

Conference Paper

A LEGAL ANALYSIS OF A HUMAN RIGHTS-BASED APPROACH TO FOOD SECURITY FOR ORANG ASLI

Muhamad Sayuti Hassan

Senior lecturer, Faculty of Law, Universiti Kebangsaan Malaysia, 43600 UKM Bangi, Selangor, Malaysia

ORCID

Muhamad Sayuti Hassan: orcid.org/0000-0002-9060-8903

Abstract.

International law recognises the right to food for all, including indigenous peoples. The Food and Agriculture Organisation of the United Nations (FAO) suggests four aspects of food security sustainability: availability, accessibility, utilisation, and food sustainability. In the context of Orang Asli in Malaysia, the Orang Asli Act 1954 does not expressly provide food security for Orang Asli. The National Agrofood Policy 2021–2030 needs to be revised to comprehensively address the issue of Orang Asli food security compared to international legal standards. The gaps in this law are one of the causes that contribute to the inability to address the issue of food security for Orang Asli holistically. Therefore, the main objective of this article is to critically analyse existing laws and policies related to the right to food and food security of Orang Asli and propose a food security model for Orang Asli based on human rights principles and international legal standards. This study employs doctrinal legal methodologies applicable to international law, domestic law, and policies pertinent to Orang Asli food security. The study found that the existing law in APA 1954 needs to be revised to guarantee food security for Orang Asli. Therefore, a hybrid legal model of food security for Orang Asli is significant to address this issue comprehensively as it combines the uniqueness of the customs and aspirations of Orang Asli, human rights principles, and international legal standards. This model could assist the government in accomplishing Sustainable Development Goal 2, which aims to end hunger, achieve food security, and improve nutrition.

Keywords: Food security; human rights; Orang Asli; rights to food; UNDRIP.

1. INTRODUCTION

Orang Asli are the indigenous inhabitants of Peninsular Malaysia. The total population of Orang Asli is only 209,575 people, or approximately 0.6% of the total population of Malaysia. [1] The Orang Asli community comprises three major ethnicities, Negrito, Senoi, and Proto-Malay, and further divided into 18 sub-ethnic groups. [1] [2] [3]. This division is based on physical characteristics, language, and customs distinctions. In the past, the Orang Asli were frequently viewed negatively because they were considered

Corresponding Author:

Muhamad Sayuti Hassan; email:
sayutihassan@ukm.edu.my

Published 5 January 2024

Publishing services provided by
Knowledge E

© Muhamad Sayuti Hassan. This article is distributed under the terms of the [Creative Commons Attribution License](https://creativecommons.org/licenses/by/4.0/), which permits unrestricted use and redistribution provided that the original author and source are credited.

Selection and Peer-review under the responsibility of the 4th INCLAR Conference Committee.

 OPEN ACCESS

a less developed and uncivilised society. The negative perceptions and inequitable treatment of the Orang Asli cause their societal position to be further marginalised. Moreover, this circumstance causes the Orang Asli to remain behind in development, and their customary land issues persist, directly or indirectly affecting their food security.

In 2019, the Global Food Security Index reported that Malaysia ranked 28th, compared to Singapore at the top. However, this position has changed after the spread of the COVID-19 pandemic worldwide. [4] In 2022, the Global Food Security Index reported that Malaysia ranked 41st after Panama. [5] Like most indigenous people worldwide, the Orang Asli are vulnerable to hunger and malnutrition.

In 2014, Schutter, O.D., as the United Nations Special Rapporteur on the Right to Food, reported the situation of the Orang Asli regarding the right to food and food security during his visit from December 9 to 18, 2013. [6] The report revealed that indigenous groups, including the Orang Asli, are among the groups exposed to the threat of food security and malnutrition [6] [7]. As reported in the main document of the 12th Malaysia Plan, the Orang Asli are still lagging in terms of socioeconomic development, not to mention that the incidence of poverty among the Orang Asli is still high at 33.6 per cent in 2019 (RMKe12). In addition, Chong Su Pei et al, found that as many as 82.9 per cent of Orang Asli from Mah Meri in Kuala Langat, Selangor faced the threat of food security [8]. At the same time, Khor & Mohd Sharif revealed that OA children face high malnutrition, which is 43–86 per cent [9]. Furthermore, the crisis in the recognition of Orang Asli land, as reported in the Orang Asli/Indigenous Land Inquiry Report by the National Human Rights Commission of Malaysia, is also related to the issue of food security for Orang Asli. [10]

