

# EVALUATION REPORT OF THE JARINGAN ORANG ASAL SEMALAYSIA (JOAS)

EXTERNAL EVALUATION 2016

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# EVALUATION REPORT OF THE PROJECT, “BUILDING INDIGENOUS PEOPLES’ ORGANISATIONS THROUGH EMPOWERMENT OF COMMUNITIES”

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JARINGAN ORANG ASAL  
SEMALAYSIA  
(JOAS)



SUBMITTED TO:  
RAINFOREST FOUNDATION  
NORWAY

*The participatory evaluation process was an opportunity for JOAS’ leaders, members, and support NGOs to reflect on and engage in dialogue about their journey as an indigenous peoples network in Sabah, Sarawak, and Peninsular Malaysia. With great respect and appreciation to the men and women who gave their time to share about their struggles in the effort to make a difference in the lives of Orang Asal in Malaysia, our sincere gratitude for trusting us with your stories.*

SUSANNA AND JANE

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## List of Acronyms

AIPP	Asia Indigenous Peoples Pact
BRIMAS	Borneo Resources Institute
BIIH	Building Initiatives in Indigenous Heritage
COAC	Centre for Orang Asli Concerns
COMANGO	Coalition of Malaysian NGOs in the UPR Process
EMRIP	Expert Mechanism on the Rights of Indigenous Peoples
FPIC	Free Prior Informed Consent
JCM	JOAS Coordinating Meeting
JOAS	Jaringan Orang Asal SeMalaysia
JAKOA	Jabatan Kemajuan Orang Asli Malaysia (Orang Asli Advancement Department)
NCR	Native Customary Rights
OA	Orang Asal (Indigenous Peoples in Malay)
PANSA	Persatuan Anak Negeri Sabah
SADIA	Sarawak Dayak Iban Association
SASOF	Sabah Social Forestry Working Group
SUHAKAM	Suruhanjaya Hak Asasi Malaysia (National Human Rights Commission)
UNDRIP	UN Declaration on the Rights of Indigenous Peoples
UNPFII	United Nations Permanent Forum on Indigenous Issues
UPR	Universal Periodic Review
WIPD	World Indigenous Peoples' Day

## Executive Summary

The Jaring Orang Asal SeMalaysia (JOAS), an umbrella organisation of indigenous community organisations in Malaysia, was formally established in 2008 to build and strengthen solidarity and networking among indigenous peoples across Malaysia and to champion the rights of indigenous peoples, including rights to territories and resources. JOAS began to receive multi-year funding from the Rainforest Foundation of Norway (RFN) in 2013 and through this funding JOAS has been able to significantly expand its programmes and activities to address the key issues of indigenous peoples in Malaysia through organisational strengthening, media and information dissemination, network building and advocacy.

In the last quarter of 2016, RFN, with JOAS, commissioned an evaluation of the current funding cycle 2014-2017 to assess the results and achievements thus far of this funding partnership. The key objectives of the evaluation were to assess the relevance, efficiency, effective, responsiveness, sustainability of JOAS programmes and activities and its advocacy strategies locally nationally and regionally. The evaluation was also aimed at identifying challenges faced, lessons learned and provide JOAS with key recommendations that might support it as it refines and further strengthens its programmatic, institutional and strategic aspects. The evaluation was also aimed at providing relevant inputs to both JOAS and RFN: to JOAS as it approaches its strategic planning for 2018-2022; and to RFN as it goes through an organisational reflection exercise and thinks deeply about its theory of change and hones its strategic direction. The evaluation results also aim to provide some recommendations on the partnership between RFN and JOAS and possible new strategic alliances based on mutually beneficial outcomes.

The two evaluators appointed, one local and one international were appointed to this task. The evaluators selected the the Universalia evaluation framework developed by the International Development Research Framework (IDRC) as it has proven to be especially useful in the evaluation of non-profit organisations. The four main pillars of the framework involve determining the organisation's core motivation; understanding the external environment within which it is located; examining the organisation's capacity; and measuring the organisation's performance. The evaluators spent two weeks in October 2016 in field visits in Sabah, Sarawak and Peninsular Malaysia where JOAS has its members to gather data. During this period they conducted a series of interviews, facilitated workshop-style information gathering activities, gathered of documents and secondary materials and engaged in participatory observation.

The key findings of the evaluation are as follows:

- JOAS has a very strong *raison d'être*, and its mission and vision is shared in an unequivocal way by its leadership, staff and members, and there is a palpable sense of pride and purpose.
- JOAS exists in a complex milieu where historical legal, social, economic and cultural discrimination and marginalisation of indigenous peoples continue to oppress and serious endanger the livelihoods and lifestyles of a vast majority of its members. As such, its very existence as a unified platform for advocating the rights in indigenous peoples in Malaysia is political significant, a symbol of hope particularly for indigenous communities in Peninsular Malaysia that are among the most marginalised.
- JOAS has as central values collaborative, team spirit and the spirit of *perjuangan* (noble collective struggle), and the organisation's leadership, structure, processes and strategies are strongly influenced by these values, and to a large extent there is congruence between these values and the organisation's praxis.

- The leadership of JOAS commands the respect of the staff and membership base, and many are regarded highly as advocates of indigenous peoples' rights nationally, regionally and internationally. There is a deliberate effort to promote local leadership, and to giving indigenous leaders visibility as advocates of local advocacy concerns. While there are a set of established NGOs that provide advice and active support and guidance to JOAS, the leadership of JOAS is made up exclusive of indigenous peoples.
- Over the four years, since the last external evaluation in 2012, JOAS has successfully expanded its base of membership, and strengthened many aspects of its existence as an organisation. It has fully-functional physical offices in all three regions of its operations, a staff body of nearly a dozen staff members, and a membership of over 100 community based organisations.
- While the organisation has been successfully able to carry out many of its planning programmes and activities, and staff members are motivated and highly committed to the work of JOAS, there are a number of areas of internal functioning that could be improved and clarified, including onboarding and mentoring of new staff members; staff meeting and decision making processes in between Joint Coordination Meetings; governance and management functions; policy and standard operating procedure development; internal monitoring, evaluation and feedback processes; human resource management practices and, internal communication processes.
- There are clear lines of decision-making and accountability, with the General Assembly and the Joint Coordination Meeting and well established spaces for collaborative decision-making, strategic planning and problem solving. JOAS takes both planning and implementation of programmes very seriously, and even if there are some gaps in the implementation, the overall outcome is that plans have been carried to successfully to a large extent.
- JOAS has put in considerable effort to ensure a highly accountable and thorough financial management system. Recognising the importance of this to an organisation's ethical function, JOAS spends a fair amount of time building both staff and members' capacities. There are undoubtedly some areas for improvement including developing more detailed financial guidelines and protocols – however, the evaluators are satisfied with the degree of attention paid to this area of organisational function.

In terms of the expected results as per multi-year programme plans that have received funding from RFN, the evaluators have found JOAS has been diligent and focused in carrying out most of the planned programmes. Where there were challenges faced in implementation, the leadership of JOAS found strategic alternative programmes towards similar expected results. Following are some of the key findings in relation to each expected result area:

- Expected Results 1:The evaluators find that JOAS has made significant progress, and has managed to effectively provide a platform for indigenous communities in Malaysia to work together to bring their issues forward; develop solidarity among each other, and, exchange strategies to achieve the desired goal of empowering indigenous communities. JOAS' increasing visibility and the strength of their mission has played a catalytic role in raising awareness among Orang Asal communities, and building solidarity among OA communities across Malaysia. Programmes that enabled youth and women to raise awareness come together in solidarity networks are excellent steps in the direction of the JOAS mission.

- Expected Results 2: Over the last five years, JOAS has been very effective in bringing indigenous peoples issues to the attention of the media while maintaining a presence both in prints and online advocacy work. These interventions have strengthened their campaigns on issues affecting indigenous communities at the grassroots level by raise awareness and empathy of the public on indigenous peoples' issues, and providing information for policy and decision makers of the society. There have been challenges in enabling OA communities to document, analyse and disseminate information about the challenges they face, but there is greater visibility of JOAS members voicing their concerns and issues in both mainstream and alternative media outlets.
- Expected Results 3: JOAS' efforts to strengthen solidarity and exchange of best practices and capacity building across OA communities is going strong. There are a range of important venues and activities that have been successfully moved the organisation towards this expected results area, including the awareness raising roadshow, the annual gathering of OA peoples to celebrate WIPD and community mapping workshops. JOAS has also successfully adapted informational and training materials developed by partner NGOs, and leveraged their partnerships with support NGOs to build a strong mass-based network of OA community organisations.
- Expected Results 4: JOAS had played an important role nationally and regionally in securing indigenous peoples rights, and in particular their land and forest rights. There are a range of initiatives and policy interventions that JOAS, including ground-breaking research and participation in a range of strategic policy interventions. The evaluators believe that JOAS has made a clear and significant impact in establishing a national indigenous peoples' platform in national, regional and international advocacy work.

The evaluation team makes a number of recommendation in five key areas:

- continue and diversify approaches to policy advocacy;
- pay attention to a number of organisational development and internal capacity building, including leadership, human resource development and improved lateral communications capacities;
- further hone strategic advocacy efforts, including strategic communications, selecting areas and spaces for advocacy, building youth and women's ability to be in the forefront of advocacy;
- continue to invest in members capacity building as this is at the heart of network building and ultimately being able to secure the rights of indigenous peoples and conserve and protect forests;
- that RFN and JOAS explore a range of possibilities that ensure JOAS' funding and organisational sustainability in the long term.

The overall results of this evaluation with regards to JOAS – its significance as the only national level indigenous peoples' advocacy network, its vision and mission, its work, its capacity and its gained since the last evaluation – are highly positive. Given its integrity, power of mission and impact on the Malaysian human rights and forest conservation landscape, the evaluators believe that JOAS is an organisation that is well worth investing in.





FIGURE 1: AN IBAN LONGHOUSE AND ITS ENVIRONS IN RUMA AMPAU ,SARAWAK

## 1. Introduction: JOAS and its partnership with RFN

The Jaringan Orang Asal SeMalaysia (JOAS) is an umbrella organisation of indigenous organisations in Malaysia established in 2008, but has been working informally as a network since 1992. It focuses on building and strengthening solidarity and networking among indigenous peoples in Malaysia and to advocate for the promotion and protection of the rights of indigenous peoples, particularly on territories and resources as well as recognition of indigenous identities.

Since 2013 when it began to receive regular funding from the Rainforest Foundation of Norway (RFN), JOAS was able to develop programmes and activities to address the key issues of indigenous peoples in Malaysia through: (i) organisational strengthening, (ii) media and information dissemination, (iii) network building, and issue advocacy.

In its 2014 - 2017 multiyear proposal, JOAS indicated the need to conduct an evaluation of its work. It is timely therefore for both JOAS and RFN to assess the results and achievements thus far, and also provide future directions to the partnership. The findings and recommendations of the evaluation will be guided among others, by the JOAS strategic work plan for 2012-2017, and its annual work plan and reports submitted to RFN. This strategic programme provided the guidance to the formulation of the annual plans and detailed proposal of JOAS to RFN and other donors.

## 1.1 The Project: Building Indigenous Peoples Organisations through Empowerment of Communities (2014-2017)



FIGURE 2: DISCUSSING ISSUES AFFECTING THE COMMUNITIES AND THEIR FOREST RESOURCES

In 2014, the Rainforest Foundation Norway (RFN) provided a multi-year funding to support JOAS in its effort to enhance the capacity of the Orang Asal in Malaysia. The project is to build the capacities of indigenous peoples organisations and empower the Orang Asal to actively and effectively contribute towards territorial and cultural integrity since their rights, both legal and moral, are not recognised by the powers that be.

JOAS believes that indigenous communities' traditional way of life makes them important stewards of the forests. The decline of forests equates not only the loss of their ancestral domain and livelihood but also threatens the continuity of traditional knowledge, values (*adat*), identity and language. And without forest dependent communities who served as stewards of the environment, the forests will be vulnerable to increasingly unsustainable levels of exploitation, especially when this model of development advocated is not people and environment-friendly.

However, large scale developments, particularly oil palm plantations, dams, logging activities, extractive industries and other large development projects, are fast converting and destroying the forest. The challenge to the Orang Asal is further compounded by the fact that Malaysia is promoting itself as a 'green nation' by advocating the development of biodiesel, for example, participating actively in the CBD protocols, as well as amending and introducing laws that will determine the fate of the environments and natural resources. However, despite Malaysia adopting the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), there is still a huge gap between the rights accorded to the Orang Asal in the UNDRIP and that recognized in the country's laws and policies. In fact, the Malaysian government has not announced, publicised, or promoted the UNDRIP at all since its adoption in 2007. The challenge remains therefore for the Orang Asal to promote the UNDRIP to ensure the rights of indigenous peoples in their forest homelands.



The differing perceptions of the importance of the forests, and the competing claims to ownership and control of these lands, place the Orang Asal in a perpetual confrontation with those who want to use the forest differently. The only way to challenge every encroachment and threat to the forest homeland or indigenous way of life is to have a strong national network that advocates for indigenous rights at the sub-national, national, regional and international levels.

In order to do so, the Orang Asal communities need sufficient capacity, competence, and financial support to effectively address these threats. JOAS believes that a strong national network of Indigenous peoples with increased visibility and participation at the sub-national, national, regional and international levels can be an important vehicle to all the challenges that the Orang Asal needs to confront. Having this as an overall goal, in its multi-year project (2014-2017), JOAS' main focus of programme has four key expected results namely:

1. Indigenous organisations in Malaysia collectively plan and coordinate activities that involve indigenous issues.
2. Orang Asal are able to document, collectively analyse, and disseminate information about indigenous peoples' rights and issues.
3. Orang Asal communities strengthen their networks and exchange best practices.
4. Orang Asal articulate their views and contribute to policy discussions on indigenous issues at the national, regional and international levels.

JOAS' main strategy is to focus on improving the capacities of Orang Asal to engage with various parties (other non-member Indigenous communities, governments, agencies, NGOs, media and the general public) on a variety of issues, including general awareness-raising and Indigenous advocacy. Second, JOAS served as a resource to its members to assert their rights and to protect their traditional lands.

In the multi-year proposal, JOAS and RFN agreed to conduct an external evaluation to assess the level of achievement of the partnership. In October 2016, JOAS had requested a team of external evaluators to help JOAS to analyse its partnership with RFN and assess whether the project helped the organisation further its vision of improving the lives of indigenous peoples in Malaysia. The findings and recommendations of the evaluation will be an input to JOAS to help improve their organisational strategies, processes and approaches in ways that enables JOAS to better achieve its mission. The findings will also help JOAS to further refine its advocacy strategy and capacity building program to advance indigenous peoples agenda at the national, regional and international level. They believe that this will be an important input to improve their work that will help guide the future directions of the partnership with RFN.

This evaluation will provide RFN with the data and insight needed on JOAS to see how the work that they do aligns with the vision of change that RFN aims to promote through its activism. The evaluation will also provide the data needed for RFN to align its resources in ways that will be the most effective in improving the lives of indigenous peoples and the forests and other resources that they rely upon for their livelihoods.

## 2. Evaluation Framework



FIGURE 3: SUSANNA GEORGE SHARING THE EVALUATION PROCESS AND FINDINGS DURING THE JOINT COMMITTEE MEETING IN PENINSULAR MALAYSIA  
PHOTO CREDIT: CENTER FOR ORANG ASLI CONCERNS (COAC), 16 OCTOBER 2016

The evaluation framework<sup>1</sup> that was used for the evaluation is one that has been developed by the International Development Research Framework (IDRC) and is especially useful in the evaluation of non-profit organisations. In this framework, the following key areas provided the guideposts for assessment:

- A. **Determining organisational motivation**—reason for being, shared vision, history, basic purpose of the organisation, why it exists and for whom do they exist, and what is their distinct role they place in advancing indigenous peoples agenda both in the national and international contexts.
- B. **Understanding the organisation's external environment**—understanding legal, political, social, cultural, economic, and environmental context where the organisation operate.
- C. **Examining organisational capacity**—reflecting on how the organisation manages its day-to-day affairs including financial management, programme management, process management, inter-organisational linkages, strategic leadership, and organisational structure- within the organisation.
- D. **Measuring organisational performance**—reflecting on what extent has the goal of the project been achieved (effectiveness), to what degree do the outputs achieved derive from efficient use of

<sup>1</sup> Organisational Assessment: A Framework for Improving Performance. 2002. Inter-American Development Bank and International Development Research Center.

financial, human and material resources (efficiency), to what extent does the project conform to the needs and priorities of the target groups (relevance), and financial viability.

## 2.1 Purpose of the Evaluation

The purpose of the evaluation is defined in the Terms of Reference developed by JOAS and RFN. Based on the document, the objectives of the evaluation are:

- a. To assess the relevance, efficiency, effectiveness, responsiveness, sustainability and impacts of the JOAS programmes and activities based on the recommendation of the 2011 evaluation of JOAS, its strategic planning for 2013 - 2017, and the annual proposals and reports submitted to RFN;
- b. To review the strategies and activities at the local, national and international levels of the JOAS Advocacy and Campaign programme, with some emphasis on forest protection, and how JOAS can transform this programme to be able to be relevant in the region;
- c. To identify and analyse the challenges and lessons learned and provide key recommendations that can guide JOAS in improving and defining its institutional and networking strategies and programme development, that can feed to its strategic programme 2018-2022; and,
- d. To analyse how JOAS may ensure sustainability of its programmes, including recommendations on the partnership between RFN and JOAS and on possible new strategic alliances.

## 2.2 Methodological Approach

The main unit of analysis in this evaluation process is the organisational capacity and the institutional context where JOAS operate. Throughout the process the evaluators served as facilitators to help JOAS reflect on the life of their intervention as it is lived and perceived and experienced by them and the indigenous peoples in Malaysia, including program or project personnel involved in the project. The process involved gathering experiential accounts describing program activities and how the interventions unfolded in facilitated and participatory ways.

Using the evaluation framework to look at different aspects of the organisation, the evaluation team used different methods of data gathering including facilitated workshop style processes, timeline exercises, individual and group interviews and a review of document to understand how change has occurred and how it can best be sustained. The evaluation process provided JOAS the analytical tools and questions that guided the leaders and members to reflect about its work in advancing indigenous peoples' rights and building the capacities of indigenous women and youth. They also analysed the factors that act as obstacles to the organisation in realizing its vision and mission. The evaluation process also investigated the existing enabling organisational environment and the factors that allow JOAS to follow its programmed organisational trajectory.

## 2.3 Composition of the Evaluation Team

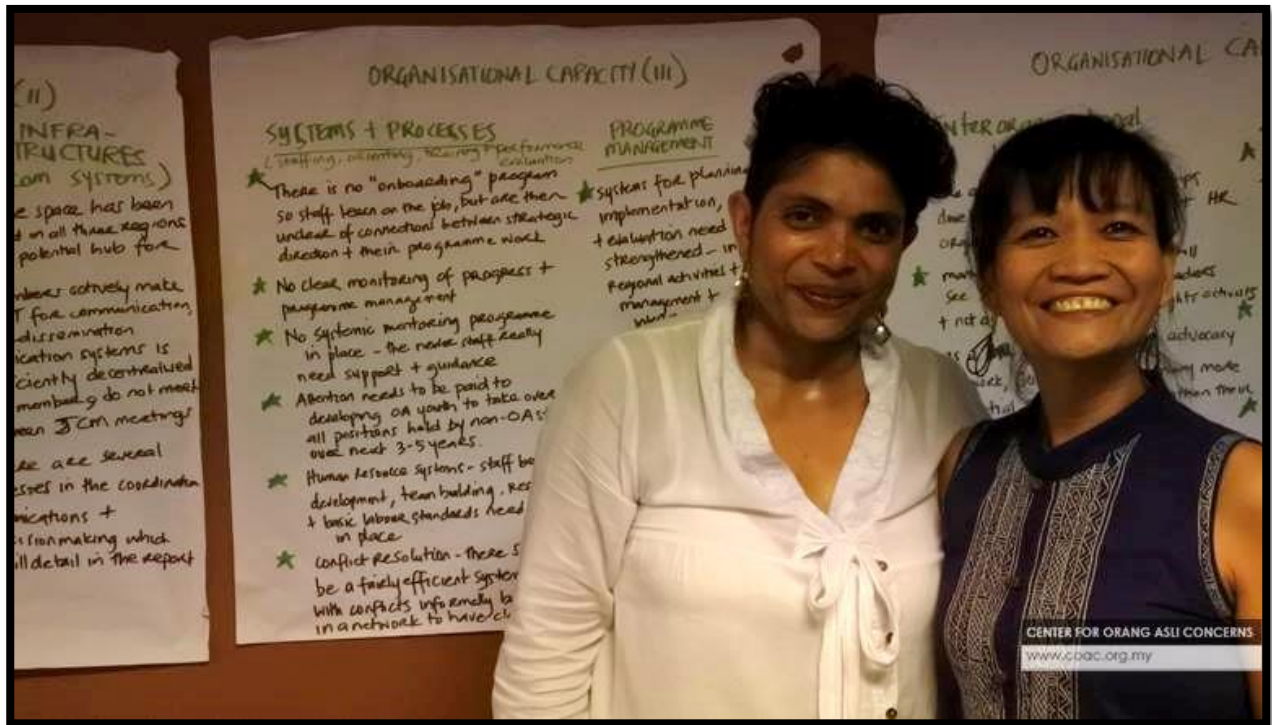


FIGURE 4: THE EVALUATORS, SUSANNA GEORGE AND JANE AUSTRIA-YOUNG  
PHOTO CREDIT: CENTER FOR ORANG ASLI (COAC), 16 OCTOBER 2016

The field work for the evaluation was conducted for two weeks by a team of two women consultants who have considerable experience in evaluating development projects on issues of indigenous peoples and organisational development. The team leader, a Malaysian with extensive experience in women's rights issues and organisational development, has been actively engaged in national and regional women's movement building for over two decades. The co-evaluator, from the Philippines, has extensive background in community organizing and indigenous people's issues. The team members' respective expertise were complementary and they worked synergistically and in a highly collaborative way.

