducive to the abuse of Indigenous people. The convoluted nature of the native customary rights of people in Sabah and Sarawak in contrast to the open system of land ownership, in which any individual in Sabah can apply and own land. Although SLO 930 gives priority to those applying for customary rights, in practice priority is given to applications filed by international companies and government authorities. Perhaps the biggest shortcomings of the native customary rights system in Malaysia are that it does not establish collective ownership and ignores the fallow period of five to ten years.<sup>275</sup>

Therefore, the land ownership system should allow for Indigenous and local communities to be able to hold collective ownership of land titles. Under SLO, Indigenous people are

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<sup>273</sup>Guodaar, Lawrence, Douglas K. Bardsley, and Jungho Suh. "Indigenous Adaptation to Climate Change Risks in Northern Ghana." *Climatic Change* 166, no. 1 (May 27, 2021): 24. <https://doi.org/10.1007/s10584-021-03128-7>.

<sup>274</sup>Xanthaki, Alexandra. "Land Rights of Indigenous Peoples in Southeast Asia."

<sup>275</sup>Xanthaki, Alexandra. "Land Rights of Indigenous Peoples in Southeast Asia."

“beneficiaries” not owners. Several countries have made progress in recognizing Indigenous rights to land. India’s 2006 Forest Rights Act gives tribes rights to forest lands through both individual or collective ownership. In Panama, Law 72 was passed in 2008 which outlined the procedure for awarding collective titles to Indigenous groups.<sup>276</sup>

The degrading attitudes towards swidden agriculture enable land appropriation in Malaysia. There needs to be an explicit recognition that in shifting agriculture, land is not “idle” and fallow periods must be respected. Discussions among Indigenous farmers, researchers, and government agencies should continue so that fallow periods are respected.<sup>277</sup> Fallow periods are essential as they improve forest regeneration. In 2004, the Shillong Declaration was adopted in India to support a more positive attitude towards shifting cultivation. This had a positive impact on the maintenance of the ten to 12 years of fallow periods in Nagaland, India. This is particularly striking since fallow periods have been shrinking across Southeast Asia as Indigenous communities continue to lose access to land.<sup>278</sup> As Chapter 2 also details, it takes an average of six to ten years to process land title applications. Additional staff should be hired to process applications.

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<sup>276</sup>“Indigenous Peoples’ Collective Rights to Lands, Territories and Resources.” The United Nations Permanent Forum on Indigenous Issues.

<https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/04/Indigenous-Peoples-Collective-Rights-to-Lands-Territories-Resources.pdf>.

<sup>277</sup>FAO, “Shifting Cultivation, Livelihood and Food Security.”, 2015.

<sup>278</sup>Cherrier, Justine, Shree Kumar Maharjan, and Keshav Lall Maharjan. “Shifting Cultivation: Misconception of the Asian Governments.” *Journal of International Development and Cooperation* 24 (2018): 71–82.

## Self Sufficiency and Crop Diversification

Malaysia has emphasized the need for self sufficiency, especially in terms of rice production. Chapter 1 delineates the major concerns surrounding this long-term plan, but if the Malaysian government chooses to continue to promote rice production, it should require the fortification of rice and help small-scale farmers with this transition through subsidies.

A more comprehensive approach would be to promote crop diversification, especially in oil palm plantations. Oil palm is one of the most efficient crops, both in terms of area and labor input.<sup>279</sup> That being said, the environmental impacts are devastating. Oil palm plantations lead to soil erosion and the discharge is full of fertilizers and harmful substances. The development of plantations requires draining and burning of peat soils, which releases stored carbon into the atmosphere.<sup>280</sup>

Studies have linked crop diversity to food security due to increased production stability. A study analyzing different types of crops found that chick peas, lentils, fonio, and sisal are well suited to grow in conjunction with oil palm in Malaysia. In particular, chickpeas and lentils show promising results as legumes can improve soil quality during crop rotation.<sup>281</sup> Chickpeas are rich

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<sup>279</sup>Gérard, Anne, et al. "Oil-Palm Yields in Diversified Plantations: Initial Results from a Biodiversity Enrichment Experiment in Sumatra, Indonesia." *Agriculture, Ecosystems & Environment* 240 (March 1, 2017): 253–60. <https://doi.org/10.1016/j.agee.2017.02.026>.

<sup>280</sup>Tang, Kuok Ho Daniel, and Hamad M. S. Al Qahtani. "Sustainability of Oil Palm Plantations in Malaysia." *Environment, Development and Sustainability* 22, no. 6 (August 1, 2020): 4999–5023. <https://doi.org/10.1007/s10668-019-00458-6>.

<sup>281</sup>Pin Keong, Er, Muhammad Ehsan Rana, and Vazeerudeen Abdul Hameed. "Crop Suitability Prediction Model for Malaysian Crop Diversification." In *2022 International Conference on Decision Aid Sciences and Applications (DASA)*, 1004–12, 2022. <https://doi.org/10.1109/DASA54658.2022.9765283>.

in protein, minerals, vitamins, folate, fiber, and healthy fatty acids.<sup>282</sup> Similarly, lentils are rich in protein, micronutrients, and minerals.<sup>283</sup>

Researchers have found that crop diversification in oil palm plantations can mitigate the negative environmental impacts. A study in Indonesia found that oil palm yields increased as different tree species were planted in the same area. This is further supported by other studies that indicate that oil palms planted at lower densities are more productive. Other studies have shown that tree enrichment can improve soil fertility and biological pest control. The Indonesian case study also found that the increase in oil productivity helps buffer the economic transition as small scale farmers introduce new trees into their land.<sup>284</sup>