The previous studies focusing on the issue of food security in the Orang Asli community can be very limited. Most previous studies on food security are more general in nature. For instance, Hwalla et al. argued that food nutrition is essential to food security [11]. According to the findings of Jomo K.S. and Tan Zhai Gen's study, the most pressing issue regarding food security in Malaysia is the inability to propose additional solutions, such as strengthening existing policies [12].

In addition, general studies on Orang Asli focus on nutrition, health, and social science. For example, Leh Shii Law et al. also revealed that the Orang Asli are exposed to the threat of food security in the traditional food system, especially in Kelantan, Pahang, and Perak [13]. Moreover, Teh et al. studied the relationship between food security and anthropometric and cognitive function among Orang Asli children in Pahang [14]. They found that the majority of respondents, or 91.6 per cent, were threatened by food security. Khor & Zalilah also commented on health problems among Orang Asli

women and children [9]. This study states that in addition to major health issues such as nutritional problems.

Additionally, a social science study by Hasni et al. on the Orang Asli Lanoh community discovered that an unbalanced nutritional diet and an unstable food supply are among the factors contributing to a lack of food security from the perspective of food availability and accessibility [15]. Hasni et al. found through research on the Kintak community that land-clearing activities cause the Orang Asli's food resources to become limited and increasingly complex [7] [16]. In this regard, Leh Shii Law et al. identified 29 coping strategies to address the issue of Orang Asli food security threats [13]. Such strategies are particularly useful for government agencies seeking to enhance the Orang Asli's food security.

A review of previous studies found a wide gap in research on food rights and food security among the Orang Asli from a legal perspective. Studies on Orang Asli from the legal aspect focus on land recognition, political participation, socio-economics, and the right to self-determination. For example, Some existing studies, such as Hassan & Nordin [17] [18] [19] [20] [21], Subramaniam [22] [23], Wook [24] [25], and Nordin [26], focus more on doctrinal studies and legal analysis. Thus, this study fills the gaps through a legal analysis of the right to food and food security of the Orang Asli and related laws.

The literature review results show that past studies leave a big gap because they need to touch on the description and level of protection of food rights and food security for the Orang Asli from a legal perspective. This may be due to past studies focusing more on health issues from an anthropology and health science perspective. From a legal point of view, most studies are more focused on the customary land rights of the Orang Asli. In other words, there still needs to be a gap in the corpus of knowledge regarding the recognition of the right to food and the issue of protection of the right to food and food security for the Orang Asli. This article will make a significant and fundamental contribution to the corpus of knowledge by specialising in protecting the food rights and food security of the Orang Asli based on the human rights principles recognised by UNDRIP and international law.

Therefore, the primary purpose of this article is to critically analyse existing laws and policies pertaining to the food security of Orang Asli and propose a food security model for Orang Asli based on human rights principles and international legal standards. The present study clarifies the literature on indigenous peoples and food security and discusses the rights to food and food security under international law. This article also examines the legal challenges posed by the issue of Orang Asli food security in

Peninsular Malaysia. The final section of this paper proposes a strategy for advancing food security for Orang Asli based on a human rights approach and a legal perspective.

2. METHODOLOGY/ MATERIALS

This study employs doctrinal legal research applicable to international law, domestic law, and Orang Asli food security policies. The current article articulates the relevant provisions in UNDRIP, Federal Constitutions of Malaysia, APA, other relevant laws, as well as case laws. The study used library research to collect relevant works of literature from primary and secondary sources. The data obtained from the literature were analysed using a qualitative approach.

3. RESULTS AND DISCUSSIONS

Under international law, the recognition of the right to food for all, including indigenous peoples, is no longer disputed. Food security, according to the 1996 World Food Summit, is:

Food security exists when all people, at all times, have physical and economic access to sufficient safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life.