As evaluators, they are strongly aligned to the belief that every evaluation is as much an opportunity for the network/organisation being evaluated to reflect upon and revisit their goals and strategies as it is to provide an assessment to the donors of their performance and effectiveness thus far. They thus chose to combine the traditional interview format with a more participatory workshop-style evaluation process where it was appropriate. They also hold a strong desire to be as culturally sensitive and inclusive as possible, and to take into account the context within which JOAS operates in.

## 3. Understanding the Organisational Context and Environment

Organisations (and networks) do not exist in a vacuum. The particular socio-political, historical, legal, cultural, economic and environmental context that an organisation operates in shapes the organisation, its motivations,



its performance, what it produces and how it operates. So too with JOAS – JOAS is both a product of and a critical response to the unique set of challenges and opportunities experienced in the Malaysian context.

For the purposes of this report, we focus on a few salient aspects of the administrative, legal, socio-political, cultural, economic, geographic and social movement context that lend insight into the growth, development and impetus of JOAS:



FIGURE 4: ELDERS AND CHILDREN LISTEN INTENTLY DURING THE SHARING IN THE LONGHOUSE IN SARAWAK

- JOAS (2015) in its publication, *Red and Raw*, estimates that Malaysia is home to approximately 3,724,000 Orang Asal (Indigenous Peoples) across Peninsular Malaysia, Sabah and Sarawak, or 13.8 % of the country's total population. According to the 2010 National Census, as quoted by the Malaysian Human Rights Commission (SUHAKAM) (2013), 61.22 % of Sabah's population (approximately 1.96 million people), 71.2% of Sarawak's population (approximately 1.76 million people) are from indigenous communities. Statistics available from the Department of Orang Asli Development (JAKOA) states that there were approximately 178,187 indigenous people in Peninsular Malaysia. The indigenous peoples come from 86 groupings that are culturally and linguistically distinct. As the statistics quoted show, the vast majority of Orang Asal in Malaysia reside in Sabah and Sarawak.
- Malaysia is a multi-ethnic, multicultural country that is the result of human migration, trade, colonialism over the past millennia. Until recently, the Malaysian government recognized four official categories of ethnicity (or race as it is wrongly referred to in Malaysia) that citizens are expected to identify as, namely, Malay, Chinese, Indian and Other. The reasons for this are linked to the historical development of Peninsular Malaysia. All Orang Asal in Sabah, Sarawak and Peninsular Malaysia, in all their diversity, had to tick the Others box on national forms until early 2016 when the Malaysian Cabinet decided to include an additional "race" category, namely, Dayak, to accommodate the demand of the State Government of Sarawak. In addition to this narrow definition of ethnicity, in the early 1970's Malaysia also developed a term, *Bumiputera*, which is a term that is meant to distinguish Malays from those of Chinese and Indian heritage as indigenous people. This was seen as an expedient way to defuse inter-ethnic tensions in the late 1960's and was the conceptual underpinning of a set of affirmative action type economic policies that have been aimed at addressing perceived inequities between the different ethnic groups. The category *Bumiputera* is meant to cover both Malay populations as well as the Orang Asli (indigenous peoples of Peninsular Malaysia), and indigenous peoples of Sabah and Sarawak. However, over time, the term *Bumiputera* has been used to gain

political and economic leverage that has largely benefitted those who identify as Malay. It is therefore politically significant that JOAS (2015) “regard the Orang Asli and the natives of Sabah and Sarawak, as the country’s indigenous peoples or Orang Asal. While the Malays are also indigenous to Malaysia, they are not categorised as Orang Asal because they constitute the majority and are politically, economically and socially dominant...”

- Malaysia which has a land mass of 329,847 sq. km consists of two geographical regions divided by large body of water known as the South China Sea. Peninsular Malaysia (or West Malaysia) is at the South-eastern tip of the Asian continent and is the smallest landmass, while Sabah and Sarawak which occupies the northern and western part of the island of Borneo makes up 200,565



square meters or 61% of the total land mass of Malaysia. Malaysia’s population of approximately 31.7 million is unevenly distributed across these two geographical region. 26.02 million of this population resides in Peninsular Malaysia, while 3.21 million live in Sabah, and 2.47 million in Sarawak (Department of Statistics, Malaysia web portal). Approximately 60% of Orang Asal throughout Malaysia live in rural areas of Malaysia (JOAS, 2015).

- While infrastructure has been a major component of public sector development expenditure of the Malaysian government’s economic plans, there is and continues to be a vast disparity between investments on infrastructure between urban and rural areas, and between Peninsular Malaysia and Sabah and Sarawak. Roads for example are heavily concentrated in Peninsular Malaysia, with 68.6% of all roads in 2005 (Naidu, 2008). Despite the geographic vastness of Sabah and Sarawak in comparison to Peninsular Malaysia, Sabah has only 18.8% of the road and Sarawak only 12.6% (Naidu, 2008). While there have been vast improvements in telecommunications, electricity and other basic amenities, there continue to be significant disparities between urban and rural areas, and between Peninsular Malaysia, and Sabah and Sarawak. These demographic, geographic and infrastructural realities have a significant impact on JOAS’ organizing work. With poor lines of communications between members, particularly those who live deep in rural areas, alliance and community building requires physical visits, which are resource-intensive and time-consuming.
- The legal and administrative context of Peninsular Malaysia, Sabah and Sarawak in relation to indigenous peoples’ rights are vastly different from each other. While the definition of indigenous peoples of Sabah and Sarawak is clear in the Malaysian constitution, the definition of the Orang Asli (indigenous people of Peninsular Malaysia) is vague and subject to interpretation. The Orang Asli are in a particularly vulnerable position vis-à-vis state and national legislation, as they are still governed by archaic and paternalistic legislation such as the Akta Orang Asli 1954 and the Aboriginal People’s Act (APA) 1964 that discriminate against them and do not regard them as socially autonomous entities. Section 12 of the APA, as quoted by JOAS (2015), for example, provides that “if any land is excised from



*any aboriginal area or aboriginal reserve and if any land of any aboriginal area is alienated, granted or leased, the State Authority may grant compensation and may pay such compensation to the persons entitled in this opinion thereto or may, if he thinks fit, pay the same to the Director General to be held by him as a common fund for such persons or as such aboriginal community as shall be directed, and be administered in such a manner as may be prescribed by the Minister”* Thus, Orang Asli may reside on reserve lands and ancestral lands, but they are regarded as tenant-at-will without rights of ownership (SUHAKAM, 2013, p. 33). Over the months of November and December 2016, an Orang Asli community in the North-eastern state of Kelantan has been carrying out a blockade to prevent further logging of forest reserve that they regard as their ancestral lands. JOAS came out with a press statement to deny being behind this blockade<sup>2</sup> as they were implicated by the press as having been involved (Chan, 2016), even as they used this opportunity to highlight the systemic lack of regard of Orang Asli concerns by the government (Zainudin, 2016). In a highly discriminatory legal context such as the one experienced by Orang Asli in Peninsular Malaysia, the visibility and voice of a national-level Orang Asal network such as JOAS changes the socio-political landscape for Orang Asli significantly.

- Due to historic reasons of having joined the Federation of Malaysia on differently negotiated terms, both Sabah and Sarawak have greater autonomy in terms of local government and legislative assembly. Both Sabah and Sarawak were British colonies and thus its legislation with regards to indigenous peoples rights have been a similar source, but have been crafted differently from each other and from Peninsular Malaysia. In both Sabah and Sarawak, there is a very deep traditional understanding among the different Orang Asal communities in relation to land. Each community has a nuanced understanding of how land is used, individually and/or collectively owned and maintained by different members of a community and the cultural and social geography of this use, ownership and maintenance has been understood and respected over many generations. There are gaps between this traditional system of land and the land ordinances of both Sabah and Sarawak. The mission of each state government, which is the growth of the economy that they govern over, is often at serious odds with the traditional boundaries and practice of the Orang Asal in both Sabah and Sarawak. While there is, in both Sabah and Sarawak, a clear definition of Native Customary Rights (NCR), and the deep paternalism by the State that exists in relation to the Orang Asli is not present in Sabah and Sarawak, the definition of this does not include the forests that both Orang Asal in Sabah and Sarawak rely upon for food, building resources and economic livelihood. Over the last couple of decades, Orang Asal have had to go through elaborate and expensive court cases to fight for their NCR to be recognized by the state governments, and these have had some success. However, there are fundamental challenges, as a profit-driven model of growth and development continues to be the operating principle all over Malaysia, including Sabah and Sarawak, and forests and lands that rightfully belong to Orang Asal continue to be alienated to fuel this motivation. In a damning Federal Court decision over a land contestation in Sarawak made in December 2016, it was decided that the Dayak people could not use their NCR on land to claim virgin forests as their territorial domains and communal forest reserves (Tawie, 2016). Again the legal and socio-political context such as this, the visibility and presence of a national level Orang Asal network such as JOAS has particular relevance and significance.
- Malaysia is home to some of the oldest dipterocarp forests in the world, with some estimated (such as the forests in the National Park in Peninsular Malaysia) as being as old as 130 million years old.

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<sup>2</sup> While JOAS issued a statement stating that they were not behind the blockade, it is important to note that the blockaders, a Temiar community in Gua Musang, Kelantan, were in fact JOAS members who had taken this initiative on their own strength.

Deforestation of Malaysian forests has been taking place at a rapid rate since the 1960's, and it continues to be one of the major challenges that indigenous peoples, some 60% of whom live in rural Malaysia, are faced up with. According to one report on a new global forest map done in partnership with Google (Butler, 2013), Malaysia had the highest rate of forest loss between 2000 and 2012, losing 49,278 square kilometres, or 14.4% of its 2000 cover. There has been increasing pressure as various types of land development projects including conversion of forests to oil palm plantations, logging and mining activities are approved in the name of modernization and development. Orang Asal, the vast majority of whom have relied on forests and forest resources for food, infrastructure supplies, medicine, water and economic livelihood, are finding themselves increasingly marginalized as their rights to their ancestral and communal lands are flagrantly denied and violated. At the same time, the struggles of Orang Asal communities to their lands in the context of Malaysia may be the best defence of forests against corruptible governments and profit-driven individual interests.

- In general, the Malaysian government in power has not taken kindly to non-governmental organisations (NGOs) and social movements of various sorts. As early as the 1980's, the Malaysian government has tried to limit the activities of NGOs and to make it ever harder for social advocacy groups to register as NGOs. In the era of the previous Prime Minister, Tun Mahathir Mohamad, there was a great deal of scorn and vitriol directed towards environmental activism, and forest conservation in particular was cast by this politician as an evil Western plot to deter growth and development in Malaysia. Any questioning of the actions of the government in power was seen as political opposition, and in the dark ages of Mahathirism, NGOs found it very difficult to form coalitions and work in alliances with each other. The environment for social organizing and activism has shifted significantly since the late 1990's and with the increasing capacity of social activists to use social media to communicate and organize, and changes in government, there has been a veritable explosion of social activism in Malaysia over the past decade. It is in this changed social movement environment that JOAS finds itself. Albeit much different from the period of the early 1990's, the current environment can be described as still hostile and dangerous for political and social advocacy work, even as there are far greater opportunities for media visibility and national level alliance building.

## 4. Findings of the Evaluation

### 4.1 Area of Inquiry 1: Determining Organisational Motivation



FIGURE 5: LOOKING BACK AND MOVING FORWARD—DESCRIBING THE JOURNEY OF JOAS AS AN INDIGENOUS PEOPLES NETWORK

No two organisations are alike. Organisations, like people have “personalities,” it would seem, and each has a different rhythm and way of being. This organisational personality is shaped by the distinct history, vision and mission, culture, and systems of rewards and incentives. This “personality” is an expresses of the values and deeper motivations that are held by everyone who is a part of the organisation, and is often the reason why an organisation is able to work under immense pressure or difficult conditions. It is thus an important aspect of this evaluation, as it provides important insight as to the internal drive that the organisation has to achieve its goals in the longer term.

The evaluators used a number of different evaluative tools to gain a sense of JOAS’ motivations from its leadership, staff and members, as follows:

- i) With Steering Committee members, we conducted a facilitated timeline exercise, where the leadership had an opportunity to reflect upon the socio-political and economic events of significance

in the ASEAN region, globally and locally in Malaysia, as compared to events of significance in the lives of Orang Asal communities in Malaysia, and with the landmark events in the life journey of JOAS as an organisation;

- ii) Steering Committee members were facilitated through a small group discussion exercise where they reflected upon the core values of JOAS that were critical to its mission, the culture that they believed represented the core of JOAS and their own convictions in relation to these values, culture and mission;
- iii) Staff members were facilitated through a series of small group discussion exercises, including a reflection upon the mission of JOAS, the core values of JOAS that were critical to the mission, the culture they believed were core to JOAS, and their own convictions in relation to the values, mission and culture of JOAS.
- iv) In-depth interviews with key members of JOAS, including the co-founders;
- v) Workshop style discussions with JOAS members in Sabah, Sarawak and Peninsular Malaysia where among other questions we asked them what difference they experienced being a member of JOAS.

Through this process, following are some of the key insights gained into JOAS' organisational motivation:

#### 4.1.1 History of JOAS and its reason for being

- The idea of a network that would link Orang Asal peoples in the three major regions of Malaysia was born from discussions among a set of activists who had been working on indigenous peoples rights for at least a decade or more prior to that time. Most of these activists had been exposed to indigenous peoples' networks in other countries, and recognized the strength that joint efforts of a network could bring to advocacy on Orang Asal rights in the Malaysian context. As one founder, Banie Lasimbang states: *"We wanted a platform where we could become involved in shaping the Indigenous Peoples (IP) agenda in Malaysia... the movement for indigenous peoples rights was in its infancy... we did not have a platform to coordinate our joint efforts."*
- There was also the example of strong grassroots indigenous people's groups becoming networked, as was the case of the community organisations developed through the work of the PACOS Trust. As JOAS Secretary General, Jannie Lasimbang noted: *"Networks learn from each other and when thinking like a network, they (indigenous peoples groups) are stronger... there are many issues to resolve, land, culture, identity, way of life, development aggression... people were suffering alone and fighting bulldozers alone... we believed that coming together as a network could change that."*
- In particular, there was a recognition that Orang Asli (the indigenous peoples of Peninsular Malaysia) were particularly isolated and marginalised, and these activists believed that linking Orang Asli communities in Peninsular Malaysia to Orang Asal communities in Sabah and Sarawak could strengthen the voices on Orang Asli communities and end the social isolation they have faced for generations.
- In the early years, JOAS was "incubated" by PACOS Trust in Sabah, and heavily supported by PACOS Trust's organisational and financial infrastructure until such time that funding from DANIDA was directed to sponsoring a secretariat for JOAS and the consolidation of JOAS as an autonomous entity. The move for JOAS to separate into an autonomous entity from PACOS Trust was not without its teething difficulties and some degree of confusion, but this was successfully carried out over the course of a couple of years. Even so, JOAS's financial systems and operational guidelines have been taken from PACOS Trust for the most part, the JOAS office is in a building where PACOS maintains a



guesthouse, and there continues to be close camaraderie, association and degree of mutuality between the staff member of JOAS and PACOS.

- JOAS has had and continues to have the support of several key NGOs that have been working over decades on securing indigenous peoples rights: PACOS Trust, Centre for Orang Asli Concerns (COAC), Sarawak Dayak Iban Association (SADIA), Borneo Resource Institute (BRIMAS) and more recently Persatuan Anak Negeri Sabah (PANSAs). Even so, the co-founders interviewed saw it as vitally important that the central leadership of JOAS be Orang Asal themselves, and that the network's membership be made up of OA community organisations.
- The founders of JOAS are very careful for JOAS to not be dismissed as a rabble rouser or firebrand organisation. Instead, they want JOAS to be visible and recognised as presenting a united voice of Orang Asal all over Malaysia. Further, they are keen that JOAS is recognised by the Malaysian government as a coherent, credible, rationale and evidence-backed advocacy platform for Orang Asal concerns.

#### 4.1.2 Organisation's values, culture and guiding norms



- The current leadership as well as the staff of JOAS have a very clear sense of why the organisation exists, and have a strong passion and commitment to JOAS.
- There is a palpable sense of common purpose and pride in being associated with JOAS. This is a definitive aspect of the “personality” of JOAS – everyone from JOAS we encountered through the two weeks of field evaluation work had a sense of pride in belonging, and were very clear that JOAS existed to strengthen the voices of Orang Asal and championing Orang Asal peoples' rights.

- JOAS does not have a set of values that have been formally identified as core organisational values. Even so, through the process of evaluation with the Steering Committee and staff members, it was clear that working in collaborative and cooperative ways is an expressed core value. One of the words that all the staff members identified as a core value was “team spirit” and an example they gave was the International Indigenous Peoples Day 2016 celebration that had concluded just prior to the field evaluation. The staff shared their story of how every one of them did basically did everything and anything that was needed to support each other to get the project successfully off the ground.
- A defining value that is common to all that were engaged through this evaluation was that they were all a part of a “*perjuangan*” which approximately translates in English to mean “noble collective struggle.” There is a deep understanding of the historic injustices that Orang Asal have faced, and that a central aspect of coming together as a network was to collectively struggle for the realisation of Orang Asal rights.
- Another value that was raised by many of the staff members and leadership was the notion of equality. This value is a strong one that has shaped the structure of the organisation, and plays a role in decision-making, including in key matters such as the allocation of resources. For example, the organisation has a President that is a position that is rotated between Sabah, Sarawak and Peninsular Malaysia. There are also three Vice-Presidents at any one time, each representing Sabah, Sarawak and Peninsular Malaysia. Financial resources are for the most part also distributed equally to each of these three regions. This means that Sarawak which geographically speaking is much vaster and resource intensive in its communication and transportation needs is allocated an equal amount of resources as Peninsular Malaysia which is smaller in size and in actual numbers of members<sup>3</sup>.
- Given that JOAS is a membership-based organisation, there is an expectation of volunteerism from members, and to an extent from staff members as well. The Steering Committee members are paid a very nominal stipend for taking on the leadership positions, but for the most part, their advocacy and organising work which is time and labour intensive relies on a strong level of commitment to the mission, and work done on a volunteer basis. Due to their commitment to the mission of JOAS, staff members often freely offer their time and resources to the organisation and it appears to be an unspoken norm among the staff members and the leadership team.

#### 4.1.3 Organisation’s Mission

- When assessing an organisation’s mission, one of the things that evaluators are often faced with is multiple realities – one that is written down, and several others that are perceived by different members of the organisation. One of our tasks, therefore, was to get a sense of whether the formal mission statement of JOAS is understood and internalised by the leadership, staff members and the members at large.
- What we found is that to a great extent the leadership of JOAS understands the mission of JOAS. They see JOAS as being a national-level advocacy platform aimed at unifying Orang Asal voices towards the securing, protection and upholding of indigenous peoples rights in Malaysia. For the most part, they also see themselves as being the bearers of this mission, and accountable for realising this mission.

<sup>3</sup> Although in principles funds are divided equally between the three regions, we were informed by Jannie Lasimbang, the Secretary General, that there is some extra funds made available for those travelling from and within Sarawak.

- This level of accountability, ownership and understanding of the mission is also present in the senior staff members of JOAS. Newer staff members have an appreciation of the mission, and a desire to commit themselves to fighting for Orang Asal rights. Even so, they may not see themselves as strongly accountable for the realisation of the mission as the senior staff members.
- There were varied levels of understanding and commitment to the mission of JOAS among members in Sabah, Sarawak and Peninsular Malaysia, and this had a strong correlation to the amount of time they had been members of JOAS, and whether or not they had been or were currently engaged in a struggle for land rights and/or the recognition of Native Customary Rights (NCR). Any member who had been actively involved in a land rights struggle and had come to directly experience the power of a collective advocacy platform available through JOAS were very powerful and vocal about how important the mission of JOAS was to them. These members were also very clear that they had the ability and accountability for the realisation of the mission. In contrast, some of the newer members of JOAS would speak about JOAS in the third person (they, them), rather than in the first person (we, us).
- JOAS mission is simply stated and fully grounded in the realities of its members. In its website, the mission is described as: “JOAS serves Orang Asal in a variety of ways, including i) discussing the development of economic, political and social-cultural issues in Malaysia as it relates to indigenous peoples; ii) Finding solutions to issue faced by indigenous peoples in Malaysia; iii) Plans activities that can be carried out together; iv) Strengthens communications and collaboration between indigenous peoples of Malaysia<sup>4</sup>” This mission statement matches with the needs of members who themselves described the need to find solutions to the challenges they face. The mission also expresses one of the core values that we found present in JOAS, which is the spirit of collaboration and unified actions between indigenous people in Malaysia. As such, it can be concluded that there is a strong degree of congruence and alignment between the understanding and commitments of those involved in JOAS and the actual mission it has set out to realise.

## 4.2 Area of Inquiry 2: Examining Organisational Capacity

An organisation’s capacity refers to all the aspects of organisation that underlie an organisation’s ability to perform effectively and efficiently. In this framework eight inter-related areas are assessed to provide a whole picture of JOAS’ organisational capacity, namely:

1. strategic leadership;
2. organisational structure;
3. programme management;
4. process management;
5. financial management;
6. human resource management;
7. organisational infrastructure; and,
8. inter-organisational linkages.

<sup>4</sup> <http://www.joasmalaysia.org/tentang-joas/>

Investing in an organisation’s capacity development is perhaps the single most strategic intervention a donor agency can make towards a long term transformation agenda. It is therefore heartening to note that as an overall goal RFN’s funding support has been directed towards enhancing the capacity of Orang Asal in Malaysia, and that one of the three indicators specified in the current multi-year plan is the presence of a dedicated institutional structure at the subnational level.



FIGURE 6: THE DIALOGUE THAT TOOK PLACE DURING THE PARTICIPATORY EVALUATION PROCESS PROVIDED THEN OPPORTUNITY TO LISTEN, REFLECT, AND PLAN FOR THE FUTURE OF THE NETWORK

The data for this section was gathered through a number of methods:

- i) Workshops held with the Steering Committee Members and staff members;
- ii) Interviews with different key informants, including the Secretary General, the Coordinators, the Finance Manager, some of the co-founders and allies of JOAS;
- iii) Observation of interactions between staff members, Steering Committee members and JOAS members; and,
- iv) Secondary materials including proposals, financial records and annual reports.