Though the Malaysian government requires consultations for oil palm plantation developments under SLO, there are several cases in which the government dismissed Indigenous claims to land without any prior consultation. The Orang Asli also have difficulty engaging in discussions regarding their land status.<sup>285</sup>

Additionally, town halls or advisory groups could provide support to farmers as they transition to diversified crops. In Indonesia, there is a high level of interest in crop diversification by smallholder farmers, but there is limited access to information, advice, and high-quality seeds.<sup>286</sup> The Malaysian government should explore facilitating the dissemination of information through town halls or advisory groups. Advisory groups help centralize on Indigenous

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<sup>282</sup>Gaur, P. M., S. Samineni, S. Sajja, and R. N. Chibbar. "Achievements and Challenges in Improving Nutritional Quality of Chickpea." *Legume Perspectives*, no. 09 (September 2015): 31–33.

<sup>283</sup>Johnson, Nathan, Casey R. Johnson, Pushparajah Thavarajah, Shiv Kumar, and Dil Thavarajah. "The Roles and Potential of Lentil Prebiotic Carbohydrates in Human and Plant Health." *PLANTS, PEOPLE, PLANET 2*, no. 4 (2020): 310–19. <https://doi.org/10.1002/ppp3.10103>.

<sup>284</sup>Gérard, Anne, et al. "Oil-Palm Yields in Diversified Plantations", 2017.

<sup>285</sup>Xanthaki, Alexandra. "Land Rights of Indigenous Peoples in Southeast Asia."

<sup>286</sup>ScienceDaily. "More Diversity Needed in Oil Palm Plantations." <https://www.sciencedaily.com/releases/2020/10/201014141041.htm>.

knowledge, ensure community participation, and provide an avenue of feedback.<sup>287</sup> As a result, this would help build back trust between Indigenous groups and developers.

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<sup>287</sup>Johnston-Goodstar, Katie. “Decolonizing Evaluation: The Necessity of Evaluation Advisory Groups in Indigenous Evaluation.” *New Directions for Evaluation* 2012, no. 136 (2012): 109–17. <https://doi.org/10.1002/ev.20038>.

## Land Resettlement Schemes

While some may consider resettlement schemes as instrumental to help displaced populations, research has shown that oftentimes people end up being worse off. This may be attributed to the fact that populations are often displaced for large infrastructural projects and do not benefit from the projects themselves. There are significant economic impacts of resettlement to factor, like the loss of fertile lands, grazing sites, and productive natural assets. It is also worth noting the sociocultural impacts of resettlement, such as the loss of traditional homes or connection to ancestral places.<sup>288</sup>

Oftentimes, communities are forced or coerced to resettle. For instance, the Orang Asli have repeatedly had to relocate due to dam constructions. This is especially problematic as certain resettlement projects were designed “to integrate the rural and backward Orang Asli into the national society”.<sup>289</sup>

Despite concerns about resettlement schemes, they have continued to expand. As of 2021, FELDA schemes cover about 16 percent of Malaysia. Studies suggest that problems with FELDA will continue as there are limited job opportunities due to the fluctuation of global commodity prices. Additionally, concerns are increasing about limited housing for second and third generations of FELDA settlers.<sup>290</sup>

Therefore, unless there is really strong information available that Indigenous communities are benefitting Indigenous communities and that they are completely noncoercive, these schemes should not occur.

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<sup>288</sup>“Autonomy Re-Constituted: Social and Gendered Implications of Dam Resettlement on the Orang Asli of Peninsular Malaysia,” 2006. <https://doi.org/10.1177/097185240501000105>.

<sup>289</sup>“Social and Gendered Implications of Dam Resettlement”, 2006.

<sup>290</sup>Rashid, Mohd Fadzil Abdul, et al. “FELDA Lands Development Based on Sustainability and Highest-Best Use Approach: How To Go About It?” *Journal of Malaysian Institute of Planners* 20 (2021). <https://doi.org/10.21837/pm.v20i21.1106>.

## CHAPTER 5: CONCLUSION AND BROADER IMPLICATIONS

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Several policy opportunities lie ahead of Malaysia as the nation tries to improve nutrition. Despite being one of the richer countries in Southeast Asia, Malaysia is one of the countries that is struggling the most in terms of malnutrition.

Instead of merely replicating the policies of its neighbors, Malaysia is uniquely positioned to learn from previous mistakes and ensure the wellbeing of its population. As the rest of the world becomes increasingly concerned about Indigenous rights, Malaysia must adapt to a new system that uplifts marginalized communities. Giving Indigenous people land ownership is crucial in the fight against climate change, as their practices are restorative and less damaging to the environment. Strategies that directly target and prioritize the wellbeing of Indigenous communities, especially in Sabah and Sarawak, is necessary in the advancement of nutrition.

In Southeast Asia, the narrative around food security centers around self sufficiency, instead of addressing the more pressing, systemic issues. Self sufficiency can be politically attractive in the short term, but has the potential to worsen the state of malnutrition. Instead, the government must focus on providing supplements in staple foods and reducing the incidence of poverty.

Numerous policy efforts indicate that malnutrition is a priority for most countries, but governments must prioritize the wellbeing of vulnerable populations if they hope to alleviate poverty and hunger.

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