Based on this definition, there are four (4) main aspects to assess the sustainability of food security for a country, namely the availability, accessibility, consumption, and stability of food, as illustrated in the diagram below. In the context of this study, the elements of food security mean sufficient food at the national level, in the market and at the household level. This aspect of availability includes food that is nutritionally sufficient, of good quality, and sufficient in quantity. In addition, this food must also be safe from contamination or pollution and accepted by the customs and cultures of certain communities.

Under international law, the recognition of the right to food for all, including indigenous peoples, is no longer disputed. Various international instruments and guidelines are being developed to address the issue of recognising the right to food and food security. In the human rights corpus, article 25 of the Universal Declaration of Human Rights provides that every human has the right to food. Article 11 of the International Covenant on Social, Economic, and Cultural Rights also explains the fundamental right to be free from hunger. The right to food is also provided under Article 12 (2) of the Convention on the Elimination of All Forms of Discrimination Against Women (1979)

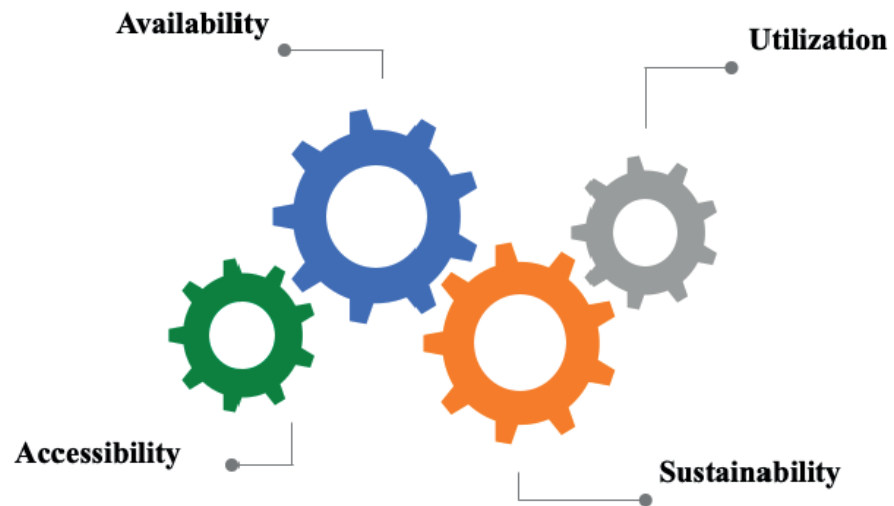


Figure 1: Food and Agriculture Organization (FAO), 2009.

related to the right to nutrition for pregnant women, while Article 27 (3) of the Convention on the Rights of the Child provides for the right to an adequate quality of life. Further, Article 28 (1) of the Convention on the Rights of Persons with Disabilities is equally relevant pertaining to this matter. Therefore, international law recognises the right to food and food security for every individual, including indigenous people.

Among the important documents related to food security under FAO is “Voluntary Guidelines to Support the Progressive Realisation of the Right to Adequate Food in the Context of National Food Security,” which was received in November 2004 through Session 127 of the FAO Council. The document presents some guidelines for dealing with food security issues. These guidelines also make special provisions for indigenous people. Although international law recognises the indigenous people’s food rights, the protection of the food rights and food security of the Orang Asli in Malaysia still needs to catch up compared to other majority communities. This may be due to the legal gap and the situation of the Orang Asli, still plagued by economic problems and marginalised.

The rights of Indigenous people worldwide have been recognised through the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) at the international level. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) was adopted by the UN General Assembly on September 13, 2007, at its 61st session [27]. Nonetheless, the status of UNDRIP under international law is only “soft law” and is not binding [28]. Charters described UNDRIP as demanding moral obligations rather than legal obligations [29]. Although non-binding, the UNDRIP should be used as a standard for recognising and protecting indigenous people’s rights internationally and

domestically. In that connection, the preamble of the UNDRIP and Article 46 (3) call for the government to comply with all the provisions of the UNDRIP because they are in line with the spirit of the United Nations Charter. The Supreme Court of Belize, through the case of *Aurelio Cal et al. v. Attorney General of Belize* (Claims No. 171 and 172 of 2007) (18 October 2007) (Mayan Land Rights) [2007], recognised the UNDRIP as being implemented at the domestic level. In this case, the judge gave significant support to UNDRIP as follows: *“Of course, unlike resolutions of the Security Council, General Assembly resolutions are not ordinarily binding on member states. But where these resolutions or declarations contain principles of general international law, states are not expected to disregard them.”*