#### 4.2.1 Strategic Leadership

“Strategic leadership refers to all those activities that set the course for the organisation and help it stay on course in service of the mission... it is the process of setting clear organisational goals and directing the efforts of staff and other stakeholders toward fulfilling organisational objectives” (IDRC/IADB, 2002, p. 42). Leadership is a key ingredient of strategic leadership. Leaders and managers need to be able to have a finger on the pulse of what is happening in the external environment and gauge opportunities and constraints, even as they provide clarity and direction to staff internally on how best to stay on course with realising the organisation’s mission. To provide strategic leadership, leaders need to certain skills sets related to facilitating



and fostering dialogue, visioning and championing goals; organising and bridging differences, and enabling a productive, resourceful, targeted work environment.

In terms of this kind of leadership, what emerged from the workshop discussions and interviews were the following:

- The formal leadership of JOAS consists of the JOAS Steering Committee, made up of a President, three Vice-Presidents representing the three regions, a Secretary-General, Treasurer, and three representatives per region of the Youth, Women and Elders groups. Others who play a leadership role in the JOAS Steering Committee are the representatives of the support NGOs, Centre for Orang Asli Concerns (COAC), Sarawak Dayak Iban Association (SADIA), Borneo Resources Institute (BRIMAS), Building Initiatives in Indigenous Heritage (BIIH), Persatuan Anak Negeri Sabah (PANSA) and PACOS Trust, and the staff members of the Secretariat and Regional Offices. The Steering Committee meet once in four months in what is referred to as the JOAS Coordinating Meetings (JCM) to review, plan and make decisions on behalf of the whole organisation. This leadership body is fully accepted by the staff members, members of JOAS, and external allies and partners, and thus represents an important space where strategic leadership is enacted.
- There are several people who play an important role in providing strategic leadership to JOAS, and they include some of those who are in the current formal leadership as well as those who are not in formal leadership positions, but play strongly positive informal leadership roles. These people have played a role in co-founding the network and/or are key figures in the support NGOs and continued to be invested in the development of JOAS in the long term. These people have exposure to the external socio-political context that JOAS functions in, long standing experience working for indigenous peoples' rights, and are firmly grounded in the vision and mission of JOAS.
- There seems to some lack of clarity between the roles played by Jannie as Secretary General, and Mark Bujang and the Secretariat Director. Mark who based in Miri, Sarawak, and working on a part time basis (4 hours per weekday), is expected to “oversee the operations of the main JOAS Secretariat Office in Sabah, and the mini-secretariats in Sarawak and Peninsular Malaysia, including staff and performances of staff and volunteers, manage and plan the financial and administrative needs of JOAS and assisting JOAS committees in achieving the goals and programmes... set.[1]” Even so, it appears that the current Secretary-General, Jannie Lasimbang, plays a bigger role in providing strategic leadership within the JOAS Secretariat and to staff members of the Secretariat and regional offices. The may be due to Jannie’s longer-term relationship with JOAS since its founding, and having herself played the role of Secretariat Director just prior to Mark. Furthermore, the fact that she is based in the Secretariat Office in Sabah means that the staff members based there have easy access to her. Most staff members stated that Jannie was their go-to person for consultation and support in their decision making, although Mark did also figure in their problem solving and decision making processes.
- One value that is very clearly expressed in JOAS’ overall style of leadership is their strong adherence to a distributive leadership. Decisions as far as possible are made collectively at the JCM that are held three times a year. There is an explicit desire to not have any single leader or member organisation dominate the organisation and for the responsibility for organising and actions to be devolved, as far as possible, to the community and regional levels. This level of distributive leadership is for the most part still aspirational, but it represents an important aspect of JOAS’ collective understanding of leadership.

- Staff members do show a degree of ability and willingness to take on leadership roles, and do act with initiative in their areas of work. Even so, the staff body currently does not have a mechanism where they meet regularly and review, plan and calibrate their work outside of the larger JCM. The staff members from the different offices meet a day before the JCM to review and coordinate their reports that are made to the meeting, but those meetings are not regarded as a space for decision-making as such. The JOAS staff members have a couple of WhatsApp groups where they stay in regular touch, and email and phone contact with each other. The staff members in the Secretariat Office in JOAS also meet with each other to review plans and implementation. However, at the time of the evaluation, the evaluators understood from the staff members that they do not meet as total staff body (i.e. Secretariat and regional office staff members) to review, report, and plan and recalibrate their work in between the JCMs. As such, there is no formal space for the staff members to innovate, troubleshoot, calibrate and coordinate their work in a more strategic way.
- Staff members participate in all of the JCMs, but from the discussions we had with staff members, it seems that it is the Programme Managers and Secretariat Director that do most of the talking in these meetings while the junior staff members (who also happen to be much younger) tend to not speak up in the meetings. The fact that everyone sits around the same table and has access to all the discussions of the JOAS Coordinating Meetings means that there is potential for greater participation - and this is a good thing. With some changes in the meeting process and structure, the evaluators believe it will be possible to more actively engage the staff in the deliberations and decision making.
- Strategic planning is also an important component of strategic leadership. Strategic planning refers to the pattern of calculated responses to the environment, including resource deployments that enable an organisation to achieve its goals. In term of strategic planning processes, following are some of the insights gained on JOAS:
- Being a membership-based organisation, JOAS uses the once-in-three-year General Assembly (GA) meetings that bring together its members as a space where the network's overall strategic direction is set and key components of its strategies are developed. At this meeting, the GA, which comprises leaders from all the member organisations, approve the overall programme framework of JOAS. At the JCM, the Steering Committee uses the approved framework as its guide to further elaborate and hone the organisation's strategies, project plans, budgets and timelines. Funding applications are developed and finalised based on the plans that are developed, and the approved, funded plans become the base of programme and activity implementation.
- Reviewing the multi-year application for funding to RFN, strategies for achieving the project goals are not explicitly stated. Instead, the overall goal, purpose, indicators and core activities for the project are stated, and from this, one can derive the core strategies that are being employed. From our consultations during the field visit, it appears that these core strategies are not acting as guiding posts in clarifying priorities and decision making. Instead there is greater focus at the moment on programme and activity implementation in transparent and accountable ways. It appears that time has not been allocated in JCM meetings for reflective evaluation of the longer-term impact of programmes and activities in relation to core strategies.

#### 4.2.2 Organisational Structure

The structure of an organisation is shaped by the nature of the organisation, its function, mission, and the environment within which the organisation is working to realise its goals. The structure refers to the way

an organisation divides and assigns roles and responsibilities to individuals and groups within the organisation. This structure needs to be flexible, adaptable and responsive to changes in both the internal and external environment of an organisation.

There are two main components of any organisation's structure; the governing structure, and the operating structure. In non-governmental organisations, the governing structure provides an overseeing function and is responsible to act for members or in the public interest (IADB/IDRC, 2002, p.52). The operating structure, on the other hand, is the system of working relationships that divide and coordinate the tasks of people and groups working towards a common purpose.

Following are some of the insights gained from reviewing JOAS's organisational structure:

- JOAS is a membership-based organisation that places the General Assembly made up of its over 100 member organisations and 6 associate members as its highest governance and supreme decision making body. This General Assembly meets once every three years to make general resolutions in relation to the strategic direction and elect the set of representatives that make up JOAS' Main Committee.

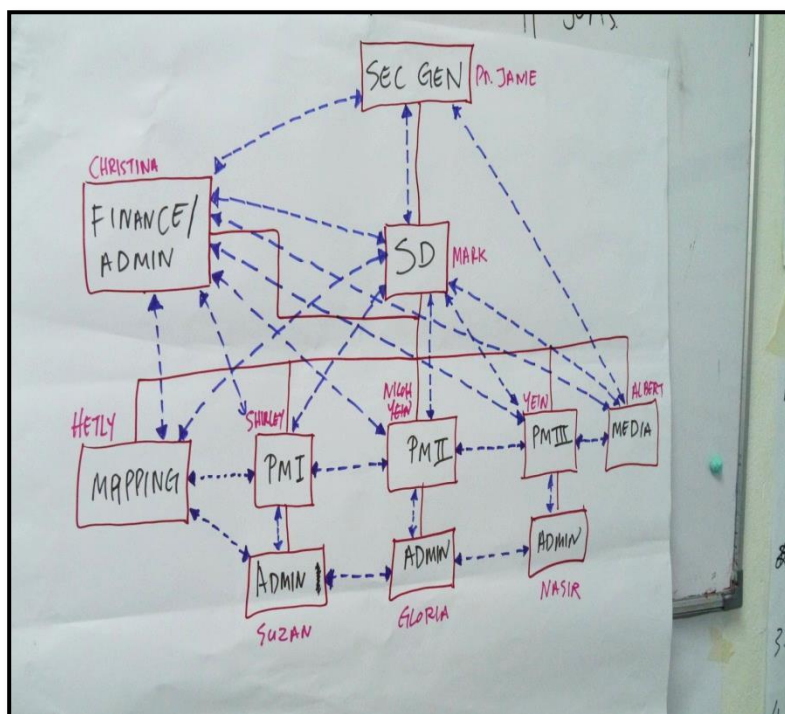


FIGURE 7: THE JOAS ORGANISATIONAL STRUCTURE AS UNDERSTOOD BY ITS STAFF

- As mentioned earlier, JOAS Main Committee is headed by a President, and supported by three Vice Presidents, each representing one of the three sub-regions Peninsular Malaysia, Sabah and Sarawak. The other JOAS Committee members are the Secretary General, the Treasurer and one committee member per sub-region representing three major groupings; Women, Youth and Elders. Besides being on the Steering Committee, the Vice-Presidents are also charged with the responsibility of heading up the regional committees that consists of the representatives of Women, Youth and Elders in each region.
- There is a clear line of authority from the General Assembly to the JOAS Main Committee and the JOAS Steering Committee. This means that the JOAS Main Committee and the JOAS Steering Committee understand clearly that their authority derives from the General Assembly, and that they are implementing programmes and activities based on the approved strategic direction framework provided by the General Assembly. The staffs members in turn are very clear that they carry out their work based on the directives they receive from the JOAS Steering Committee, and this happens for the most part in the JCM.

- JOAS provided the evaluators with a copy of their current Steering Committee members with a listing of the roles and responsibilities that the people in each position has in the network (See Appendix 1 for this listing). While there is varying degrees to which these roles are clearly understood across the JOAS Steering Committee, these roles have in fact been discussed and agreed to. The Vice Presidents, for example, have a key role to play in the implementation of programmes in each of their respective regions. However, their capacity to actually play that role in a way that is strategic and effective, and the time they are able to spare to initiate activities in their respective regions vary.
- As noted earlier, the JOAS Main Committee meets quarterly in JOAS Coordinating Meetings (JCM) with the larger Steering Committee, which is made up of JOAS Main Committee members, selected representatives from the support NGOs (who are associate members) and the JOAS Secretariat members. This body is perhaps the next most important decision-making space after the General Assembly, and a pivotal space for overall project management, including review, monitoring, and recalibration of plans for activities, evaluation and follow up.
- The function of governance and oversight in between General Assemblies is meant to be carried out by the body that the General Assembly elects to act on their behalf, i.e. JOAS Main Committee. However, the sense that the evaluators got from the interviews and workshop with the JOAS Main Committee, it did not appear that this specific group was actively involved in organisational oversight and governance. For one, the Main committee does not meet separately from the larger JOAS Steering Committee in the JCM. As such, its deliberations and review of the work of the Secretariat and the overall implementation of plans is done as the larger JOAS Steering Committee.
- It appears that the governance and operating functions of JOAS are combined in one space, namely the JOAS Steering Committee that meets in the JCM. Functionally, this may serve the needs of JOAS at this current time, as there is a strong focus currently on programme development and implementation. However, where the governance and operating structures are collapsed into one, there is the possibility that some of the governance functions such as deliberating and developing financial, administrative and operational policies, the monitoring the overall performance of the Secretariat, reviewing and approval of the rewards and incentives package provided to staff members, and ensuring alignment of programmes with the overall vision, missions and values of the organisation end up being given less time and attention in favour of more urgent programme implementation and budgetary questions.
- In terms of the operating structure, JOAS has successfully managed to set up small regional offices in both Sarawak as well as in Peninsular Malaysia, and each is manned by a couple of staff people. The offices maintain a connection with each other and all the staff members report to Mark Bujang, the Secretariat Director. As mentioned in the previous section, the staff do not meet formally and on a regular basis as a total staff body across the three offices. They stay in touch by WhatsApp and email, and phone when necessary, and have meetings on a regular basis in each of the offices. The staff members meet a day before the JOAS Coordinating Meetings (JCM), but this meeting of staff members is not a decision making space. Rather, they use this time to align their reports to and prepare for the JCM. Even though there is a high degree of collaboration and mutuality among the staff, a more deliberate, designed coordination between the three offices could enhance effectiveness and improve performance.



- The regional committee headed by the Vice-Presidents and made up of representatives of Women, Youth and Elders in Sabah, Sarawak and Peninsular Malaysia were reported as not being highly functional at this point. Although the members of each of these committees have been identified and are interested in their areas of work, they seem to be working in closer coordination with the secretariat staff in that region than with other members of their regional committees. There may be several reasons for this; one could be the fact that these regional committees are still new and they have not developed an understanding on the potential role they could play in the strengthening of JOAS. Another reason might be that the Vice-Presidents may not have a full understanding on what being heads of these Regional Committees entails, and require some capacity building in order to take on this role. As such a lot of the programmatic implementation is still spearheaded by Secretariat staff.



FIGURE 8: JOAS MEMBERS IN KOTA KINABALU, SABAH DURING A WORKSHOP

- Decision making in JOAS is centralised in the JOAS Steering Committee that meets once in four months JOAS Coordinating Meetings and in the General Assembly. In between these meetings, the Secretariat staff rely on a process of consultative decision-making that involves the project managers, the secretariat director and the secretary-general.
- While the staff did not express dissatisfaction with the process of decision making as such, there was a definite sense that the staff felt uncertainty in terms of work processes, expected outputs, areas of accountability and responsibility, and what they have the authority to make decisions about on their own. There appears to be a fairly significant gap in the team leadership, mentoring and coordination being provided by the Secretariat Director. Greater clarity of roles and responsibilities, mentoring and guidance, regular staff meetings, and much more effective coordination between staff members is needed if this gap is to be addressed.

- Several of the newer staff members also stated that they were unclear about the big picture of the work that JOAS is doing, and they carried out their work without a sense of how it all added up. What also surfaced in our discussions during the staff workshop was that there was no formal orientation of those entering as staff members. Among the newer staff members, those who had taken up a personal interest to review the project documents had a sense of how their work fit into the overall goals of the project. Others just did what they were assigned, and expressed a desire to have a clearer sense of JOAS' strategic direction. Providing new staff members with a clear sense of what is within their purview, authority and accountability would prevent the loss of productivity that this lack of clarity could lead to.

### 4.2.3 Programme Management

Programme management relates to the ability of an organisation to effectively carry out the work it is committed to and that will realise its mission. Programme management ensures that each facet of the organisation's mission is well attended to and systematically being worked towards. Good programme management requires a cycle of careful planning, implementation and evaluation.

Following are the insights gained into the program planning, monitoring and evaluation that takes place in JOAS:

- JOAS takes programme management seriously as an organisation. Funding proposals are developed based on the strategic direction provided by the JOAS General Assembly and the firmer plans that are developed in the JOAS Coordinating meeting (JCM). Once funding has been approved for the multi-year programme, the work plans, budgets and timelines are worked out in greater detail in the JCM.
- JOAS organises an annual meeting at the start of every year with members in each region, and at this time, the plans and budgets are shared with the members who attend the meeting, and further details of how these plans will be implemented are worked out at this time. For example, if there is a training workshop or community mapping activity in the plan, members will agree upon where would be most strategic and timely to carry out that particular activity. Details of the budgets are discussed and the allocations of funds per region are discussed.
- Staff members are assigned responsibility for the management and support of particular areas of the programme implementation. For example, each of the networks, i.e. Youth, Women, Elders, and Children, have one staff person assigned to providing support for networking activities and to ensure smooth communications. Programme Managers are also assigned responsibility for ensuring programme implementation per region, and they are meant to work with the Regional Committees headed by the Vice Presidents to ensure that implementation of activities at regional level take place.
- Currently it appears that the focus of monitoring activities is primarily in the area of finances. A small amount of funds are allocated to evaluation, and this enables the Finance Manager, Christina David, to go to each region and work with the staff and members there on how to correctly monitor budgets, prepare financial documents and submit claims. These monitoring activities double up capacity building session, with the Finance Officer providing basic training of budgets and financial reporting.
- Some degree of monitoring does take place during the JCM, but mostly focused on ensuring that activities are being implemented, timelines are being kept to, and that budgets are being followed.

- There appears to be a gap in terms of a more in-depth and strategic monitoring and evaluation process. Programme updates are provided by the staff members or Main Committee member in charge, but since others in the Steering Committee do not have an in-depth grasp of the details of the different programmes, few strategic monitoring and evaluation questions are posed during the JCM.
- Staff members also have capacity building needs in terms of monitoring and evaluation, and programme management in general. Again, there is an important role to be played here by the Secretariat Director in supporting staff and providing on-the-job training in how to effectively manage, monitor and evaluate programmes they are in charge of. Further, a Secretariat Director with strong management skills will also be able to provide the staff members with the critical evaluative feedback they need on their own performance, and how to improve their effectiveness in carrying out their work.
- It appears that currently the Main Committee as well as the larger Steering Committee does not have a mechanism of monitoring and evaluating their own individual and collective performance in relation to the roles and responsibility they have. The President and Vice-Presidents, as well as each member of the Steering Committee have designated roles and responsibilities as listed in Appendix 1, but the extent to which they are able to perform these roles and undertake these responsibilities is not evaluated nor discussed a group. Developing an internal mechanism of review as decision-makers and implementers of programmes and activities is good organisational practice. The Steering Committee Terms of Reference document listed in Appendix 1 could be valuable as a review tool for the Steering Committee to monitor and evaluate their own roles and responsibilities, taking stock of capacity building and other needs and addressing gaps that may exist.



FIGURE 9: JOAS STAFF REFLECTING ON COMMUNICATION PROCESSES AND ORGANISATIONAL STRUCTURE



#### 4.2.4 Process Management

Processes are all those aspects of running an organisation that ensure a smooth flow on a daily basis, and enable the organisation to work effectively towards its goals. Processes include things like problem-solving, planning, decision making, communications and monitoring and evaluation. Everyone who works in an organisation needs to interact with each other in order to get tasks accomplished, and people will inevitably develop practices and a culture of doing things. Process management is the task of paying attention to the practices and culture that currently exists around the way things get done, and developing a common system that is deliberate, flexible and agreed to by all. It is always useful when processes are written down, but more important for an organisation such as JOAS that is still developing its internal capacities is to ensure that processes are understood by everyone involved so that there is a smooth and transparent system in place.

Following are some of the observations and insights about how some of these processes are managed in JOAS:

- Problem solving:** Problem solving involves identifying problems or blocks faced in implementing a programme. At the most basic, problem solving involves diagnosing what the root of the problem is, considering all the related issues, finding a way to resolve the issue in a way that enables the organisation/programme to move forward. JOAS staff have the flexibility, patience, understanding of cultural context and capacity to deal with many of the hitches that they face when carrying out programmes with communities. They generally try and resolve simpler challenges on their own and in consultation with other staff members, the Secretariat Director and the Secretary General. However, when there is a greater degree of complexity to the problem and particularly where the problem is repetitive, the matter is referred to the JOAS Coordinating Meeting (JCM). Here, they are able to seek more direct support and advice from the broader leadership in resolving the matter. There are time lags in problem solving, and some things simply get left undone because there is lack of clarity on who needs to take charge of an issue. However, this can be resolved with time spent defining and clarifying roles and responsibilities for programme implementation across the board.
- Decision making:** As discussed in a previous section, decision making in JOAS takes place largely as a group process, and most major decisions are made in the JOAS Coordinating Meetings (JCM). However, there is quite a bit of decision making that also happens as programme implementation takes place, and staff do make decisions in consultation with other staff members, the Secretariat Director and the Secretary General. It appears that there are some gaps in decision making skills; in particular in the ability to gather all the necessary information and to be able to consider a bigger picture view of JOAS mission and strategic direction when making decisions. It also appears that decision making tools are not used in JOAS. With the aid of a range of consensus building, analytical and scenario building tools and meeting formats, the staff and the Steering Committee could be making a higher quality of decisions in a more timely way.
- Planning:** This process has already been discussed at some length in the previous section. It does appear that there is quite a bit of planning taking place in the course of carrying out their work, and in-depth planning discussions. However, the planning cycle does not sufficiently factor in ways of harvesting lessons learned, monitoring the link to JOAS' strategic mission, and keeping the process creative and joyful. It also seems that more time needs to be given to getting everyone on the same page, as newer staff members are left to find their way about what the big picture plans as they go about their work. Plans are like maps, and the clearer plans are, and the more people within the organisation become adept at map reading, the more effective the organisation can be.



- **Communication:** A well-functioning internal communication systems is one of the most important ways to keep everyone in an organisation, including staff people and members feel motivated and connected to the efforts and the mission of the organisation. In JOAS, social media and phone contact serves as an important way in which staff members are members stay in touch in between General Assemblies, JOAS Coordinating Meetings and the other events and workshops that members meet at. WhatsApp groups serving as a regular way that staff members to interact with each other on a regular basis (including a WhatsApp group for just the younger staff members). Likewise, there is a WhatsApp group and an e-group for the Steering Committee, for the Youth and for groups working on different projects. The Steering Committee e-group serves as the serve to communicate important information and share documents, but most discussions take place on the WhatsApp group. As mentioned in an earlier section, many of the indigenous community members are located in rural areas of Sabah, Sarawak and Peninsular Malaysia where internet connectivity limited or non-existent. Messages are left for members living remotely via SMS and WhatsApp and these are retrieved by members when they are able to connect to a Wi-Fi connection. Given the poor access of members to internet connectivity, there is no e-group set up for members, and no regular updates are sent via email. However, there are yearly occasions where all members have the opportunity to meet each other, and these serve as an important way that members communicate with each other and be updated on JOAS activities and programmes.
- **Monitoring and Evaluation:** As mentioned in the previous section, monitoring does take place, particularly of finances, budgets and timelines but more systematic, critical monitoring and evaluation where indicators, goalposts and individual and groups are regularly assessed is not being carried in any depth at this time. There is much that can be done to develop a flexible, doable M&E systems that are contextually relevant, meaningful to the staff and members, and support the organisation in moving towards realizing its mission.
- **Meeting Processes:** From both observation and feedback, our sense is that the JOAS Coordinating Meetings are held with a degree of formality and traditional arrangement, which is preventing a higher degree of engagement with all people. While having staff members, Main Committee members and support NGO representatives in the same meeting has the potential for a more democratic, participative process, without the use of discussion, analyses and decision making tools and processes, and a more conducive use of space and meeting format, the meetings tend to engage very few people currently. This could be easily remedied, and the evaluators have already spoken to the Secretary General about possible innovations to the meeting process, and these have been taken up with enthusiasm.