According to Charters, UNDRIP has a significant role for indigenous people, complementing the provisions of other international legal instruments, further clarifying the evidence as to the status of international customary law, and acting as a persuasive value in understanding related law [29]. In addition, the 2010 International Law Society Conference Report on Indigenous Rights also emphasised the importance of UNDRIP as a mainstream instrument in the United Nations system, the International Labour Organisation, and even UNESCO [30]. Therefore, the UNDRIP is not just a declaration but also contains human rights norms and principles of international law.

Accordingly, some scholars argue that these indigenous people-specific instruments have significant legal implications. Former UN Special Rapporteur Anaya (A/HRC/9/9) explained that UNDRIP is the supreme authority that upholds the rights of indigenous people around the world [31]. The overwhelming support by various countries for the UNDRIP gives a positive sign to the international legal corpus that describes its acceptance as international customary law [32]. UNDRIP is also based on various human rights principles and norms adopted in human rights treaties, including the right to self-determination [31] [33]. Having said that, Montes & Cisneros also explained that the UNDRIP is not a new set of laws [34]; instead, the provisions can be adapted to the historical, social, and cultural context of the indigenous people [31].

In the context of the Indigenous people, among the important principles and rights in the UNDRIP is recognising the right of self-determination for indigenous as enshrined under Article 3 of the UNDRIP. The provisions above recognise and protect the indigenous people, including their political, economic, social, and cultural development. The indigenous people's right to food and food security can be analysed in the social and economic context as provided in the UNDRIP through Articles 17, 21, 24 and 29. Food security is also closely related to recognising the land and customary practises of the indigenous people, which are recognised under UNDRIP, such as Articles 25, 26, 29,

and 32. The recognition warrants attention because Malaysia is one of the States that supports it, and the appropriate mechanism should be in place to recognise the rights of Orang Asli, including rights to food and food security.

In Malaysia, the Orang Asli are protected by various laws. The primary relevant laws for the Orang Asli are the Federal Constitution and the Orang Asli Act 1954 (APA), a specific act for the protection and development of the Orang Asli. In addition, the government introduces a number of policies to support the protection of the Orang Asli.

As provided under Article 4 of the Federal Constitution, the supreme law in Malaysia is the Federal Constitution. It plays a vital role in recognising and implementing Orang Asli's rights. Although the Orang Asli do not receive a special position under Article 153, the Federal Constitution specifically provides for the rights of the Orang Asli under Article 8 (5)(c). Article 8(5)(c) allows discrimination in favour of the Orang Asli by emphasising aspects of progress, including matters related to land reservation. The Ninth Schedule, Item 16 of the Federal Constitution, specialises in development and welfare planning for the Orang Asli. Although the provision of Article 8(5)(c) is against the concept of equality, this discrimination in favour of the Orang Asli is legitimate and is called positive discrimination [22] [35]. The judge in *Public Prosecutor v. Datuk Harun Bin Hj Idris & Ors*, 2 MLJ 116 [1976] cites the Indian law case *Shri Ram Krishna Dalmia, AIR 1958 SC 538*, which explains that this type of discrimination is permissible. Therefore, such legal protection is crucial for the Orang Asli, particularly concerning recognising their rights.

In addition, the Orang Asli Act 1954 (APA) is a significant act for the protection of Orang Asli's rights. The APA is described as an act designed according to the colonial model and continues to remain effective against the Orang Asli until today [17]. This Act has 19 sections covering the definition of Orang Asli, various Orang Asli rights, and JAKOA's administration of Orang Asli. Initially, the APA was created to prevent communist rebels from getting help from the Orang Asli and vice versa [36]. In addition, this act also aims to prevent the spread of communist propaganda from spreading into the Orang Asli community [36]. Thus, the government has taken the initiative to prevent any spread of writing or the entry of foreigners into the Orang Asli community [22].

According to the preamble of the APA, the primary purpose of this act is to provide Orang Asli in Peninsular Malaysia with protection, welfare, and advancement. However, the law contained in the APA needs to be revisited due to numerous loopholes, and various parties have criticised the provisions of this act. According to Dentan et al., the APA has a "paternalistic" element because the government is in the position of a father who decides the Orang Asli's way of living [37]. This "paternalistic" approach negatively

affects the Orang Asli because they are considered state dependents, not indigenous people with customary land and other rights [38]. This Act, intended to preserve the Orang Asli, is described by Nordin and Witbrodt as a platform for JAKOA to oversee Orang Asli-related issues [26]. In this regard, Hooker argued that the APA negates the rights of the Orang Asli, especially in administration and all matters related to customary land [39]. Despite various criticisms, the APA is still recognised as an act protecting the Orang Asli. The recognition can be seen when Judge Mohd Nor, in the case of *Selangor State Government & Ors v. Sagong bin Tasi & Ors* [2005] 6 MLJ 289, described the APA as a human rights act in line with the objective of the act itself to provide protection and advance the Orang Asli community.

In the context of the Orang Asli, the protection of food rights and food security has become more threatened as there is no law or specific policy related to this matter to guarantee and protect them. The lacunae of the APA are one of the factors that lead to the need for more comprehensive recognition of Orang Asli rights, such as the need to fully recognise Orang Asli land rights and their economic activities. This is closely related to the protection of food rights and threats to the food security of the Orang Asli.

The protection of the right to food and food security for the Orang Asli needs to be improved due to legal flaws in the APA. The legal loopholes in the APA also result in the Orang Asli's right to food and food security not being protected in accordance with international law, particularly in this uncertain era of the post-Covid-19 pandemic. The failure has also exacerbated the threat to food security, led to malnutrition among Orang Asli children, and will result in various other health problems. The ambiguity surrounding the recognition of the right to food and food security has implications for protecting and promoting Orang Asli's rights.

Furthermore, there are several laws and policies related to food security, such as the Paddy and Rice Control Act 1994 [Act 522], the National Agro-Food Policy 2021-2030, the Food Regulations (Amendment) 2020, the Food Regulations (Amendment) (No. 4) 2020, the Food (Amendment) (No. 3) Regulations 2020, the Food (Amendment) (No. 2) Regulations 2020, and several others. Even so, existing laws and policies are still insufficient to protect the right to food and food security in Malaysia.

Thus, a comprehensive legal framework that incorporates the cultural uniqueness of the Orang Asli, human rights principles, and international legal standards is capable of addressing the issue of food security for the Orang Asli community.

4. CONCLUSION AND RECOMMENDATION

While there needs to be more legal research on the right to food and food security for indigenous people in Malaysia, international practises and models for indigenous people cast light on this issue. Among them is Huambachano, who uses the indigenous model [40]. This Khipu model is based on the traditional knowledge of the indigenous people and has a relationship with the food security of the Maori and Quecha communities. The Khipu model is rooted in the traditions of the Maori and Quecha communities, which were born with a connection to the cosmology of the original people. In addition, Han Val Meijil et al. proposed a food security model in general by using two global models, MAGNET-IMAGE and GLOBIOM, to deal with food security issues in the future [39]. However, this model does not specifically apply to native people. In a study in Malaysia, Bala et al. proposed a dynamic system model for rice food security [38]. However, this model does not include legal aspects or consider the unique aspects of indigenous customs and culture, human rights principles, or international standards.

Therefore, the Orang Asli need a comprehensive legal framework to protect their rights better, particularly their right to food and food security. Without a specific law or policy guaranteeing and protecting the Orang Asli's rights to food and food security, their protection has become vulnerable. The lacuna of the APA is one of the factors that lead to the weakness of the recognition of Orang Asli rights, such as the need for recognition of Orang Asli land rights and their economic activities. This is closely related to protecting Indigenous rights to food and food security.