#### 4.2.5 Human Resources Management

Human resource management (HRM) refers to everything that relates to the planning, development and assessment of an organisation's staff body. In all organisations, even one where there are a larger number of volunteers and members that staff people, the quality, engagement and commitment of the staff body is a critical measure of an organisation's capacity. One important aspect of human resource development is developing and instilling the core values of the organisation in staff members, and ensuring that there is a high degree of cooperative working and team spiritedness among staff people such that they work in greater synchronicity. HRM includes: the recruiting and training of new people into the organisation; the building of skills, knowledge and attitudes in staff members; developing systems, policies, processes and procedure that clarify roles, relationship, ways of working, and team functions; and assessment and rewarding staff members commensurate with their contributions.

Following are some of the insights and observations gained from the review of JOAS in relation to human resource management:

- There are a 10 staff members spread over four locations. Four of these staff people, including the Admin and Finance Manager and the Project Manager for Sabah are based at the Secretariat office in Sabah where the Secretary General is also located. Three staff people, including the Secretariat Director, are based in the Miri office in Sarawak, while the Project Manager for Sarawak is based in Kuching. The two remaining staff people, including the Project Manager for Peninsular Malaysia, are based in an office in Subang Jaya (outside Kuala Lumpur).
- Each staff member is given a letter of appointment that serves as a Terms of Reference of roles and responsibilities and also lists out the remuneration, working hours, annual leave and other entitlements that come with the job. –Staff members are entitled to 20 days of leave per year, not including a period of leave at the end of the year, and are given sick leave if supported by a doctor’s letter. Work hours are also flexible, and staffs are able to take care of other matters so long as they manage to put in an 8 hour workday. There is a 13th month leave entitlement, and approximately US\$75/- per year for medical benefit and group accident insurance<sup>5</sup>.
- There does not appear to be a human resource policy that has been developed , and this may be due to the relative newness of a larger staff body such as the current one, and the focus JOAS has given to expanding its network and programme implementation. However, there is a simple document that serves as an administrative and financial guide to staff, and lists out the leave available, working hours and basic agreements. There is much room for improvement in the area of policy and standard procedure development and documentation in relation to human resource management, including in the areas of salaries, benefits, capacity building, assessment and monitoring, rewards system and conflict resolution. While there is no necessity to develop a full-fledged administration and

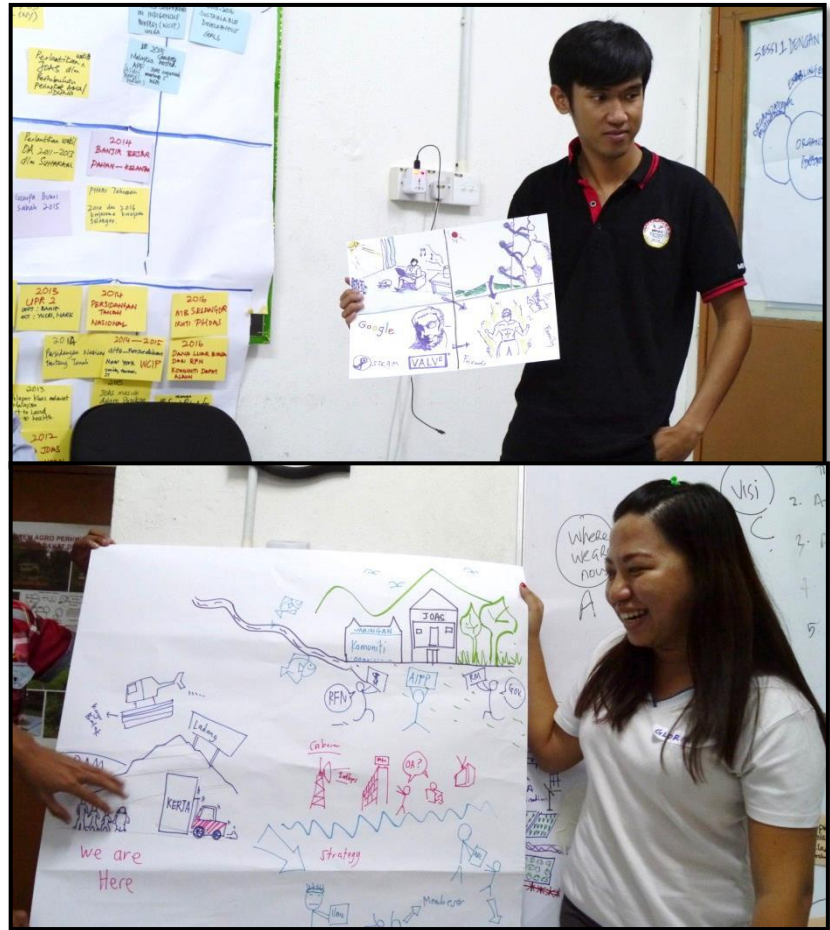


FIGURE 10: JOAS STAFF REFLECTING ON THE ORGANISATIONAL CAPACITY OF THE NETWORK

<sup>5</sup> These figures were taken from the Letter of Appointment: JOAS Project Manager

operational manual at this stage, the operating and governance structures could function more optimally with basic policies, procedures and guidelines in place.

- There is currently no systematic, formalised “onboarding” programme for new recruits, which orients them to the strategic direction of JOAS, the overall values and ethos, and clarifying expectations of them as staff members of JOAS. Older staff members, the Secretary General and other Steering Committee members who are responsible for different programme and strategic areas provide guidance and mentoring to new staff. For the most part however, staff members are expected to learn on the job, and figure out their ways of working as they go along.
- There is currently no systematic assessment, monitoring and capacity building of staff members. They receive little to no feedback on their actual performance and no formal assessment process that enables staff members to track their progress and have a clear idea of how they can improve. They do receive feedback on their implementation of projects and programmes, but this is usually in relation to programme assessment and not in terms of how they are faring as workers.
- Several of the staff people, though committed and enthusiastic about the work, are young and new to the formal workplace, and need guidance, mentoring and skills development to enable them to give the best of themselves to this work.
- Although, we did not manage to triangulate the information received from staff members, it appears that some basic labour standards such as payments to the employment provident fund (EPF) and national worker’s health insurance (SOCSO) is not being made at this time. Apparently, these matters are all in the process of being addressed at this time. Salaries are also quite low relative to other national level NGOs<sup>6</sup>, and from some of the comments, we gather that their current salaries are not sufficient to maintain a reasonable lifestyle. At least one staff person mentioned needing to take up part-time work elsewhere to make ends meet. There needs to be a committee (perhaps a subset of the Steering Committee) that maintains oversight over human resources matters, and this committee needs to convene separately from the Steering Committee (where all the staff members are also present). This committee would ensure the timely addressing of human resource matters and make its recommendations at the JOAS Coordinating Meeting.
- Staff members have not yet been engaged in a deeper more reflective exercise where they are able to more closely align their own values and mission with the values of others in the organisation and the overall values of JOAS. While they regularly meet at the JOAS Coordinating Meetings, there is no space for reflective conversations, team building and clarifying processes and systems. Again, this may be a factor of the stage of growth that JOAS is in. Even so, staff members expressed their appreciation for the opportunity to engage in group reflective processes during the data gathering workshop organised with staff as part of the fieldwork for this evaluation. g Incorporating spaces for collective reflection in the life of the organisation can be an important way to encourage intangible, qualitative shifts in staff members and could lend itself to greater cohesion, engagement and productivity.
- Currently, conflict resolution is not a major issue, and there is a fairly efficient system for dealing with conflicts informally. Even so, as the network grows and the staff body grows and changes, it may be

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<sup>6</sup> The evaluators had not time to gather comparative data in relation to salary scales in NGOs in Malaysia. This view is the view of Susanna, the Malaysian evaluator, who has been involved in local NGOs as part of her own advocacy work.

worth having a simple set of guidelines and processes of how to address conflict should it arise among staff, and across the organisation.

#### 4.2.6 Financial Management



The management of an organisation's financial resources is a critical component of an organisation's capacity. Good management of budgeting, financial record keeping and reporting are all essential to the overall functioning of an organisation. There also needs to be solid reporting to the governance body as well as the managers so that all those in leadership have the information they need to make financial decisions and allocate resources wisely. Furthermore, financial management is perhaps the most critical piece that funders need to inspire confidence. Furthermore, overall transparency and accountability over financial matters is the centre piece of an ethical organisation, and particularly important in a context like Malaysia where these standards are not strictly adhered to by those in political power. Financial management includes financial planning, financial accountability and financial statements and systems.

Following are some of the insights and observations gained from the review of JOAS in relation to financial management:

- Financial planning in JOAS coincides with the development of budgets that get submitted as part of funding proposals. It is at this time when the operating expenses of the organisation are assessed and calculated. These financial plans are monitored on a regular basis by the Finance and Admin Manager, and these plans are also monitored with the Steering Committee during the JOAS Coordinating Meetings (JCM).
- Through trial and error, JOAS has developed a fairly efficient system of forecasting future monetary needs and making cash advances to each of the offices to cover expenditures, and to fund programmes being carried out. Cash advances are made into the personal accounts that staff



members open for the purpose of receiving cash advances. While initially the evaluators questioned this procedure, we came to understand that this was the most efficient way to move funds from one region to the other, given that it is not possible to set up company bank accounts in locations where the organisation is not based. There is a rigorous system of accounting for the cash advances and these are accounted for with receipts and financial statements.

- In order to address the gap in financial monitoring and accounting skills, Christina David, the Finance and Admin Manager goes to each region at least once a year to work with members and staff members and to train them on how to fill up the necessary forms related to cash advances, including the request for cash advancement, travel claims and cash advanced settlements. This is not without its headaches and heartaches, but Christina is dedicated to this effort, and there is a high degree of accountability and transparency around finances.
- Budget monitoring takes place regularly at the JOAS Coordinating Meetings (JCM), and the Finance and Admin Manager as well as the Finance and Admin Assistant keep regular comparisons of actual and planned budgets, and actual and planned expenditures. Staff members responsible for programme implementation also monitor budgets and expenditure, but there is a skills gap in this area, and quite a bit of the overall responsibility for this is taken up by the Finance and Admin Manager.
- The Finance and Admin Manager provides regular financial reports that are presented and reviewed at the JOAS Coordinating Meetings. We did not manage to find out whether there were any financial analyses being done on the budgets, incomes and expenditures to support decision making. It does seem that the financial reporting provided currently is adequate for the leadership in their decision making and funds allocation processes.
- The Finance and Admin Manager is one of the longest serving staff in the organisation having initially begun with JOAS while still working for PACOS Trust. She was trained in PACOS Trust, and most of the financial systems currently being used in JOAS have been adapted from PACOS Trust. Her organisational memory is significant, and she has a strong sense of the connection between the financial and programmatic aspects of the organisation, which is critical. It does however seem that the Finance and Admin Manager is overloaded, and needs more support in financial oversight and monitoring.
- The budget for office equipment at RM4000/- (approximately US\$1000/- per year) is way too small to adequately address the need to repair and replace office equipment. As will be discussed in the next section, there are a number of gaps that have resulted from this.
- There are simple financial procedures, and there are basic guidelines for travel, costs related to running workshops and other programmes, and these are followed for the most part. Members who are running activities have some complaints about the strictness of the financial procedures, but in the understanding of the evaluators, these are necessary measures to ensure financial accountability throughout the system. It is clear that there needs to be continuous orientation for members and other staff members on financial planning and accounting, as there were quite a few challenges faced in terms of how cash advances were requested (often last minute and not following the 10-day advance notice that is stated in the guidelines), disbursed and accounted for.

- Financial controls are in place and adhered to strictly. There are clear guidelines on how cash advances are made, checked and approved. Once an expenditure and/or cash advance is approved, cheques are signed by three signatories (all three of whom are listed as company directors, and are former or current Steering Committee members of JOAS).

#### 4.2.7 Organisational Infrastructure

Infrastructure related to all the basic conditions, including the facilities and technology that allow the organisation's work to proceed. These include things such as adequate space for the staff to work, reliable source of electricity, accessibility, lighting and internet connectivity. Following are some of the insights and observations related to JOAS' infrastructure:

- JOAS has a small but well-appointed office that the main Secretariat is located in. There is adequate space for the four staff members and Secretary General and all of them have desks, chairs and basic equipment. There is adequate lighting, water and electricity, and there is also a front hall where meetings are held. There is a media room that is air conditioned to preserve the equipment, and there's a pantry, smoking area and adequate bathroom-toilet facilities.
- We were not able to visit the other two offices while in Miri and Kuala Lumpur due to time constraints, and thus were not able to assess the spaces by observation. However, from what the staff members stated, it appears that these two offices are also adequate to support and facilitate daily work.
- There is however a challenge in terms of the number of laptops available to staff members. Several members reported not having their own laptops to work on and having to share laptops and the desktops available in the office. Two staff members stated that they had to use their own laptops because the laptop assigned to them broke down and there was insufficient funds to do the repairs or buy a replacement laptop. Given that both these people are at the level of manager and their laptops are a critical component of their work, this is a matter that needs to be addressed with urgency.
- A lot of the equipment in the office is donated to the office from other organisations. This means that they are second hand and have already seen some wear and tear prior to being used by JOAS. There is also considerable slowness in addressing repairs of things that are not functioning properly, and this is directly linked to the extremely small budget available for infrastructure and equipment upkeep, repair and replacement. While it is prudent to be as economical as possible when it comes to equipment, it does not make sense to cut corners on things like computers which are basic tools in the modern workplace today.
- The evaluators did not have time to explore in depth the technological resources of JOAS. There is internet connectivity available in the office, and staff are heavily reliant on internet and mobile connectivity to stay in touch with each other, to coordinate with members and with each other.
- There was a sizeable library of books related to indigenous peoples, environment and other socio-cultural and political issues that was observed in the JOAS Secretariat office. It is not clear if the staff use these publications at all in their work, nor what sources of information they have access to through JOAS.

#### 4.2.8 Inter-Organisational Linkages

An important aspect of an organisation's capacity is its ability to maintain regular contact with different institutions, organisations and groups that are of strategic importance to the organisation's work. Forging partnerships and coalitions can strengthen the visibility of any organisation and multiply the impact of its advocacy efforts. The evaluators had an opportunity to meet or interview a number of JOAS' network partners as well as officials representing key institutions. Following are some of the insights gained on JOAS' inter-organisational linkages:

- JOAS is well adept with networking and has established different levels of contacts and linkages, both formal and informal. It has had a head start with establishing linkages because a number of those in the top leadership of JOAS are already well respected advocates and human rights leaders with links to established national, regional and international organisations working on indigenous peoples' issues.



- JOAS' key priority as an indigenous peoples' network is expanding its membership and reaching with as many community-based Orang Asal organisations, as their strength as an advocacy platform is in numbers, as well in the stronger awareness of Orang Asal nationally of their fundamental rights. They have done very well on this front, and their membership is nearly doubled to 100 member organisations since the last evaluation. At the members workshop organised during the evaluation field visit, we had the opportunity to meet with enthusiastic new members in both the JOAS Sabah and JOAS Peninsular Malaysia meetings, indicating that interest in the work of JOAS among OA communities is still strong and has potential to be further nurtured and tapped into.
- JOAS has also paid attention to nurturing linkages with strategic government institutions, government officials and political leaders, both national and state levels as part of their advocacy strategy. These

include the State Forestry Departments in each region, the National Human Rights Commission (SUHAKAM), the Peninsular Malaysia Orang Asli Advancement Department (JAKOA), the Ministry of Foreign Affairs, the Bureau of Good Governance and Integrity in the Prime Minister's Department, and individual pro-Orang Asli rights Members of Parliament. JOAS is very clear in its intention to maintain a consistent, strong, evidence-based and professional advocacy stance with all relevant agencies and ensure a place at the negotiating table in every strategic forum where they can raise visibility of Orang Asli issues. This is no small feat, and something that has helped raise the profile of JOAS as a credible opinion leader and representative of Orang Asli concerns in Malaysia today.

- The seriousness with which government officials consider JOAS is seen in their ability to arrange at short notice interviews for the evaluators with several key agencies. JAKOA, which is perhaps one of the most retrograde of government departments in the Malaysian government, and which has inherited the colonial legacy of custodianship over Orang Asli in Peninsular Malaysia agreed to an interview, despite having many reservations about JOAS. It appears that JOAS has come to be recognized as a voice to be reckoned with by JAKOA. Although few inroads have been made in terms of bringing about actual changes in some of the most archaic and discriminatory aspects of JAKOA's policies and practices, JOAS has been invited to JAKOA events, and likewise, JAKOA attends events organised by JOAS. So there is an opening, and the potential for working on heightening the awareness of JAKOA officials, who appear to have very little understanding of the reality of the constituency they are meant to serve.
- Besides government institutions, JOAS also maintains important linkages with a number of non-government, civil society groups and coalitions linked to a broader human rights advocacy at the national level, including the Coalition for Clean and Fair Elections (Bersih 2.0), Empower and the Malaysian Bar Council. There is a clarity that these linkages are part of JOAS' outreach to broaden their relationship, build a broader base of support and raise awareness amongst allies empathetic of Orang Asli concerns.
- JOAS is also a member of a number of strategic alliances and coalitions at the state and national levels namely: Sabah and Sarawak Save Rivers Coalition (a strategic alliance to prevent the building of the Kaiduan dam and Baram dam respectively); the Malaysian Palm Oil NGO Coalition (a strategic ad hoc alliance to provide inputs on the situations of oil palm development in Sabah); GUAS (a strategic ad hoc alliance of environmental NGOs to raise attention to environmental concerns in Sabah); Malaysian Environment NGOs (MENGO) (a national platform of Malaysian environmental NGOs advocating a sustainable environmental agenda at local, national and regional levels.
- JOAS has also seen it as strategic to be a part of several NGO-government partnership. JOAS is a part of the Sabah Social Forestry Working Group (SASOF) and has signed a formal partnership agreement with the government to promote social forestry in Sabah and in Malaysia. JOAS led the research on the 'tagal hutan' system (an indigenous system of forest conversation) in Sabah. JOAS is also a member of the Malaysian Indigenous Peoples Forum on Education (MIPCE), which is a loose coalition advocating school curriculum that is indigenous peoples' knowledge focused.
- At the regional level JOAS has engaged ASEAN Human Rights NGOs Forum (a platform for NGO engagement with the inter-governmental economic block, the Association of Southeast Asian Nations (ASEAN)). It has found a niche of engagement with the ASEAN through the ASEAN Social Forestry Forum, where JOAS is represented.



- JOAS is also a member of Asia Indigenous Peoples Pact (AIPP) and regards this as an important relationship that it maintains by regularly sends JOAS members to different AIPP events. AIPP continues to support JOAS' networking, collaborative and advocacy work with other indigenous peoples' organisations and networks in the region.

### 4.3 Area of Inquiry 3: Measuring Organisational Performance



The findings in this section examine JOAS' organisational performance based on the expected results of the project, "Building Indigenous Peoples Organisations through Empowerment of Communities." In this section, we focus on measuring performance based on:

FIGURE 11: JANE AUSTRIA-YOUNG FACILITATING THE ORGANISATIONAL ASSESSMENT DURING THE PRESENTATION OF FINDINGS IN PENINSULAR MALAYSIA  
 PHOTO CREDIT: CENTER FOR ORANG ASLI CONCERNS (COAC), 16 OCTOBER 2016

- i) the extent to which the goals of the project have been achieved;
- ii) the degree to which the outputs have achieved the goals based on efficient use of financial, human and material resources;
- iii) the extent to which the project conforms to the needs and priorities of the target groups; and,
- iv) the financial viability of the organisation.

### 4.3.1 Expected Result 1: Strengthening of JOAS network

The main function of JOAS is to facilitate the building of networks among Indigenous communities in Malaysia. A functioning secretariat in each of the regions ensures that activities addressing indigenous issues are effectively coordinated. Following are observations concerning this key result area:

#### **The power of collective action in upholding indigenous rights**

The work of JOAS serves as a model of the power of organising and collective action. Its advocacy work has demonstrated to Orang Asal communities how powerful collective action can be for the defense of their territories, their cultural integrity, and their human rights. The establishment of a national network of Orang Asal that brings communities together to take action and speak out with a collective voice is a significant achievement given the divisive political context of Malaysia. The collective planning and strategising that JOAS has engaged in has resulted in a number of different advocacy campaigns and important legal cases that are increasing the public visibility of Orang Asal concerns in Malaysia, and heightening public awareness of Orang Asal concerns.

Following are some of the critical victories that JOAS can claim in its efforts to gain recognition of Orang Asal rights and the integral interconnectedness between forest and forest resources to their survival:

- JOAS has made the critical point that securing land and resource rights of local communities is key to good forest governance in different advocacy spaces, and has come up with a comprehensive 2013 Resolution for OA Land in Malaysia. Land rights is a critical component of forest conservation and an essential aspect of preserving both the environment, the culture, and livelihood of Orang Asal communities. It is a long recognised fact that land tenure security and conservation of forest resources are directly connected and JOAS has been increasingly visible in taking up such cases.<sup>7</sup>
- Participatory community mapping program is a powerful tool to present indigenous knowledge of their local customary land boundaries, traditional resource management practices, and social and cultural understanding of landscape based on their lived experience in utilising forest resources both from the perspectives of indigenous men and women. For example, in October 2016, a JOAS-trained Orang Asal Geographic Information Systems (GIS) community mapping expert managed to sway the decision of the court in favour of a Temiar community (one of the Orang Asli communities in Peninsular Malaysia) to quash an attempt by the state government of Kelantan to give away their ancestral lands to a plantation company.<sup>8,9</sup>
- Raising the awareness of policy and decision makers about Free Prior Informed Consent (FPIC) before any development projects in indigenous peoples' land is an important leverage point in forest protection and conservation. JOAS has made a concerted effort during its network building amongst Orang Asal communities to raise awareness of FPIC.
- JOAS actively lobbies the Malaysian government, which is a signatory to UNDRIP, to adhere to its commitment to FPIC, which mandates the consent of indigenous peoples before any development

<sup>7</sup> Interview with Thomas Jalong, who emphasized that forest rights and human rights are interconnected, 9 October 2016: Miri, Sarawak.