Finally, Malaysia must implement legislative and institutional changes to strengthen acknowledgment of Orang Asli's right to food and food security. The government should address the demand for new tools by establishing a framework to ensure indigenous peoples' full participation in all decision-making processes. One of the most significant measures requiring prompt government attention is the necessary modification to the APA. The government should also take particular measures, such as developing an adequate framework to defend Orang Asli's right to food and food security. Proactive steps must be done to secure recognition and strengthen the protection of Orang Asli rights to food and food security. In this regard, UNDRIP and other international legal instruments should serve as the basis for addressing the Agenda 2030 targets, notably SDG 2, to end hunger, achieve food security, and improve nutrition.

ACKNOWLEDGEMENT

The Universiti Kebangsaan Malaysia has funded this research under Geran Universiti Penyelidikan (GUP), grant number GUP-2022-063.

References

- [1] O. A. D. D. (JAKOA), 31 July 2023. [Online]. Available: <https://www.jakoa.gov.my/orang-asli/tribes/?lang=en>.
- [2] P. D. R. A. William-Hunt, n Introduction to the Malayan Aborigine, Malayan Aborigines, New York: AMS Press., 1952..
- [3] I. Carey, Orang Asli, the Aboriginal Tribes of Peninsular Malaysia, Kuala Lumpur:: Oxford University Press, 1976 .
- [4] Global Food Security Index 2019, 2019.
- [5] Global Food Security Index 2022, 2022.
- [6] O. Schutter, "Human Rights Council, Twenty-fifth session, Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right, including the right t development," Report of the Special Rapporteur on the right to food (A/HRC/25/57/Add.2)., 2014.
- [7] N. H. H. S. A. O. M. & G. N. Hasni, "Literature Review of Food Security and Health Among Indigenous People in Malaysia. International," Journal of Academic Research in Business and Social Sciences, , Vols. 8(12), 2347–2360., 2018.
- [8] Chong Su Pei et al, "Household food insecurity, diet quality, and weight status among indigenous women (Mah Meri) in Peninsular Malaysia," Nutrition Research and Praticce, Vols. 12(2):135-142., 2018.
- [9] G. a. M. S. Z. Khor, "Do not neglect the indigenous peoples when reporting health and nutrition issues of the socio-economically disadvantaged populations in Malaysia,," BMC Public Health , Vols. 19:1685, 1-5., 2019.
- [10] S. H, "ak Asasi Manusia Malaysia,," Laporan Inkuiri Nasional Mengenai Hak Tanah Orang Asal / Asli., 2013.
- [11] H. e. a. Hwalla, " Nutrition security is an integral component of food security, Frontiers in Lif e Science,," Vols. 9:3, 167-172, , no. DOI: 10.1080/21553769.2016.1209133., 2016.
- [12] J. K. e. al, " Achieving Food Security for all Malaysians,," Khazanah Research Institute,, p. 4/19, 2019.
- [13] S. N. W. Y. G. a. M. T. M. N. [11] Leh Shii Law, "Qualitative study on identification of common coping strategies practised by Indigenous Peoples (Orang Asli) in