<sup>8</sup> <https://www.facebook.com/notes/center-for-orang-asli-concerns-coac/orang-asli-mapping-experts-sway-the-court/1239156609461596>

<sup>9</sup> Interview with staff of Persatuan Kesedaran Komuniti Selangor (EMPOWER) concerning integrating women's perspectives in participatory community mapping and forest resource management.

projects take place on indigenous peoples' lands. JOAS is also a member the Malaysian Palm Oil NGO Coalition, which monitors corporations holding them responsible for maintaining sustainable oil palm plantation operations.<sup>10</sup>

### **Expanding the dialogue: hearing the voices of women and youth**



FIGURE 12: WOMEN PARTICIPATED IN THE DISCUSSION AND SHARED HOW THE PROJECT HELPED INCREASE THEIR AWARENESS OF THEIR RIGHTS AS ORANG ASAL

#### **a. Women Empowerment Program (Wanita JOAS)**

The women leaders interviewed articulated the importance of ensuring that women play an integral role in defining the network's program. Most of them shared that five years ago there was little women's participation or voice in advocacy work. For the most part, Orang Asal women did not have access to information and were not aware on how to resolve issues affecting their communities. Orang Asal women, like mainstream women, have traditionally understood their main roles as the caretakers of the well-being of their households. The extent of women's engagement in community wide activities has been to prepare for the community during meetings<sup>11</sup>. However, JOAS, which has a very prominent woman leader as its Secretary General, has been gradually but steadily working to shift the dynamics of collective Orang Asal decision making, encouraging men and women to recognise the importance of women's participation in organising and advocacy work. Further, through JOAS training programmes, women members of JOAS have been exposed to the idea of indigenous women and men having differentiated needs, and about the importance of women

<sup>10</sup> Interview with Lanash Thanda, President of Sabah Environmental Protection Association (SEPA): 5 October 2016. Kota Kinabalu, Sabah.

<sup>11</sup>We observed this during the JOAS Members Workshop in Peninsula Malaysia, where besides the staff members from JOAS, two women associated with COAC, the women of the village were only present in order to ensure that all the meals were prepared for us.



having a voice in their families, communities and nation. Following are some of the statements by OA women that the evaluators encountered:

- *“As women, we normally do not express our views in big meetings but now we can speak for our rights to our land and our community. As women leaders, we represent our village in the regional meetings and in JOAS women’s program. Before joining the committee, I did not know anything about the rights of Orang Asal. But after attending workshops and learning sessions organized by JOAS, I learned about women’s role in protecting our community. I don’t feel alone since the spirit of hope is alive.”<sup>12</sup>*
- *“I have been involved and active in JOAS since 2006. We got information about the network when our village was confronted by issue of logging. I was adamant not to allow the logging company to do anything in my land. My opposition to its operation resulted in various harassments and threats to my own life. It is indeed helpful that we have a network to help us advocate and put pressure to the government to resolve issues on our land.”<sup>13</sup>*

In all three regions, we met women leaders who are actively organising to reach out to more indigenous women in the distant areas. They believe that it is important to build the awareness of indigenous women and are growing in their confidence to be critical on issues addressing gender issues in relation to the development aggression that they are experiencing in the village. This growing solidarity of women across the three regions has become an opportunity to learn from each other’s strategies and approaches and to reach out to indigenous women who are deeply embedded in the more traditional understanding of women’s roles in family and community.



FIGURE 13: VILLAGE WOMEN DISCUSSING ISSUES AFFECTING THEM DURING A SMALL GROUP SESSION

This solidarity and mutual encouragement will be important because the greater challenge will be to assert themselves to have a voice and a seat in negotiation and decision-making tables in relation to developers and local authorities, and also in the decision-making and leadership of their own communities. We met a couple of women “tuan rumah” (village heads), but for the most part, the leadership of Orang Asal communities are male.

Women leaders shared that it is difficult to reach out to indigenous women since they are so involved with their activities in the household, which is the case in Sarawak and Peninsular Malaysia. In Sabah, there are equal number of women and men holding key positions, and we observed a much more uninhibited, and

<sup>12</sup> Rosia Kengkeng (Bunbun): JOAS Peninsula Malaysia Members workshop, Pulau Carey, Selangor

<sup>13</sup> Muna Anak Gitu, JOAS Sarawak Members Workshop, Miri, Sarawak

engaged participation of women during the workshop with JOAS Sabah members. This was in contrast to the evaluation workshops held with JOAS Sarawak and JOAS Peninsular Malaysia members. In Sarawak, the women present were much quieter, and the few who did speak up faced quite a lot of heavy teasing. Although the teasing was clearly a way to lighten the mood and have a good laugh, it also meant that the women were repeatedly interrupted whenever they spoke up. At the JOAS Peninsular Malaysia workshop, there was only one single community woman present, and the other OA women present were those linked to the JOAS secretariat and to JOAS partner, COAC.

Within the leadership of JOAS, majority of the key positions are occupied by men but slowly women are entering key positions within the network. As a member of Asia Indigenous Peoples Pact (AIPP), JOAS has adopted a policy on equal participation of men and women within the network. Initially, there were tensions because of funding difficulties in ensuring women's participation in meeting. They resolved the issue by finding additional funds for women representatives and having rotational representation.

We see great potential for sustainable and beneficial shifts in gender dynamics in JOAS and their members over time. There are already a number of important and highly respected women in the leadership of JOAS. Through continued awareness raising and leadership building among women, young women and men, it could be possible for JOAS network to have even more women engaged meaningfully in the life of the network, and play an important role in strengthening the voice of OA women on the issues that affect their communities and their lives.

#### **b. Building the capacity of Belia-JOAS as the next line of leaders**

Through the interactive dialogue with young people who were present at the members' workshops, we understood the importance that they feel in instilling a sense of pride and valuing of their own culture, language and traditional values among other youth. Recognizing the diversity of members in JOAS, the young people present stated that there was much to learn from each other's indigenous knowledge systems and practices. They emphasized the importance of this knowledge exchange, as well as the importance of the diversity of Orang Asal cultural identities to be strengthened and transferred to the next generation. Aside from appreciating the importance of culture and linguistic heritage to indigenous identity, the youth leaders spoke about becoming involved in mobilizing other youth in addressing issues that is a threat to the environment.

- *"I am involved in organizing our youth in opposing the proposed Kaiduan dam project located in Ulu Papar. I made sure that the youth are aware on the harmful effects of the dam on livelihoods, on land, and the environment. 90 percent of the organisation and the opposition is led by youth, and that is important since they feel that they have the responsibility to continue the struggle to stop the dam construction."*<sup>14</sup>
- *"Our main effort in our village is to strengthen the youth organisation and make them aware of environmental conservation. We try to encourage our youth in the long house to be involved, engage in social enterprise activities, know more about the environment, and not to destroy since it is important for our cultural survival."*<sup>15</sup>

<sup>14</sup> Ricklend Christopher Kunjan, son of Joseph Christopher Kunjan, during Sabah JOAS Members' meeting on 9 October 2016: Kota Kinabalu, Sabah, Malaysia.

<sup>15</sup> Edwin Meru, Sarawak



During the conversation, they highlighted that it is indeed a challenge to mobilise the youth and get them together and be involved. Many of the youth have jobs and/or are in school, which limits their involvement due to lack of time. Many of them are also lured to leave their village with the promise of better employment. The rural-urban migration is a reality in most villages which has resulted in changes in the lifestyles and values among the youth. Some of them have become involved in drugs and alcohol. Many young people also experience discrimination in schools and either drop out or are undereducated from the poor standard of education in rural schools. Youth in the villages that are exposed community-based land struggles are the ones who tend to have a stronger resistance to discrimination and are much clearer about their positions in opposing development projects that do not promote the interest of indigenous peoples.

These are important things for JOAS to consider when designing programmes to build the capacity of youth as the second line of leadership in Sabah, Sarawak, and Peninsular Malaysia. However, as noted by Jannie in an interview, the JOAS Youth network is the most connected and active of all the JOAS member networks, and they avidly use social media to stay in touch with each other. The JOAS Youth have a Facebook page, a nation-wide WhatsApp group, and perhaps because of their comfort level with new media technologies, are able to use these different platforms to update and share community issues and initiatives, and extend solidarity to each other.



FIGURE 14: DISCUSSION WITH JOAS MEMBERS IN PULAU CAREY, PENINSULAR MALAYSIA

**Expected Result 1 was focused on assessing the capacity and efficiency of the network in managing its internal and external affairs.**

The following can be concluded about JOAS' performance on Expected Result 1:

- The evaluators find that JOAS has made significant progress, and the trajectory of this work continues to be very promising. JOAS has managed to effectively provide a platform for indigenous communities in Malaysia to work together in:
  - i) bringing their issues forward;
  - ii) developing solidarity among each other, and,
  - iii) exchanging strategies to achieve the desired goal of empowering indigenous communities.
- With the objective of ensuring cooperation among indigenous peoples organisations and creating a strong nation-wide advocacy platform that ensures that government view them more seriously, JOAS has been instrumental in making this happen. By doing this, JOAS is making a significant contribution to ensure that indigenous voices are heard when they were often ignored. Malaysia is considered as a newly industrialised country, but indigenous communities continue to experience severe marginalisation, increasing poverty, and intensifying struggles for land rights (as land grabs and acquisitions become more pervasive), and non-recognition of their efforts in forest conservation.
- Given this, JOAS' mission and growing visibility is of vital importance to addressing rights of indigenous peoples, building solidarity among indigenous communities in Malaysia, and ultimately being a strong force in the conservation of forests throughout Malaysia. JOAS members, particularly those who have facing immediate challenges to their land rights, have experienced a strong impact in the programmes and advocacy of JOAS. There is a palpable sense of trust and a growing confidence in the power among members of collectively raising the issues and concerns nationally as a united voice of indigenous communities.
- Though we were not able to interview non-JOAS Orang Asli people, from other work and secondary readings done by the evaluators, it is our sense that Orang Asal communities and even those who are not members of JOAS are feeling less isolated knowing of the presence and strength of JOAS in advancing Orang Asal concerns. This is particularly true in Peninsular Malaysia and Sarawak where OA communities are particularly isolated from each other and facing intense challenges as a result of development aggression in these regions.
- During this project period, JOAS made a big leap in raising awareness and conscientising youth and women. They made significant action in promoting women's and youth leadership within the program. The efforts to organize national youth as well as regional youth/women network was excellent steps in the direction of JOAS' mission.

Looking forward, following are some of the issues that we see needing attention by the leadership of JOAS:

- The longer term sustainability of the Youth and Women initiatives in terms of human and financial resources. There are potential second liners among youth leaders but at present there is no systematic leadership formation and mentoring program taking place within the network. The evaluation highlights that there are efforts to address women's participation in decision making and empowerment process, but at present, women are underrepresented in top leadership of the network. Capacity building of indigenous women and strengthening the women's program within JOAS is the important next step to think about to ensure a balanced representation of men and women in leadership position both at the network's and community level.

- From 20 member organisations to 100 members now, JOAS has successfully met its goal of expanding the reach of the network. Increasingly, there will be a need to pay closer attention the processes of consultation, planning, coordination, communication, decision making, and capacity building of leaders and community members, as well as mentoring process within the network. The evaluation found that there is a need to strengthen the organisational systems and processes to be able to effectively manage the activities of the JOAS regional secretariats in Sabah, Sarawak and Peninsular Malaysia.
- a. As a maturing indigenous peoples movement, JOAS needs to internally reflect on:
- (i) how to gain a clearer sense of focus in sustaining the network given their human and financial resources;
  - (ii) improving mechanisms to communicate relevant information both internally and to the public;
  - (iii) planning, monitoring and evaluating systems;
  - (iv) organisational structure that defines clear systems of coordination and delineation of roles and responsibilities among the secretariat and the committee members;
  - (v) decision making process within the network; and,
  - (vi) deciding on strategic focus.

#### **4.3.2 Expected Result 2: Orang Asal are able to document, collectively analyse and disseminate information on indigenous peoples' rights and issues**

Building the capacity of indigenous communities to conduct research, engage the media, produce publications, and employ other forms of information dissemination is one of JOAS' main goals. Other target outputs include the production of JOAS' annual report, ongoing documentation training, and research targeting the advancement of Indigenous rights. Following are observations and insights concerning this key result area:

##### **Maximizing the power of media and communication technologies as tools in bringing indigenous peoples issues to the fore**

The member organisations highlighted the important contribution that JOAS has made in raising the visibility of their community issues in the national media and at national and international network meetings. Over the years, JOAS has established strong relationships with both alternative and mainstream media outlets and this has resulted in a wide coverage of indigenous peoples' issues. The following were the main accomplishments in the three regions in mainstreaming indigenous peoples' issues:

- JOAS has been in the media several times in relation to a number of legal cases as well as a blockade that was set up in Kelantan, a state in northeast Peninsular Malaysia (as mentioned in the External Environment section). JOAS is now increasingly sought out as an opinion leader in matters related to Orang Asal issues in Peninsular Malaysia and Sabah at least.



- Staff members were given training by AIPP in the use of different communication tools and this has proven useful. Staff members are now actively make use of information technology for communication and information dissemination.
- In 2013, JOAS greatly improved on the documentation of its activities and meetings. Information dissemination was also made possible through three issues of the ASAL Newsletter and the production of a DVD on Orang Asal video compilations.



FIGURE 15: MAXIMIZING THE USE OF MEDIA FOR ADVOCATING INDIGENOUS RIGHTS  
 PHOTO CREDIT: FREE MALAYSIA TODAY, 5 DECEMBER 2016

- The ASAL Newsletter has also grown as a tool for communication. 300 copies were made for the first issue, the second issue - 1500 copies and the third issue - 3000 copies. 1000 copies of Orang Asal DVD were produced containing 30 songs and shorts video clips of the World Indigenous Peoples' Day (WIPD) and videos dubbed into the Malay language.

- Social media is also increasingly used to bring attention to ground issues that indigenous peoples in Malaysia face and raise the level of public awareness among non-indigenous people. The staff members mentioned with much pride that their Facebook page was now at over 10,000 Likes when the evaluation field visit was conducted, up from 2000 in 2013. It is now at 10,601 Likes (checked on 23 February 2017)



FIGURE 16: PASSING THE TRADITIONAL KNOWLEDGE TO THE NEXT GENERATION OF ORANG ASAL  
 PHOTO CREDIT: JOAS MALAYSIA TWITTER PAGE

- The electronic communication strategies such as Facebook and WhatsApp are ways that JOAS made use to raise awareness, sharing information, and campaigning for indigenous peoples rights. Increasingly, government agencies are aware of JOAS capacity to bring out the issues to the outside world. Government agencies can no longer ignore JOAS and its work on the following critical issues of Orang Asal and their territory:

- i) Addressing natural resources management and social forestry issues by advocating the rights of indigenous peoples in their territory;



- ii) Elevating community issues on land rights into national case as the National Land Inquiry of Indigenous Peoples;
- iii) The rights to free prior and informed consent (FPIC) especially in Sabah and Sarawak on issues of oil palm plantations, construction of mega dams, logging activities, extractive industries and other large development projects; and,
- iv) State-level recognition on the important role of Orang Asal as traditional forest custodians in preserving land and forest resources based on their customary systems and cultural traditions.

Given their work on critical issues on Orang Asal, some of government officials perceived JOAS as a threat to the government since they are addressing issues of land, claiming of rights within the reserve, and fighting for indigenous rights.<sup>16</sup> In one of the qualitative interviews that the external evaluators conducted, a government official shared, “we heard the name JOAS, and I am sorry to say but JOAS is tarnishing the name of JAKOA. They put all the land issues on Facebook. They wanted us to resolve the land issue but land issue is under the level of the State.”<sup>17</sup> JAKOA, as mentioned earlier under the section on Inter-organisational linkages, despite this expressed negative view, does hold JOAS with some measure of respect, and attend JOAS events and invites JOAS for their events. With other government agencies that were interviewed, JOAS is seen as a collaborator and adviser on indigenous peoples rights--native customary rights, FPIC, and UNDRIP.



FIGURE 17: JOAS PUBLICATIONS ARE TOOLS FOR RAISING AWARENESS OF INDIGENOUS PEOPLES' RIGHTS

<sup>16</sup> Interview with a government official who asked not to be identified because he did not have the official approval of his director. October 5, 2016. Kota Kinabalu.

<sup>17</sup> Interview with a government official, October 14, 2017. Kuala Lumpur.

### **Established a strong support and strategic alliance with NGOs to produce good publications**

JOAS has made significant contributions in terms of research and publication including the research and production of the Red and Raw (and the Merah dan Mentah in Bahasa Malaysia), a critical historical and analytical overview of all laws and policies related to Orang Asal in Malaysia, an Orang Asal photographic coffee table book, and three research papers on Customary laws and Traditional lands and territories, and on “tagal hutan” (an indigenous forest conservation system).

Besides these publications JOAS has also fostered collaboration with allied NGOs to produce significant results in the areas of research and publications. The partnership produced include the following important pieces of work:

- The SUHAKAM Report on the National Inquiry of Land Rights of Orang Asal in Malaysia
- Several research on mega dams (2013 – 2015), ASEAN and impact on Orang Asal of Malaysia (2015), Orang Asal Women stories (February 2016) published by AIPP
- Annual contributions to the IWGIA Yearbook

JOAS publications are not limited to producing research reports and studies but also producing newsletters, comic books and booklets with supporting NGOs.<sup>18</sup>

- In Peninsular Malaysia, JOAS launched a book on the Mah Meri on 15 January 2016.
- Volume 8 of the ASAL newsletters
- JOAS assisted in Asia Indigenous Peoples Pact (AIPP) to print its comic on 18 April 2016.
- In addition, JOAS has printed a booklet on UNDRIP on 13 May 2016.

**For Expected Result 2**, this evaluation emphasised that given the challenges and complexities of issues that indigenous peoples face, JOAS’ focus on addressing strategic issues of land and natural resources rights is a vital contribution to securing the fundamental rights and survival of indigenous communities in Malaysia. Over the last five years, JOAS has been very effective in bringing indigenous peoples issues to the attention of the media while maintaining a presence both in prints and online advocacy work. These interventions have strengthened their campaigns on issues affecting indigenous communities at the grassroots level by raise awareness and empathy of the public on indigenous peoples’ issues, and providing information for policy and decision makers of the society. Both the NGOs and government agencies consulted by the evaluators stated that JOAS is playing an important role in national and international advocacy work advancing indigenous peoples’ rights.

The following areas should be given further attention by the leadership of JOAS:

- At present, the member organisations lack the capacity to manage their own communication platforms in order to assert their own issues at the national and international levels. Building the capacity of member organisations to control their own communication strategies is one way of consolidating indigenous peoples’ participation in their struggle to land and forest resources rights and ensuring the longer term sustainability of advocacy efforts.
- One of the identified projects for this multi-year proposal was the online radio but due to legal broadcasting issues and lack of human resources, they were not able to implement this. Radio is still

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<sup>18</sup> JOAS 2016 Mid-Year Report

the best option to reach the distant indigenous communities to disseminate information and raise public awareness, but there may need more strategic thinking into how support can be gained from others doing this kind of work in the region, and how this can be adapted to work in the Malaysian socio-political, geographic context.

- The idea of JOAS' leaders and founders is that JOAS would not be perceived as a threat but as a partner in advancing indigenous peoples' rights. This is a strategic advocacy approach, and one that the evaluators believe is politically expedient given the context of State and civil society contestations in Malaysia at this time. However, this strategy would benefit from greater thought and deliberate communications strategising in terms of information dissemination, messaging, branding, and human resources. We believe that in order to sustain the initial gains, JOAS needs to systematise their advocacy campaign and come up with Strategic Communication Plan to ensure appropriate communication messages they want to share with different audience and address the lack of human resources in order not to spread themselves too thinly with all the work they have to do as a network.

### 4.3.3 Expected Result 3: Orang Asal communities strengthen networks and exchange best practices

JOAS aims to serve as a venue for Indigenous organisations to come together to collectively plan and undertake activities, to exchange experiences, and to highlight critical issues affecting Orang Asal communities. The following accounts described JOAS' awareness-raising initiatives involving different stakeholders:

#### **Impact of roadshow in improving indigenous peoples' awareness in fighting for indigenous and forest rights**

The roadshow is one of JOAS' strategies to raise awareness by travelling out to indigenous communities in remote and rural parts of the three regions. The aim of this programme is to raise the level of understanding of OA communities about the systemic nature of the challenges they face and to help shift their attitudes and feelings of isolation and of powerlessness in the face of the powers that be. The "roadshow" events are essentially community visits with a focus on awareness raising both for active and inactive members.

After the roadshows community members have a better sense of their rights as Orang Asal and as citizens. They also gain a systemic understanding of the discrimination and challenges they face, and develop ideas for how to address the challenges they face. They come away with the feeling of belonging to a network of vigilant indigenous and community-based organisations that will support them in their struggles. It is clear that JOAS work is not just about fulfilling a project and that the qualitative impact of its work is in redressing the historic marginalisation and deep feelings of loss and disempowerment that Orang Asal, particularly those in remote and isolated communities, have faced for many generations. It gives hope to members that they are not alone in the struggle of fighting for their rights. There is now a collective voice and an organisation that represents the struggle of Orang Asal in Malaysia.

Following are some of the voices of members that we encountered through the evaluation field visits:

- *“By doing roadshow, [JOAS] helps us strengthen our advocacy of Orang Asli policy on land rights. We enjoy visiting the communities and share our strategies in addressing land cases. Since we are advance in the struggle on land rights, we make it a point to raise the awareness of other Orang Asli communities.”<sup>19</sup>*
- *“Before, we did not have the courage nor the confidence to fight for our rights to our land and forest resources. We were scared to voice our concern to the government. With JOAS help, we became aware of our rights as Orang Asal. We participated in multiple workshops and became skilled in developing strategies in handling legal cases such as water, land, and other issues concerning our community.”<sup>20</sup>*
- *“Before joining the network, we did not know any other organisations that were fighting for the same cause. With our involvement in JOAS, it helped us to meet different organisations who are involved in Native Customary Rights. Our community organisation feels more powerful in addressing our issues related to our customary rights.”<sup>21</sup>*
- *“Companies are encroaching in our land. The community was afraid to confront the company since we do not have a title to show our ownership. But as Iban and Bidayuh, we know that our ancestors have occupied and been tilling the land. My husband has been fighting for our rights since the 70s with the assistance of Sarawak Dayak Iban Association (SADIA) which has been in the forefront of defending native customary rights lands against encroachment by companies. We made a case in the court but after a long struggle some of the community members became tired of fighting and they opted to get MR 200,000 in exchange of their land. When my husband died, I felt that is the end of the struggle. With the help of JOAS, we learn from other communities, and the fight for our land continue. We organized a women’s group that is not only fighting for Native Customary Rights but making sure that we take care of the forest. We do conservation work and livelihood activities, which brings back the spirit of the village.”<sup>22</sup>*

The roadshow, community visits, and exposure program have been a strong mobilising force to increase awareness on critical issues affecting Orang Asal in Malaysia. The conscientisation process resulted in the consolidation of a grassroots movement of Orang Asal in Malaysia.

### **Annual Gathering of Orang Asal--World Indigenous Peoples Day Celebration**

The involvement of different sectors such as government, public, media, civil society groups in the annual World Indigenous People's Day (WIPD) is yet another opportunity to highlight the rich heritage of OA culture and traditions, while drawing attention to some of the harsh realities that Orang Asal communities face in this current day. It also gives visibility to JOAS and its advocacy both during the actual event and in the post-event media.

The annual JOAS gatherings is also an important time for strengthening the network through face to face exchanges and celebratory gatherings. Besides networking and solidarity building the celebration of this day has become an opportunity to engage government, civil society groups on issues involving indigenous and environmental rights, human rights, and political issues. The annual celebration has also resulted in increase of awareness on indigenous peoples’ issues among civil society groups and the general public.

<sup>19</sup> JOAS Members Workshop in Pulau Carey, Selangor Malaysia, 15 October 2016

<sup>20</sup> JOAS Members Workshop in Sabah: 8 October 2016

<sup>21</sup> JOAS Members workshop in Sarawak, 9 October 2016

<sup>22</sup> Marietta Tadang, at JOAS Members workshop in Sarawak, 9 October 2016



Organisationally, the commitment to rotating the event in each region annually has helped JOAS members to hone their own organising skills in managing events and coordinating bigger organisations and support groups. With the holding of this celebratory event in each region, JOAS members in that region have the opportunity to be recognised by local allies and the state governments as a credible organisation representing genuine indigenous peoples' interest. Apart from advocating indigenous issues, the annual celebration of the World Indigenous Peoples' Day was also an opportunity for Orang Asli to celebrate their culture and tradition--being proud of their cultural identity and educate the wider public about their way of life.

The evaluation included a visit to the Tourism Office of the State of Selangor that collaborated with JOAS in the 2016 World Indigenous Peoples' Day celebrations. Following is what they had to say about their experience of collaboration with JOAS:

- *“The Tourism Office in Selangor is in charge of promoting and educating the public about Orang Asli’s culture and tradition. Our partnership with JOAS was meaningful since they are the legitimate organisation that works with Orang Asli. Overall, the celebration was very successful but in future endeavour it would help JOAS if they can upgrade their human resources and coordination work. The lack of coordination among people involved in the activity would pose a challenge among the offices involved. JOAS needs to be more professional in that aspect. They need to improve their communication and coordination process, and more organised in coordinating big activities.”<sup>23</sup>*



FIGURE 18: IMAGES OF JOAS' PARTNERSHIP WITH THE TOURISM DEPARTMENT IN SELANGOR, PENINSULAR, MALAYSIA

### **Building the capacities of the network**

The main capacity building programmes of the network were focused on building the capacities of youth and women, exposure and strengthening through committee meetings and awareness raising activities. Following are some of the insights gained from this evaluation:

- Youth - The youth empowerment programme provided the opportunity for JOAS youth to discuss a range of issues including issues such as the promotion of the UNDRIP and planned actions to be taken to increase awareness of the youth on the rights and responsibilities as recognised in UNDRIP. Organizing youth jamboree and youth camp brought together different youth representatives from

<sup>23</sup> Meeting with Selangor Tourism Office officials, Shah Alam, Selangor, 12 October 2016

Sabah, Sarawak and Peninsular Malaysia and this has helped greatly to strengthen a sense of solidarity among Orang Asal youth in Malaysia. These efforts resulted in the formation of national as well as regional youth network in JOAS that is responsible in involving the youth in issues affecting indigenous peoples in Malaysia.

- Women - The Women Empowerment programme was focused on providing (i) opportunities for women to know their roles in political and traditional institutions (e.g. native courts, village head) and (ii) to promote women's special role and knowledge in sustainable development.
- Leadership - JOAS is also consciously working on building the capacities of its leadership and community members. These efforts include their capacity to express themselves during national, regional and international meetings, to be able to articulate issues and advocate for indigenous rights to land and natural resources. They have a number of experienced lobbyists coming from the community and within their current leadership, but this is an areas with much potential for growth and deepening, since leadership development is more a process than a single event. Leaders are also given opportunities to engage government officials, the media, corporations and civil society groups to influence policy and development programmes that impact the lives of indigenous peoples in Malaysia.

Following are some of the highlights of a conversation with one of the members of the support NGOs as well as the program manager of JOAS in the Peninsular Malaysia:

- *“JOAS is truly expanding. This is the moment where the Steering Committee and the member organisations should be mobilised and let them do the planning, implementing, and monitoring the activities. It would be problematic in the future if all the tasks will be implemented by the Secretariat. We envisioned that leaders and members organisations of the network are doing their part in managing the program and the coordination work. I am aware that we need to train the leaders and representatives to be able to achieve that goal. But the communities needs to choose their leaders wisely to ensure that they are properly represented in the JCM that provides the overall direction of the network.”<sup>24</sup>*



FIGURE 19: COLIN SHARED THE HISTORY OF THE NETWORK USING THE SYMBOLS AND MEANINGS IN THE JOAS LOGO

<sup>24</sup> Colin Nicholas from Center for Orang Asli Concerns (COAC) based in Kuala Lumpur, Malaysia: 12 October 2016

- *“As a program manager, it would be ideal in the future that the coming together of Orang Asal is not based on the activities planned but it is more programmatic and will be more focused on issues that JOAS is good at .”<sup>25</sup>*

**Expected Result 3** is the capacity building aspect of JOAS work, which includes exchange and solidarity among the network—building the capacity of the members in their understanding of UNDRIP and other relevant laws concerning indigenous peoples, women and youth empowerment. Changes in the plan based on the real situation in the field prompted JOAS to develop new strategies in the youth mentoring program as originally planned in the multi-year proposal. The youth mentoring programme, for example, was aimed to develop the capacities of the youth as the successor generation and providing them with substantive mentoring in a three month long programme. However, when they could not attract young people to invest three straight months of their time to participate in the programme, JOAS developed an informal mentoring program in partnership with their support groups on a voluntary basis.<sup>26</sup>

One of the striking findings of this evaluation is the strategic nature of JOAS’ broad base of support NGOs from Sabah, Sarawak, and Peninsular Malaysia, and their alliances regionally. Being a national network of indigenous peoples in Malaysia, JOAS has made sure that they provide the capacity needs based on the context of the region. For example, when training and other informational materials were needed, they have relied on resources already available, most often provided by groups such as AIPP, PACOS Trust and other support NGOs. These materials were adapted to the current situation of Orang Asal in Sabah, Sarawak, and Peninsula. Other projects, such as the community mapping project, and research that they have conducted has integrally involved partner organisations such as the Centre for Orang Asli Concerns (COAC). Following are some of the other examples where they have been able to leverage their partnership with the support NGOs and allies:

- JOAS membership in AIPP helped them to produce video clips, compilation of campaign materials both in CD and flash drives proved to be helpful in conducting the roadshow, community exchange and during trainings.
- AIPP produced informational campaign materials and training modules on UNDRIP and environmental laws affecting indigenous peoples, which were helpful to JOAS in their capacity building work. They did not have to reinvent the wheel but translated the materials into Bahasa Malaysia. The member organisations found them functional and user-oriented.
- The wealth of experience and training resources of PACOS Trust helped JOAS to develop their own modules on leadership formation that allowed leaders and community members to build their confidence in expressing themselves in front of government officials and in different events and fora.

JOAS decision to directly involve the support NGOs in the Steering Committee even as it build itself as a strong network of indigenous peoples has proved to be a viable and very wise capacity building strategy. JOAS has also recognized and tapped into the power of doing advocacy as a strong mass-based network of OA community organisations. This building of a strong mass-based network has built upon the foundations of work that their partners have already done. COAC, SADIA, BRIMAS, BIIH and PACOS Trust for example have

<sup>25</sup> Koong Hui Yein, Program Manager, JOAS-Peninsula: 12 October 2016

<sup>26</sup> Adrian “Banie” Lasimbang, past JOAS President, Secretary, and now serving as JOAS’ technical advisor for mapping and renewable energy projects.

built their credibility as indigenous peoples advocates, and by continuing to maintain strong partnerships with NGOs such as these, JOAS has been able to tap into their networks, and links more easily with community based organisations in the three regions.

#### **4.3.4 Expected Result 4: Orang Asal are able to articulate and contribute to policy level discussions on indigenous issues at the national, regional, and international levels**

This section examines the capacity of JOAS to engage government and civil society groups and leverage international mechanisms to advance Indigenous people's issues, especially those related to land tenure and access to and management of forest resources. Securing land and forest rights has been the focal point of JOAS' advocacy efforts. They work very hard to prove that when communities have secure land tenure and the right to manage their forests, the forests are better protected and communities are more cohesive. JOAS engages government at different levels and participates in regional and international fora. Their focus in these engagements has been to bring indigenous perspectives and rights-based approaches to forest and resource management. The achievements described here took place between 2014 to 2016.

##### **a. International and Regional Advocacy**

JOAS actively participated in international mechanisms to advocate the securing and upholding of indigenous peoples' rights to land and forest resources. Though they concentrated on land and forest rights, through statements, press releases, and position papers, they were able to link these issues to other concerns affecting indigenous peoples including:

- Climate change safeguards and REDD+ (reducing emissions from deforestation and forest degradation);
- Indigenous peoples and social forestry;
- Indigenous peoples, business, and human rights;
- Sustainable development;
- Renewable energy;
- Community livelihood and economy;
- Forest access rights and tenure governance;
- Indigenous knowledge and biodiversity;
- Rights to development and safeguards.

JOAS has been effective in their international advocacy work by focusing on key thematic concerns that affect indigenous peoples. Through skillful lobbying by its leaders and support groups, and a constant presence, JOAS believes it has made an impact at various forums and events by bringing the issues of indigenous rights to land and forest resources to the forefront with the following impact.

- The organisation served as the voice of the indigenous peoples of Malaysia at the international level by bringing to light the issues affecting Orang Asal communities.
- JOAS provided concrete input to the forums by presenting working papers and recommendations on safeguards mechanisms, tenure, governance, and forest access rights, among other things.
- They actively lobbied international agencies to make the Malaysian government accountable for the implementation of UNDRIP at the state level.



- JOAS' advocacy work included business and human rights, calling for large private corporations and multilateral agencies to be accountable by ensuring that the rights of indigenous peoples are protected in development projects.<sup>27</sup>
- They included issues involving gender and youth in their advocacy efforts.
- Through its exposure at the international level, JOAS developed networks with international and regional organisations and forged collaborations for advancing the indigenous peoples agenda.

JOAS' presence in international conferences and human right bodies has had an important impact on how the Malaysian government perceives the organisation, and they now realise that the Orang Asal have a voice on the international stage that cannot be ignored. But JOAS recognises the need to further develop the capacities of leaders to effectively articulate issues, as advocacy at the UN requires a focused message and a messenger that has the ability to educate, inspire, and influence.

#### **b. National advocacy work**

JOAS recognises the importance of supporting the efforts of local communities to express their opposition to development projects that encroach on their customary lands. The network assists by organizing blockades, writing petitions, seeking judicial redress for land rights violations, and linking communities with NGOs that provide legal support. However, JOAS realises these actions need to be backed by the international and regional organisations that can assert pressure on the Malaysian government. Only with a combination of internal and external pressure can Orang Asal issues be effectively addressed.

JOAS' efforts in their national and regional advocacy work focus on addressing the following gaps in the implementation of international covenants to which Malaysia is party:

- Securing rights to land and natural resources
- Cost of unsustainable development
- Environment and climate change affecting indigenous peoples
- Development aggression and its impact on indigenous women
- Translating international commitments to laws and policies at the national and local levels

#### Campaign against construction of large dams, oil palm plantations, and other unsustainable development that would affect ancestral lands

- JOAS helped its member organisations to conduct strategy meetings to strengthen their advocacy work at the national and regional levels.
- JOAS, together with allies such as Save Rivers Sarawak, International Rivers, and AIPP were successful in their joint campaign to stop the construction of Baram Dam in Sarawak.
- JOAS leaders have taken a strong stand opposing the proliferation oil palm plantations, stressing their negative impact on the lives and lands of Orang Asal communities.

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<sup>27</sup> Safeguarding the rights of indigenous peoples includes addressing the encroachment on Orang Asal lands in the name of development. These impositions have resulted in a systematic denial of Orang Asal peoples' rights to ancestral land and forests, the lack of access to the natural resources they are dependent upon, disruption of livelihoods, and disturbance of customary systems of forest management. The federal and state governments have also systematically replaced traditional systems of leadership with official appointees who are paid by the state. This has resulted in severe tensions in many communities, where the government appointed leaders are easily bought, and communal land rights are stripped from indigenous communities in the name of development.

### Influencing policy at the local level

#### **National Inquiry on the Land Rights of Orang Asal/Orang Asli**

- JOAS played a vital role, both as advocates and facilitators, in the National Inquiry on the Land Rights of Orang Asal/Orang Asli conducted by SUHAKAM, the leading government human rights commission in Malaysia. During the 18-month investigation, SUHAKAM relied heavily on JOAS to organise and facilitate consultations with indigenous communities throughout Malaysia. The National Inquiry produced a comprehensive report published in 2013 with 18 major recommendations under the following themes:
  - (i) recognise indigenous customary rights to land
  - (ii) remedy land loss
  - (iii) address land development issues and imbalances
  - (iv) prevent future loss of NCR land
  - (v) address land administration issues
  - (vi) recognise land as central to indigenous peoples' identity<sup>28</sup>
- During the SUHAKAM inquiry, JOAS pushed for the adoption of indigenous perspectives on land and issues related to land and lobbied for subsequent follow-up actions by the government.

#### **The development of Free Prior Informed Consent (FPIC) guidelines**

- JOAS expertise on UNDRIP, with special emphasis on FPIC, is recognized, and the organisation has been invited to serve as a principal advisor for developing a Draft FPIC Guide for Sabah under the Jurisdictional Approach to Certification. The impact of this role cannot be understated, as JOAS has the opportunity to institutionalise a consultation process that truly respects the right of indigenous people to be consulted before the implementation of palm oil projects.
- JOAS' involvement in the development of the FPIC guidelines provides the opportunity to raise the awareness of government officials and large corporations of the concept and importance of free prior informed consent.

#### **c. Strengthened links with NGOs and other civil society groups**

JOAS has engaged with regional indigenous organisations, such as the Asia Indigenous People Pact (AIPP), Non-Timber Forest Products (NTFP), ASEAN Social Forestry Network, and other NGOs such as COMANGO (Coalition of Malaysian NGOs in the UPR Process), Round Table on Sustainable Palm Oil (RSPO) to address environment, economic and social development, forest governance, and indigenous peoples' access to rights and resources.

#### **d. Hosting events and forums to advance indigenous issues**

When JOAS hosted the 2013 Land Rights Conference in Malaysia, they were able to articulate the following issues: (i) recognition of indigenous customary rights to land; (ii) redressing land development imbalances; (iii) finding remedies for loss of land, (iv) preventing future land loss; and (v) the need to address land administration issues in front of government agencies, companies, and other stakeholders. The conference also resulted in the adoption of a 43-point Resolution on Orang Asal Land, which has been used as

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<sup>28</sup> <http://cfnhri.org/spotlight/suhakams-national-inquiry-into-the-land-rights-of-indigenous-peoples>

an advocacy tool by JOAS to demand that the Malaysian government act on the findings of the SUHAKAM National Inquiry report.

JOAS' advocacy approach is as follows:

Campaigns and advocacy as a means to influence policy to improve the situation of OA communities

- JOAS bases its campaign strategy on the needs and issues of its member communities. The advocacy is designed to draw attention to the plight of Orang Asal communities in Malaysia and work in partnership with NGOs, other civil society groups, and participate in international human rights mechanisms.
- Advocacy focuses on indigenous peoples' rights to land as a key to forest conservation and cultural survival.

JOAS' advocacy work aims to be critical, but not confrontational

- JOAS' advocacy strategy is not to shame the government, but to apply pressure for the state to address issues affecting indigenous peoples in, especially those involving land and natural resources.
- JOAS strives to back up its campaigns with data, research, and accurate depictions of on-the-ground realities with the goal of making government accountable and address the issues facing indigenous peoples.

To be effective, their advocacy targets the persons who have the power to make decisions and are able to actually bring about change that will improve the situation of OA communities. Given their successful participation in international human rights bodies, JOAS plans to continue its engagement with international organisations including the Universal Periodic Review of the UN's Office of the High Commissioner for Human Rights, Expert Mechanism on the Rights of Indigenous Peoples (EMRIP), Business & Human Rights, the United Nations Permanent Forum on Indigenous Issues (UNPFII), and Special Rapporteurs. JOAS' advocacy work also targets the private sector, focusing upholding human rights standards and safeguards mechanisms.

JOAS has made a significant impact by establishing a national indigenous peoples' platform at the national, regional and international levels. Evaluating the real life impact of international advocacy can be difficult, but it was clear to the evaluators that the Malaysian government is well aware that there is a critical force pushing for the advancement of the rights of indigenous peoples in the country. This represents an important gain for the advancement of the Indigenous agenda at the national level. Because of JOAS' advocacy, the government can no longer ignore the rights of indigenous peoples and have them remain silent. The state is aware that it needs to implement policy and approve legislation that improves the situation of OA communities.

## 5. Recommendations



FIGURE 20: PRESENTATION OF THE INITIAL FINDINGS OF THE EVALUATION IN PENINSULAR MALAYSIA

PHOTO CREDIT: CENTER FOR ORANG ASLI CONCERNS (COAC)

Throughout section 4 on the evaluation findings, there have been a number of recommendations that have been made in relation to different areas of JOAS in terms of its motivation, capacity and performance. All those recommendations are meant to be considered in light of future realignment and adjustments that JOAS will undoubtedly make in relation to its programmes, structure, policies, processes and strategies. In this section, the evaluators list out a few key recommendation that are based on this critical assessment of what has not yet been achieved and some possible ways forward.

### 5.1 Continued Policy Advocacy Development

#### Conducting research on securing land tenure and control of natural resources

Given some of the successes that the Philippine indigenous peoples' struggle have made in terms of land tenure, there may be value in conducting an inter-disciplinary, comparative study of the land tenure processes in the Philippines and Malaysia. The result of the study can harvest lessons from indigenous struggle in the Philippines and what has worked there in terms advancing indigenous peoples rights to land and forest resources.

The Philippines has different experiences on tenure security programs for forest dependents--some were successful and others not. In 2015, The World Bank conducted a study on "Access to Land by Indigenous Peoples Groups in the Philippines: Using Ethnographic Methods to Inform Policy Making" with the aim of analysing the bottlenecks in securing access to land by indigenous groups. This can be a starting point for the comparative study that RFN and JOAS can build on in order to develop a policy advocacy platform that can



push forward the issue of land and forest rights of indigenous peoples in Malaysia given the social and political realities.

### Addressing Free Prior Informed Consent in the context of addressing the rights of indigenous peoples to their land and forest resources

Given JOAS having access to the Malaysian Palm Oil NGO Coalition, and the relatively close degree of engagement with the state government particularly in Sabah, JOAS can play an important role in providing information to policy and decision makers, raising the awareness of lawyers working on NCR cases in court and pushing for Free Prior Informed Consent (FPIC) before any development projects in indigenous peoples' land. Recognition of FPIC and the UNDRIP have been key to JOAS advocacy platform and there is much work to be done to close the implementation gap of UNDRIP at state levels. Following are two areas that JOAS might pursue, given its strong positioning as a national advocacy voice of Orang Asal:

- For government of Malaysia to create a national policy on how to implement FPIC;
- For corporations to incorporate FPIC for their corporate responsibility-- addressing social inclusion, responsible sustainable palm oil and other development programs affecting indigenous peoples

## 5.2 Organisational Development and Internal Capacity Building

JOAS has done a remarkably good job of establishing a dedicated institutional structure for JOAS, and significantly expanding the reach and membership of JOAS nationwide. The important pillars of a well-functioning, accountable, transparent and efficient organisation are in place. The organisational structure, the final authority of the General Assembly, the solid nature of the organisation's constitution, the accepted leadership of the JOAS Steering Committee and the Main Committee, the established regional offices, and nearly full complement of staff members all augur well in terms of Indicator 1. JOAS needs a number of systematic organisation development interventions, and it is best that they are addressed as a whole rather than in a piece meal manner. These include a refining of:

- the organisation's governance and decision making systems;
- programme management, including planning, monitoring and evaluation processes;
- Human resource management, including more attention paid to performance review, rewards and benefits, capacity building on a range of skills, team coordination, mentoring, leadership and a proper onboarding programme for all staff members;
- Developing and documenting internal policies and processes, including financial policies, monitoring and evaluation, project management, conflict-resolution and decision making processes.
- Leadership development of elected leaders, including guidance on programme development, community organizing, financial and budgetary matters, governance, decision making and a proper onboarding programme for all incoming leaders.