- Peninsular Malaysia during periods of food insecurity,” *Public Health Nutrition*, vol. 12 (15), 2018.
- [14] A. A. J. J. H. Teh S.C., “ Assessment of Food Security, Anthropometric and Cognitive Function among Orang Asli Children in Pahang, Malaysia.,” *IMJM*, vol. Volume 19 No.3, pp. 81-91., 2020.
- [15] L. P. x. Hasni et al. Ancaman sekuriti makanan terhadap komuniti Lanoh: Kajian kes di Kampungan Air Bah, “*Journal of Social Science and Humanities Special I*,” *Journal of Social Science and Humanities Special I*, no. Issue, 2, pp. 143-159., 2016.
- [16] H. e. al., “Food Security among Orang Kintak in Pengkalan Hulu, Perak. International,” *Journal of Academic Research in Business and Social Sciences.*, Vols. Vol. 7, No. 3., 2017.
- [17] M. & N. R. Hassan, “ Political Participation of Aboriginal People (Orang Asli) in Peninsular Malaysia: Examining the Compatibility of the Aboriginal Peoples Act 1954 with Undrip Standards.,” *International Journal on Minority and Group Rights*, vol. 1, 2020.
- [18] M. & N. R. Hassan, *Hak Penentuan Kendiri Orang Asal*,, Bangi: Penerbit UKM., 2019.
- [19] M. & N. R. Hassan, “Status Dan Kedudukan Deklarasi Pertubuhan Bangsa-Bangsa Bersatu Mengenai Hak Orang Asal (UNDRIP) di Sisi Undang-Undang Antarabangsa, 2019,” *Current Law Journal (CLJ) [2019] 1 LNS(A) cxlii.*, 2019.
- [20] M. & N. R. Hassan, “Self-Determination and Free, Prior and Informed Consent of The Orang Asli, The European Proceedings of Social & Behavioural Sciences EpSBS, Future Academy,” Vols. 2357-1330, , 2018.
- [21] M. & N. R. Hassan, *Hak Tanah Adat Orang Asli dari Perspektif Undang-undang di Malaysia. Dalam Pembangunan Kontemporari Orang Asli*, Serdang:: Penerbit UPM, 2018.
- [22] S. & N. C. x, “Erasmus Law Review.,” *Erasmus Law Review*, , Vols. Vol. 11, No. 01: 67-79., 2018.
- [23] Y. Subramaniam, “The ‘UNDRIP’ and the Malaysian Constitution: Is Special Recognition and Protection of the Orang Asli Customary Lands Permissible?,” *Malayan Law Journal Articles*, vol. 2, 2011.
- [24] I. Wook, “Acknowledging Land Rights Of The Orang Asli: A Historical Perspective Of Laws In Peninsular Malaysia.,” *IIUM Law Journal*,, vol. 25, no. 1, 2017.
- [25] I. Wook, “Addressing the Rights of Indigenous Peoples to Resources in Malaysia: A Procedural Justice Approach,” *International Journal on Minority and Group Rights*, pp. 40-66., 2019.

- [26] Nordin & Witbrot, "Self-Determination of Indigenous Peoples: The Case of Orang Asli," *Asia Pacific Law Review*, vol. 20, p. 206., 2012.
- [27] [Online]. Available: [25] GA/0612 107th & 108th Meetings. Retrieved on 8 February 2015 from www.un.org/News/Press/docs/2007/ga10612.doc.htm..
- [28] M. Davis, "Indigenous Struggles in Standard-Setting: The United Nations Declaration on the Rights of Indigenous Peoples.," *Melbourne Journal of International Law*, vol. 9, 2008.
- [29] C. Charters, "the Rights of Indigenous Peoples," *New Zealand Law Journal*, pp. 335-337., 2006.
- [30] W. S. (, "Report on the Rights of Indigenous Peoples by International Law Association.," *The Hague Conference* , 2010.
- [31] Anaya, "Report of the Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous People, Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including the Right to Devevelopment," 2008.
- [32] A. & Wiessner, "The UN Declaration on the Rights of Indigenous Peoples: Towards Re-Empowerment'," *JURIST*, 2007.
- [33] Anaya. [Online]. Available: <https://unsr.jamesanaya.org/statements/statementon-the-united-nations-declaration-on-the-rights-of-indegenous-people-to-the-emrip>. [Accessed 1 Ocotober 2014].
- [34] M. & Cisneros, " The United Nations Declaration on the Rights of Indegenous People," 2009.
- [35] H. Hamzah, "Rights and Interests in Land among the Orang Asli in the State of Pahang: A Case Study, PhD.," *International Islamic University Malaysia.*, (2011).
- [36] C. E. J. & P. T. Y. Nicholas, " The Orang Asli and the UNDRIP: From Rhetoric to Recognition.," *Subang Jaya, Center For Orang Asli Concern.* , 2010.
- [37] R. Dentan, "Malaysia and the "Original People", a Case Study of the Impact of Development on Indigenous Peoples, Allyn and Bacon, Boston," in 1996, p. 70.
- [38] C. & B. A. Nicholas, "Health Care for Orang Asli: Consequences of Paternalism and Non-Recognition. DIm. Chee, Heng Leng & Barraclough, S. (pnyt). *Health Care in Malaysia: The Dynamics of Provision, Financing and Access.*," Kuala Lumpur, 2007, pp. 119- 136..
- [39] Hooker, "The Orang Asli and the Laws of Malaysia: With Special Reference to Land' ," *Akademika.*, 1996, p. 48.