- Planning processes such that they are better aligned to JOAS strategies. Currently planning appears to be more activity-based rather than programmatic even though JOAS has clear strategic thrusts: advocacy, capacity building, and research and documentation.
- the overall governance of JOAS; including matters such as monitoring strategic direction, overall financial planning, human resources management, and policy development, and are not being regularly attended to by the Steering Committee;
- The main decision making structure, including the JOAS Coordinating Meetings which needs to be reviewed and refined. There would be value in differentiating the space by encouraging small group discussions, the use of a variety of planning, forecasting, planning, consensus building, and decision making tools.
- Lateral processes, including communications, information dissemination, meeting methodologies, coordination and consultation of members in programme implementation are all in need of enhancement.
- Likewise, all the lateral processes in relation to the regional nature of JOAS needs to be reviewed, including the function of each of the regional offices, the roles, responsibilities and capacities of the regional committees, the roles and relationships of all the staff in relation to each other across the regions, and in relation to the regional committees and the different subnetworks they are in charge of.
- The spaces available for listening to each other stories, developing common agreements on values and ways of working, and regularly reviewing the different elements that make up the organisation's life and uniqueness.
- Evaluative conversations about programme implementation, financial sustainability, mentoring of new communities, leadership styles and functions, ways of holding members accountable that are culturally congruent, ways of resolving conflicts within the network.

### 5.3 Advocacy Work

As JOAS grows strong in its advocacy work, it would be prudent to start systematizing its advocacy work in the following ways:

- Develop an advocacy communications strategy – Have clear advocacy targets so that gains can be more easily monitored and measured; develop creating messaging based on a regularly analysis the audience JOAS is seeking to influence, and the socio-political pulse at the time, and “branding” to ensure the strategic approach of JOAS comes through in all advocacy work;
- Decide of which international human rights mechanism to be present and active in, and which ones can most effectively put pressure on Malaysian government to follow through on its commitments strategy.
- Online organising to reach young Orang Asal, and help strengthen their capacity for advocacy work and keeping them connected to the larger struggle for indigenous peoples' rights. As noted in the section on findings, there is a potential to reach a number of young OA people who have left their

villages to move to urban settings. This group may be an important group to organise, empower, connect and do advocacy work with.

- Women in relation to customary practices and rights – while this may not be an immediate priority given the other broader based rights that are being struggled for, JOAS could start clarifying its position on women’s rights and roles, even as it works to promote women in community building and advocacy work.
- Review the ways in which there can be greater solidarity across the region on forest protection and conversation issues. Given that each region has a unique set of laws, history and context, attention need to be paid on how there can be a show of solidarity across regions when different communities are facing land and forest challenges.
- Consider whether FPIC might be a unifying advocacy platform that all of JOAS members to work systematically on. A common advocacy goal is valuable in building lines of solidarity and strengthening the network.

## 5.4 Capacity Building of Members

Even as JOAS has focused a considerable amount of their attention to capacity building of members, the evaluators believe that continued strengthening of the capacities of members across the regions will make a huge difference to JOAS being able to realise its mission. Following are some of the areas to consider focusing continuing efforts:

- Building indigenous women’s analysis of gender, culture and human rights in the context of indigenous peoples’ culture. Capacity building programmes for OA women could focus on how indigenous customary laws promote and respect indigenous women and shed light on aspects of customary traditions that hamper women’s participation in decision making. Promoting gender awareness and greater gender sensitivity in a way that supports community-wide shifts (that are integrative and non-divisive) would go a long way to strengthen the network overall.
- Invest in young people’s leadership – there is a remarkable wealth of vitality, passion, ability in young people, and investing in building their leadership is perhaps one of the most important ways to ensure the sustainability of JOAS in the longer term
- Build the capacities of members to organise themselves and to manage their own organisations well. Capacity building could include a range of skills such as facilitation of meetings, consensus building, building stronger organisations and other leadership skills.
- Develop capacities in the areas of media, communications and documentation that are congruent with the current and future generations of Orang Asal living in rural and urban areas. The better they are able to tell their own stories and document their own struggles, the more diverse will be the voices of Orang Asal peoples emerging in the national narrative.
- Develop a manual and toolkit for leadership development and network building that is tailored to the needs of JOAS members and that can be modified and expanded upon in the future.

## 5.5 Strengthening partnership in the region and promoting the JOAS advocacy model regionally

JOAS has managed to establish and maintain important partnerships in the region and it would be valuable to continue to do so. Following are some recommendations on how JOAS can move forward regionally:

- Establish a regional formation to protect the last rainforest on the island of Borneo (Brunei, Indonesia, and Malaysia)–regional focus of lobbying and advocacy

JOAS and RFN work for the last ten years demonstrate a model of rights based approach in conserving forest and its resources. The experience of JOAS is a model that recognizing the rights of indigenous peoples are key to forest conservation and protection. Given the rate of deforestation due to oil palm plantation, mining, extensive logging in Brunei, Indonesia, and the states of Sabah and Sarawak, which all share the island of Borneo, JOAS can play an important role in forming an alliance with indigenous peoples affected to share strategies on how to address these threats in the remaining forest of the region.

- Explore the possibilities of regional exchange with neighbouring countries; eg. an exchange with Philippines which is well known for community organizing to learn about the ways community organizing is taking place among indigenous peoples.

## 5.6 Funding and Organisational Sustainability

### FOR RFN

JOAS is now in the process of consolidating its gain both at the national and regional levels. It was clear in the findings of the external evaluation that the funding of RFN has had a strong positive impact on the work JOAS and that JOAS is on track with the achievement of the intended goals of this funding. However, the building of a network is slow and difficult work, and particularly so when seeking to also build the capacities of those in the network to champion their own causes and protect the land and forests that are essential to their survival. Such work requires continued support to build the necessary foundation for longer term change and sustainability.

In order to sustain the gains of this partnership with JOAS, the findings of this evaluation point to the following directions that RFN need to consider:

- Develop an overall strategy on how to strengthen core capabilities of JOAS to be a sustainable network and indigenous movement in Malaysia in the long term. Perhaps the first area of competency in this regard is to build the capacity of JOAS to strengthen its funding base by linking them to different partners and international funding groups who are focused on supporting the promotion of land and forest rights of indigenous peoples, indigenous knowledge and climate change, and gender and indigenous women. Second, building the capacity of staff to develop proposals and cutting edge strategy on the area of land and indigenous rights but able to link issues of women, children, climate change and environment to its core strategy.
- Support a systematic organisational development and strengthening of JOAS as a network.



- Strengthen the partnership between JOAS and RFN through regular visits by RFN portfolio managers to the JOAS secretariat as well as to JOAS member organisations and events to gain a ground level experience of the ground-level challenges faced, the creative ways in which JOAS pursues its strategies and the gains made through their efforts.

Document JOAS' experience on rights-based approach in protecting rainforest - documentation of this journey could be a valuable input to promoting policy on forest and land resource conservation that is integrally linked to recognising the rights of forest inhabitants. It can also be an input to theory building and programme development on a range of issues such as indigenous rights and climate change, tenure as a key to forest conservation, indigenous knowledge in managing and protecting forest resources, and the impact of development aggression/unsustainable development on women.



FIGURE 21: JOAS MEMBERS IN MIRI, SARAWAK DURING THE EVALUATION

## 6. Conclusion/Reflection

The overall results of this evaluation with regards to JOAS – its significance as the only national level indigenous peoples’ advocacy network, its vision and mission, its work, its capacity and its gained since the last evaluation – are highly positive. Since the last external evaluation in 2011, JOAS has taken the recommendations seriously with clear positive impact in advancing indigenous peoples agenda in the national, regional, and international levels. The last evaluation reported 21 member organisations belonging to the network. At present, JOAS has over 100 member organisations and it continues to grow in numbers. JOAS’s visibility has soared since the start of this funding relationship and it is evident both in their advocacy work and the respect they have with the media, among their peers, with government institutions, and most importantly, with indigenous communities all across Malaysia. The seed of hope have been planted, and there is a palpable sense of power that comes from collective organising.

This external evaluation found that since 2008 JOAS has successfully managed to systematise their operations to ensure effective implementation of its work. There has also be a lot of effort put into consolidating as a network and reaching out to indigenous peoples in Sabah, Sarawak, and Peninsular Malaysia. With RFN’s donor support, JOAS has made a dramatic impact in advancing indigenous peoples’ issues in the last five years through national and international advocacy, information dissemination on indigenous peoples’ rights of its member organisations, and serving as the collective voice of indigenous peoples in Malaysia.

While there is still a long way to go, it is clear that JOAS has been able to inspire hope, strengthen community land rights advocacy efforts and uplift the aspirations of member organisations in Sabah, Sarawak, and the Peninsular Malaysia. It is no small feat that JOAS has been able to pull together a credible, viable and broad based network despite significant geographic challenges, political complexity, cultural diversity and technological limitations the face in the Malaysian context. . JOAS is an fine example of how a clarity of vision and mission, strategic leadership, concerted awareness raising, networking and solidarity building can make a real difference in the lives of isolated and marginalised indigenous peoples.

JOAS has managed to project an image of power and have become a force to be reckoned with. They have proven to be an organisation that is both successful and full of potential and well worth investing in. It has been a pleasure and great honour for the two evaluators to be able to support both RFN and JOAS through this evaluation process, and we wish both organisations the best as they work on the next phase of partnership.

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<https://www.facebook.com/notes/center-for-orang-asli-concerns-coac/joas-gets-evaluated/1233477940029463>

## APPENDIX 1: JOAS STEERING COMMITTEE AND ROLES

NAME OF SC MEMBERS	ROLE
1. Yusri Ahon, President	<ol style="list-style-type: none"> <li>1. Oversee Network Development (Women, Youth, Children, Elders)</li> <li>2. Spokesperson/Represent JOAS</li> <li>3. Chair, Joint Coordination Meeting (JCM)</li> <li>4. Chair the General Assembly</li> </ol>
2. Jannie Lasimbang, Secretary General	<ol style="list-style-type: none"> <li>1. Monitor Secretariat Director</li> <li>2. Oversee and conduct Research</li> <li>3. Vet publications and press releases</li> <li>4. Prepare Activity Reports &amp; Planning during General Assembly</li> </ol>
3. Vice Presidents (Juhaidi, Siew and Zurdi)	<ol style="list-style-type: none"> <li>1. Monitor implementation of activities in their respective regions</li> <li>2. Responsible for outreach</li> <li>3. Responsible to ensure members are kept informed and active</li> <li>4. Conduct annual members' meeting in each sub-region</li> </ol>
4. Thomas Jalong, Treasurer	<ol style="list-style-type: none"> <li>1. Oversee and conduct Advocacy activities</li> <li>2. Payment of membership fees</li> <li>3. Report the Finances at General Assembly</li> </ol>
5. Mark Bujang, Secretariat Director	<ol style="list-style-type: none"> <li>1. Oversee the overall operations of the Secretariat Office in Sabah, mini Secretariat in Sarawak and Peninsular Malaysia</li> <li>2. Managing and planning the financial and administrative of JOAS</li> <li>3. Reports to the Steering Committee on all financial and personnel updates</li> </ol>
5. Women Network <ol style="list-style-type: none"> <li>i. Nori Kumew</li> <li>ii. Rosiah Kengkeng</li> <li>iii. Rusinah Sinti</li> </ol>	<ol style="list-style-type: none"> <li>4. Provide input to planning &amp; implementation of activities on women</li> <li>5. Coordinate with Wanita JOAS</li> </ol>
6. Youth Network <ol style="list-style-type: none"> <li>i. Margre Tiosson</li> <li>ii. Sudin Ipung</li> <li>iii. Sabariah @ Mia Yusri</li> </ol>	<ol style="list-style-type: none"> <li>1. Provide input to planning &amp; implementation of activities on youths</li> <li>2. Coordinate with Belia JOAS</li> </ol>
7. Elders Network <ol style="list-style-type: none"> <li>i. Meseng Ak Magin</li> <li>ii. Mandik Adam</li> <li>iii. Mohd Fauzi Bin Bari</li> </ol>	<ol style="list-style-type: none"> <li>1. Provide input to planning &amp; implementation of activities on youths</li> <li>2. Build up Penetua JOAS</li> </ol>
8. Dr. Colin Nicholas (COAC)	<ol style="list-style-type: none"> <li>1. Advise on activities in PM</li> <li>2. Mapping support</li> <li>3. Media &amp; Publication (including training)</li> </ol>
9. Adrian Lasimbang, Past JOAS president, Secretary and staff	<ol style="list-style-type: none"> <li>1. JOAS Technical Advisor</li> <li>2. Mapping support</li> <li>3. Renewable Energy</li> <li>4. Youth mentor</li> </ol>
10. Kenneth Chung (PACOS Trust)	<ol style="list-style-type: none"> <li>1. Advise on activities for Sabah</li> <li>2. Mapping support</li> <li>3. Online Database</li> </ol>
11. SADIA (previously SC member was Niloh Ahson, but is now a JOAS)	<ol style="list-style-type: none"> <li>1. Advise on activities for Sarawak</li> <li>2. General input &amp; support</li> </ol>



NAME OF SC MEMBERS	ROLE
staff)	
12. Peter Gibin, PANSA	1. General input & support
13. BRIMAS (Mark Bujang previously SC member, but is now a JOAS staff)	1. General input & support
14. Duweng Bakir, BiiH	1. General input & support (Not Active)

## APPENDIX 2: EXTERNAL EVALUATION FRAMEWORK FOR THE JARINGAN ORANG ASAL SEMALAYSIA (JOAS)

### I. Objectives of the Evaluation

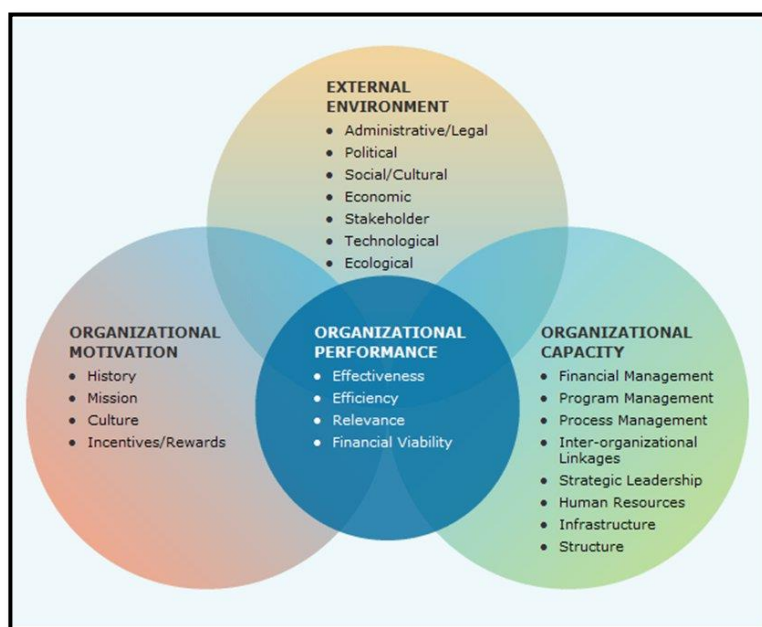
- 1) To assess the relevance, efficiency, effectiveness, responsiveness, sustainability and impacts of the JOAS programmes and activities based on the recommendation of the 2012 evaluation of JOAS, its strategic planning for 2013 - 2017, and the annual proposals and reports submitted to RFN;
- 2) To review the strategies and activities at the local, national and international levels of the JOAS Advocacy and Campaign programme, with some emphasis on forest protection, and how JOAS can transform this programme to be able to be relevant in the region;
- 3) To identify and analyze the challenges and lessons learned and provide key recommendations that can guide JOAS in improving and defining its institutional and networking strategies and programme development, that can feed to its strategic programme 2018-2022; and,
- 4) To analyse how JOAS may ensure sustainability of its programmes, including recommendations on the partnership between RFN and JOAS and on possible new strategic alliances.

### II. Evaluation Framework

The main unit of analysis in this evaluation process is the organisational capacity and the institutional context where JOAS operate. Throughout the process the evaluators will serve as facilitators to help JOAS reflect on the life of their intervention as it is lived and perceived and experienced by them and the indigenous peoples in Malaysia, including program or project personnel involved in the project.

The evaluation framework<sup>29</sup> that will be used for this evaluation is one that has been developed by the International Development Research Framework (IDRC) and is especially useful in the evaluation of non-profit organisations. In this framework, the following key areas provide the guideposts for assessment:

1. **Determining organisational motivation**—reason for being, shared vision, history, basic purpose of the organisation, why it exists and for whom do they exist, and what is their distinct role they place in in advancing indigenous peoples agenda both in the national and international



<sup>29</sup> Organisational Assessment: A Framework for Improving Performance. 2002. Inter-American Development Bank and International Development Research Center.

contexts.

2. **Understanding the organisation's external environment**—understanding legal, political, social, cultural, economic, and environmental context where the organisation operate.
3. **Examining organisational capacity**—reflecting on how the organisation manage its own day-to-day affairs including financial management, program management, process management, inter-organisational linkages, strategic leadership, and organisational structure that describes decision making process within the organisation.
4. **Measuring organisational performance**—reflecting on what extent has the goal of the project been achieved (effectiveness), to what degree do the outputs achieved derive from efficient use of financial, human and material resources (efficiency), o what extent does the project conform to the needs and priorities of the target groups (relevance), and financial viability.

### III. Evaluation Methodology

As evaluators, we are strongly aligned to the belief that every evaluation is as much an opportunity for the network being evaluated to reflect upon and revisit their goals and strategies as much as it is to make an assessment of their performance and effectiveness thus far. We also hold a strong desire to be as culturally sensitive and inclusive as possible, and take into account the context within which JOAS operates in.

As such, the methodology will involve gathering experiential accounts describing program activities and how the interventions unfolded in facilitated and participatory ways. Using the evaluation framework to look at different aspects of the organisation, we will use different formats, including facilitated workshop style processes, timeline exercises, individual and group interviews and a review of document to understand how change has occurred and how it can best be sustained.

By the end of the evaluation, we will propose a set of recommendations for improving organisational strategies, processes and approaches in ways that enables JOAS to better achieve its mission. It will also provide the data needed for RFN to align its resources in ways that will be the most effective in improving the lives of indigenous peoples and the forests and other resources that they rely upon for their livelihoods. The evaluation process will include an investigation of the existing enabling organisational environment and the factors that allow JOAS to follow its programmed organisational trajectory. We aim to use the evaluation as a way of strengthening JOAS by providing analytical tools and questions that will guide the organisation to reflect about its work in advancing indigenous peoples' rights and building the capacities of indigenous women and youth. The factors that act as obstacles to the organisation in realizing its vision and mission will also be assessed as part of this evaluation framework.

We also see this evaluation as an opportunity for JOAS to analyse its partnership with RFN and assess whether the project helped the organisation further its vision of improving the lives of indigenous peoples in Malaysia. At the same time, this evaluation will provide RFN with the data and insight needed on JOAS to see how the work that they do aligns with the vision of change that RFN aims to promote through its activism.

### IV. Evaluation Instrument

#### A. DETERMINING ORGANISATIONAL MOTIVATION

The discussion will focus on the network's shared vision and values. The process is best facilitated by using a historical timeline to describe the milestones and major events that have proved critical for the organisation. Questions that will be asked include the following:

- Why did you come together as a network? Why was there a need for a network of indigenous peoples' organisations in Malaysia?
- What issues you are addressing as indigenous peoples in Malaysia?
- Looking back to when you were starting out as a young network and considering where you stand now, do you believe you have achieved what you aimed to accomplish as an organisation fighting for indigenous peoples' rights?
- What has been the impact of your achievements on individual members of the network? On communities?
- Why is it important to continue JOAS's work of empowering indigenous communities?
- What have been JOAS's most important contributions in advancing the indigenous movement in Malaysia?

## **B. THE ENABLING ENVIRONMENT**

- Describe and assess the formal rules within which the organisation operates (legal framework, mandate, policies on indigenous peoples in Malaysia)
- Describe the institutional ethos (organisational culture they value as a network, cultural values, organisational ethics and conduct)
- Describe the capabilities within which the organisation operates (political climate, environment, security situation of activists, and geographic location of target communities and members of the network)

### **Guide Questions**

- What is the impact of these environmental forces on the mission, performance and capacity of the/your network?
- In what ways is the environment friendly or hostile, and how has this shaped the way the network has grown and developed?
- What are the major opportunities and risks resulting from the environment?
- In what ways is the culture, values, organisational ethics and conduct of the network shaped by the context within which it works?

### **Discussion with government officials**

1. What are some of the priorities of the Malaysian government in relation to indigenous people? What is the current focus of the government in relation to the economic, social and cultural empowerment of indigenous peoples in Malaysia?
2. What might be some of the challenges you perceive in ensuring that indigenous communities around Malaysia are able to access the benefits of the programmes and policies that the Malaysian government has put in place?
3. Have you heard of JOAS's work? What do you think of the organisation's contribution to improving the lives of indigenous peoples in the region?
4. To what extent do you think that the work of a network like JOAS has made an impact on the achievement of indigenous peoples' rights in Malaysia?
5. What role do you anticipate a network of this nature playing to advance the rights of indigenous peoples?
6. What do you see as the possibilities for collaboration with a network like JOAS?



### C. EXAMINING ORGANISATIONAL CAPACITY

1. Understanding organisational systems in the network (discussion with the program staff on the day-to-day program delivery and management)
  - *Assess the strengths and weaknesses of strategic leadership*
  - *System of communication among the network members*—How is access to information provided? Who does the data gathering among members?
  - *Planning, monitoring and evaluation system*—How are network plans formulated? Who is involved in the planning? Are there tools used for program planning? Is the overall planning process clear to the members of the network?
  - *Financial management*—Are there written policies that govern the financial management system? Are there adequate controls in place? Are the policies followed? Are the network's operations cost efficient in rendering service to the members?
  - *Human resource management*—Are members of the secretariat adequately trained to perform their respective functions? How frequent is staff turn-over? Are there staff performance evaluations? Do staff have the skills and competence to implement the program?
  - *Mechanisms for active and inactive members of the network*—Are there measures in place to ensure that members are receiving the expected benefits of their membership? Are members' profiles regularly updated? What mechanisms are in place to extend the opportunity to potential new members?
  - *Structure*—is the organisational structure well defined, with clear roles and responsibilities? Is there a clear delineation of tasks and responsibilities that is transparent to all the organisation's leaders, members, and staff? Are there straightforward systems for coordination? Are there clear-cut decision making processes? Given the systems in place within JOAS, how do individual members ensure they strengthen their own indigenous decision making processes?
  - *Working relationships with civil society or other advocacy groups working to advance indigenous peoples' issues*
2. Finance and Administration Staff
  - Conduct an efficiency assessment, or analysis of the cost of a particular program. An efficiency assessment can be instructive in determining how to allocate valuable resources and ascertain their cost-benefit.
  - What is the best way to decide how the program should be delivered, if it is achieving its outcomes, and if it is cost effective?
3. Sustainability
  - Capacity to raise funds other than RFN (AIPP and others). Between 2013 and 2016, how much in non-RFN funding was raised per year?
  - Project costs. How does the organisation decide to allocate funds? Is the process transparent to all its members? Who gets what and how much within the federation?

### D. MEASURING ORGANISATIONAL PERFORMANCE

1. Assessment of project implementation based on JOAS's basic documents
  - Review the project's outcomes and outputs
  - What actually happened during project implementation?
  - What were the factors that facilitated the realisation of the desired outcomes?

- Identify the gaps and challenges encountered in implementing the project
- What are the experiences you will replicate and build on in succeeding projects?
- What are the experiences that you will not replicate in future projects?

The evaluator will synthesize the discussion highlighting the identified strengths, challenges, gaps, and ways forward in implementing the project based on the overall project goal and expected results.

Possible Areas to Investigate	Strengths	Challenges	Gaps	Ways Forward
<p><b>Overall goal/impact:</b> To enhance the capacity of the Orang Asal empowering them to actively and effectively advance their territorial and cultural integrity.</p>				
<p><b>Project purpose (expected outcome):</b> As a network of indigenous peoples, JOAS is strengthened with increased visibility and participation at the national, regional (subnational) and international levels.</p>				
<p><b>Expected Result 1</b> Indigenous organisations in Malaysia collectively plan and coordinate activities that involve indigenous issues.</p>				
<p><b>Expected Result 2</b> Orang Asal are able to document, collectively analyse, and disseminate information about indigenous peoples' rights and issues.</p>				
<p><b>Expected Result 3</b> Orang Asal communities strengthen their networks and exchange best practices.</p>				
<p><b>Expected Result 4</b> Orang Asal articulate their views and contribute to policy discussions on indigenous issues at the national, regional and international levels.</p>				

2. How effective is the organisation in fulfilling its mission?
  - Identify best practices in the project implementation.
  - Review the strategies and activities at the local, national and international levels of the JOAS Advocacy and Campaign programme. Place emphasis on forest protection and ways JOAS can leverage the programme to make an impact in the region.
  - Identify strategic directions based on the critical analysis of the strengths, challenges, gaps, and ways forward.
3. Has the organisation kept its relevance over time?
  - Adaptation of mission

- Program revisions based on the need of indigenous groups in the country
  - Sustainability over time
  - Reputation of the organisation as an indigenous peoples’ network in the national and international arena.
4. Organisational reach and network building/strengthening (multiplying effect)
    - What mechanism does your organisation use to reach out to your target populations?
    - How do you determine which services are needed by your member organisations?
    - How do you measure the impact of your interventions?
    - How do you monitor and evaluate your organisational plan, including the interface between program resources, staff, and program activities?
  5. Partnership with RFN
    - If you were given the opportunity to dialogue with RFN, especially at this stage when they are changing their funding priorities, what would your suggestion to them?
    - If you continue your partnership with RFN, what would be your focus and general strategy for the next five years?
    - What do you think are the most important contributions that have resulted from the partnership between JOAS and RFM in advancing the rights of indigenous peoples at the regional, sub-regional, and national levels?

**V. DOCUMENTS TO REVIEW AND CHECKLIST OF RECOMMENDATIONS FROM 2011 EVALUATION**

A. Review of the 2011 Final evaluation and recommendations

Were the following goals accomplished?	Enabling factors that help accomplish the recommendation	Challenges that hamper the implementation of the recommendation
<b>Institutional</b>		
1. JOAS to be a registered organisation		
2. JOAS should have regional chapters		
3. Senior leader to be permanent, paid full time position as Secretary General		
4. Change of organisational structure <ul style="list-style-type: none"> <li>a) Creating regional committees</li> <li>b) Conducting regional assemblies</li> <li>c) Restructuring the committee</li> <li>d) Making clear TOR for staff, proper contracts and provide benefits</li> </ul>		
<b>Strategic</b>		
1. Develop a long term strategy— advocacy, communication, and capacity building strategy		
2. Develop new approaches in capacity building		

Were the following goals accomplished?	Enabling factors that help accomplish the recommendation	Challenges that hamper the implementation of the recommendation
3. Strengthen existing and build new alliances in CSOs and government		
4. Engage effectively with government agencies and explore new approaches in engaging the government		
5. Explore new approaches to outreach and mobilization—reach more indigenous communities to raise awareness and increase capacity building		
<b>Administrative and Financial</b>		
1. Promote local resource mobilization		
2. Develop a formula for how to allocate financial resources to the three regions		
3. Financial procedures must be tightened—develop procedures for the management of finances		
4. Diversify the financial resource base to ensure sustainability of the network		
5. Code of conduct to be established for the behavior of the Secretariat staff and Committee members		
<b>RFN</b>		
1. Revise project document and report formats		
2. Provide more guidance and critical feedback on JOAS' reports		
3. Provide support and training on proposal and report writing for JOAS and its members		

B. Review of the Logical Framework to assess the expected results



## APPENDIX 3: FIELD VISIT AND INTERVIEW SCHEDULE

DATE	SESSION/ PERSON INTERVIEWS	PROCESS NOTES/LANGUAGE NEEDED
3 October 2016	Meeting with Jannie Lasimbang	<p>Face to face Interview to:</p> <ol style="list-style-type: none"> <li>1. Understand Jannie's history with JOAS</li> <li>2. The motivation and origins story of JOAS</li> <li>3. The history of JOAS</li> <li>4. General description of the context within which JOAS was formed.</li> </ol>
4 October 2016	Workshop session with Steering Committee: Thomas, Ramos, Juhairi, Yusri, Jannie	<p>Explain and introduce the Unversalia OE framework</p> <p>Then introduce the process.</p> <p>Part 1: Time line mapping – A. Events of significance in ASEAN and global region</p> <p>B. Events of significance in socio-political and economic life of Malaysia</p> <p>C. Events of significance in the life of masyarakat of OA in Malaysia</p> <p>D. Events of significance di dalam riwayat hidup JOAS</p> <p>ORID Questions:</p> <ol style="list-style-type: none"> <li>1. What are you observing about the timeline exercise? What is emerging as significant? What do you notice that you did not notice before?</li> <li>2. What are your reflections on the timeline exercise? What are you noticing about the connections?</li> <li>3. How do you think are the connections between the different external event and the growth/changes in JOAS?</li> <li>4. What can you say about the relationship between JOAS and its external environment</li> </ol>
4 October 2016 after lunch	<p><b>Session 2 with Steering Committee – Exploring Values and Reason for being</b></p> <p>The values exercise is meant to help the SC become conscious of their own values in relation to their activism, and then to become aware of the values that they believe are critical to JOAS</p>	<p>First ask people to spend a bit of time reflection on their own personal values, and what is important to them.</p> <ul style="list-style-type: none"> <li>- Ask them to write it out on a piece of paper – their personal values and JOAS values.</li> <li>- Then they turn to one other person and discuss it with that person – then they together they come up with a list of values they believe is critical to JOAS. Why are these values significant?</li> <li>- What do you believe are the most important values and behaviours needed in JOAS to realise your mission? [Apakah yang anda anggap sebagai nilai-nilai dan kelakuan yang</li> </ul>

DATE	SESSION/ PERSON INTERVIEWS	PROCESS NOTES/LANGUAGE NEEDED
		<p>paling penting untuk mencapai matlamat JOAS?]</p> <ul style="list-style-type: none"> <li>- What is the culture (budaya) of JOAS? What is the dominant culture in JOAS? [Apakan budaya JOAS? Apakah budaya dominan JOAS?]</li> <li>- How does this culture support the priorities of JOAS? [Adakan budaya JOAS menyokong JOAS dalam priority nya?]</li> <li>- What is the story and key symbols that we tell each other about JOAS?</li> <li>- If you were to inform a new group about becoming a member of JOAS, what would be the reason you would give them? What would you say to them that could inspire them to join the perjuangan?</li> </ul>
<p><b>4 October 2016</b></p>	<p><b>Session 3 – Steering Committee members Leadership and Decision making processes</b></p> <p>This session is aimed at gaining insight on the understanding of leadership in JOAS and what they believe is the way that JOAS is led, and the way they lead JOAS</p>	<p>Individual leader: When you think of a leader you would like to be like, who comes to mind?</p> <p>What kind of qualities does this leader have that you admire? Draw this image on an artblock – have this leader be in the midst of the community.</p> <p>What do you think are the qualities of leadership you express as a Steering Committee?</p> <p>What kind of leadership that JOAS need at this time to reach its goals?</p> <p>Do members in the organisation take on positive informal leadership roles? What are some examples of this?</p> <p>How do you make decisions as a Steering Committee? What kinds of decisions to you take together, and what kind of decisions do you let the Secretary General take on her own?</p> <p>What are some examples of when you have made a decision successfully and what was your process?</p> <p>Can you think of any improvements you need?</p>
<p><b>5 October 2016</b></p>	<p>Skype interview with Sabah Forestry Department Official and face-to-face interview with NGO partner, Lanash of SEPA</p>	
<p><b>6 October 2016</b></p>	<p>Workshop session with the staff of JOAS – Assessing alignment to Vision/Mission and Values of JOAS</p>	<p>Introductions – ask staff to introduce themselves, the number of years they have been involved, and the programmes that they are in charge of.</p>

DATE	SESSION/ PERSON INTERVIEWS	PROCESS NOTES/LANGUAGE NEEDED
		<p>After this, explain the three part process –</p> <ol style="list-style-type: none"> <li>1. To get the sense of connection to the vision and mission of JOAS and the values of JOAS.</li> <li>2. Look at the work that they have, what are the goals they have to reach through their different programmes – where are they in relation to their goals?</li> <li>3. What are the systems, processes, leadership styles, decision making processes etc etc? (Day 2)</li> <li>4. Interviews with the programme and admin and finance staff to find out how things are done.</li> </ol> <p>(Day 2)  <b>Session 1:</b> As individuals?</p> <ol style="list-style-type: none"> <li>1. what is the vision and mission of JOAS?</li> <li>2. Why did you decide to become a part of JOAS?</li> <li>3. What is one thing that you want to realise in your own life, in the life of your community, and in the life of JOAS?</li> </ol> <p>As a small group:</p> <ol style="list-style-type: none"> <li>1. Draw the vision and mission of JOAS</li> <li>2. Draw where you think JOAS is right now in relation to the vision and Mission</li> <li>3. What does JOAS need to do to reach the vision and mission?</li> </ol>
<p><b>6 October 2016</b>  <b>Afternoon</b></p>	<p>Session 2 – with JOAS staff</p>	<p>Reflecting upon the strategic plan sent to RFN about the four different work areas of JOAS, in small groups:</p> <ol style="list-style-type: none"> <li>1. How far have you come in terms of the area of work that you are assigned to accomplish.</li> <li>2. What are some of the success stories?</li> <li>3. What are some of the challenges faced?</li> <li>4. What do you think needs improvement?</li> </ol>
<p><b>7 October 2016</b></p>	<p>Interview with Anne Lasimbang of PACOS Trust</p>	
<p><b>7 October 2016</b></p>	<p>Workshop session with JOAS Staff members (Session 3) – Assessing working styles, team attitudes, and the kind of leadership and support needed.</p>	<p>Exercise: Ask them to draw on an artblock themselves – when they are working at their best that’s like what?</p> <p>Ask them to include: i) the other staff members, where are they in relation to you when you are working at your best?</p> <p>Where is the leadership? What kind of leadership do you need to perform at your best?</p> <p>What kind of support do you need?</p>

DATE	SESSION/ PERSON INTERVIEWS	PROCESS NOTES/LANGUAGE NEEDED
	<p>Session 4 – Reviewing the structure and processes of JOAS</p> <p>To check on lines of accountability and responsibility, lines of reporting, lines of decision making, lines of communication</p>	<p>Exercise to map connections between the different staff members:</p> <p>Get the Secretariat Director to stand in the middle. The ask the Project Manager to stand in relation to him, and then onwards until everyone is standing on some kind of order in relation to each other. Then ask them to hold strings that signify the lines of communication with each other.</p> <p>How often do they all speak together as a staff body?</p> <p>What form of communications do they use?</p> <p>When I need to make a decision, who do I go to? Do I consult, or do I inform? Or do I leave it to them to make the decision?</p> <p>What decisions do I take responsibility for?</p> <p>How often do you refer to the planning document when doing your work?</p> <p>What is the relationship between the finance admin staff and the programme staff? How often are they in touch?</p>
	<p>Session 5 – What are the gaps? What else is needed for JOAS staff to work more effectively as a team?</p>	<p>Ask staff to break into differentiated teams: Ask them to assess what has been discussed over the past two days, and then come up with the following inputs:</p> <ol style="list-style-type: none"> <li>1. What are the gaps that they can see in terms of communications, decision-making, clarity of roles and responsibilities?</li> <li>2. What else is needed for JOAS staff to work more effectively as a team?</li> <li>3. What skills and capacities do they need to function at an optimal level?</li> <li>4. What are they willing to commit to over the next two years?</li> </ol>
<p><b>8 October 2016</b></p>	<p>Workshop with JOAS Sabah Members</p>	<p>Begin the session with a prayer and a song – invite one of the elders from amongst participants to start the meeting. (5minutes)</p> <p>Round of introductions – invite everyone to say their name, the name of their village, and how long they have been a member of JOAS, and what group they belong to in JOAS. (20 minutes)</p> <p>Divide the group into differentiated small groups, and ask them the following questions:</p> <ol style="list-style-type: none"> <li>1. Compared to five years ago and now: <ol style="list-style-type: none"> <li>a) how much more collective actions and</li> </ol> </li> </ol>



DATE	SESSION/ PERSON INTERVIEWS	PROCESS NOTES/LANGUAGE NEEDED
		<p>planning have you been able to do with other JOAS members in Sabah?</p> <p>b) how much more collective actions and planning have you been able to do with other JOAS members in Sabah?</p> <p>c) How much more information do you receive about the work of other OA organisations in Sarawak and Peninsula Malaysia?</p> <p>2. What difference do you feel being a member of JOAS has made to your community?</p> <p>3. What are the challenges in working on OA land rights and NCR in Sabah?</p> <p>4. How do you think JOAS can support your struggles?</p> <p>5. What suggestions/recommendations do you have for the JOAS secretariat?</p>
<p><b>9 October 2016</b></p>	<p>Session with JOAS Sarawak Members, Miri Sarawak</p>	<p>Begin the session with a prayer and a song – invite one of the elders from amongst participants to start the meeting. (5minutes)</p> <p>Round of introductions – invite everyone to say their name, the name of their village, and how long they have been a member of JOAS, and what group they belong to in JOAS. (20 minutes)</p> <p>Divide the group into differentiated small groups, and ask them the following questions:</p> <ol style="list-style-type: none"> <li>1. Compared to five years ago and now:               <ol style="list-style-type: none"> <li>d) how much more collective actions and planning have you been able to do with other JOAS members in Sabah?</li> <li>e) how much more collective actions and planning have you been able to do with other JOAS members in Sabah?</li> <li>f) How much more information do you receive about the work of other OA organisations in Sarawak and Peninsula Malaysia?</li> </ol> </li> <li>2. What difference do you feel being a member of JOAS has made to your community?</li> <li>3. What are the challenges in working on OA land rights and NCR in Sabah?</li> <li>4. How do you think JOAS can support your struggles?</li> <li>5. What suggestions/recommendations do you have for the JOAS secretariat?</li> </ol>

DATE	SESSION/ PERSON INTERVIEWS	PROCESS NOTES/LANGUAGE NEEDED
10 October 2016	Susanna flies to Kuching and meets government and allies in Kuching  Jane meets allies and meets members of a longhouse community in Miri	
11 October 2016	Susanna and Jane respectively fly to Kuala Lumpur	
12 October 2016	Susanna and Jane meet with and interviews federal government officials from JAKOA, state government officials from Selangor State Tourism Department and Colin Nicholas of COAC	
13 October 2016	Susanna and Jane meet with JOAS partner, EMPOWER	
14 October 2016	Susanna and Jane interviews SUHAKHAM (Malaysian Human Rights Commission) commissioners	
15 October 2016	Workshop session with JOAS Semenanjung Malaysia Members, Pulau Carey, Selangor	<p>Begin the session with a prayer and a song – invite one of the elders from amongst participants to start the meeting. (5minutes)</p> <p>Round of introductions – invite everyone to say their name, the name of their village, and how long they have been a member of JOAS, and what group they belong to in JOAS. (20 minutes)</p> <p>Divide the group into differentiated small groups, and ask them the following questions:</p> <ol style="list-style-type: none"> <li>1. Compared to five years ago and now: <ol style="list-style-type: none"> <li>a) how much more collective actions and planning have you been able to do with other JOAS members in Sabah?</li> <li>b) how much more collective actions and planning have you been able to do with other JOAS members in Sabah?</li> <li>c) How much more information do you receive about the work of other OA organisations in Sarawak and Peninsula Malaysia?</li> </ol> </li> <li>2. What difference do you feel being a member of JOAS has made to your community?</li> </ol>

DATE	SESSION/ PERSON INTERVIEWS	PROCESS NOTES/LANGUAGE NEEDED
		<ol style="list-style-type: none"> <li>3. What are the challenges in working on OA land rights and NCR in Sabah?</li> <li>4. How do you think JOAS can support your struggles?</li> <li>5. What suggestions/recommendations do you have for the JOAS secretariat?</li> </ol>
<p><b>16 October 2016</b></p>	<p>Presentation by the Evaluators of Initial Findings of Evaluation to the JCM Coordinating Meeting, with initial inputs and critiques from JCM members, Kuala Lumpur</p>	

## APPENDIX 4: JOAS SABAH MEMBERS AT THE EVALUATION WORKSHOP

### KOTA KINABALU, SABAH, MALAYSIA

NO.	COMMUNITY ORGANISATION	NAME OF REPRESENTATIVE	ADDRESS
01.	PR ALUTOK, TENOM	MARUSIN PALITEN	KG. ALUTOK, ULU TOMANI, WDT 75, 89909 TENOM, SABAH
02.	PR ALAB LANAS, SOOK KENINGAU	BENJAMIN AMIL	KG. ALAB LANAS, PETI SURAT B 476, 89008 KENINGAU, SABAH
03.	PR AARP ULU SENAGANG	RADIN ANTOLUI	KG. ULU SENAGANG-MONGGOOL PETI SURAT 1215, 89008 KENINGAU SABAH
04.	PR G4 KANIBUNGAN	LEIRIN MIRIKAN	KG. AMPUNGOI, PETI SURAT 130, 89100 PITAS, KOTA MARUDU, SABAH
05.	PR JGPT TONGOD	PAULUS GAHIN	PETI SURAT 69, 89300 PEKAN TELUPID, TELUPID SABAH
06.	PR K'D'VATO	WILSON KULONG	KG. RUMANTAI, PETI SURAT 637, 89307 RANAU, SABAH
07.	PR KASTI	YUSOF ISID	KG. MENTADAK BARU, PULAU SEBATIK, PETI SURAT 02154, POS 2020, 91056, TAWAU SABAH
13.	PR TINIPOT	DOINIS DAHANGAT	KG. TERIAN PENAMPANG. PETI SURAT 434, 89507, PENAMPANG



NO.	COMMUNITY ORGANISATION	NAME OF REPRESENTATIVE	ADDRESS
14.	PR TOMBATUON	JAHIM SINGKUI	KG TAMBATUON,WDT 30, 88159 KOTA BELUD SABAH
15.	PR IMAHIT	BARANI AMBISI	KG IMAHIT, W.D.T 37, 89908 TENOM, SABAH
16.	PR TONIBUNG	JENIFER LASIMBANG	KG NAMPASAN, PENAMPANG
17.	PR TUMUNGKUS SANDAD	TINGKUN BIN PENIMBOL	PETI SURAT 03, KG SAYAP KOTA BELUD
18.	PR MAWASI	SANIR THOMAS	KG WAYAN RANAU
19.	PR PUSAKAG	RUSINAH SINTI	KG. TIONG TAMPARULI

## MIRI, SARAWAK, MALAYSIA

NO.	NAME
1.	MESENG MAGIN
2.	EDWIN MERU
3.	AYUM AK UJAU
4.	ADI AK AJO
5.	DUIN MAGAK
6.	SUGAI LANI
7.	SENABUNG SINGGAI
8.	RANTAU TAPU
9.	NORI KUMEW
10.	MUNA AK GETOR
11.	RIMBU AK NGANG
12.	MARIETTA ADANG
13.	ROMUALD SIEW
14.	BRUKA LAKU

NO.	NAME
15.	UJAI AK GANI
16.	MARK BUJANG
17.	THOMAS JALONG
18.	SUMEN BIN GASAN
19.	DENNIS ALONG
20.	GLORIA ALEXANDER
21.	ALBERT ANAK BANSA
22.	NIKODEMUS
23.	NANANG AK LAI

## PULAU CAREY, SELANGOR, MALAYSIA

NO.	NAME
01.	Ajem Amat
02.	Nasir Dollah
03.	Jamal Endi
04.	Khaili Anuar
05.	Bedul Chelum
06.	Ramli B.Alug
07.	Panjang Along
08.	Rosiah Keng- keng
09.	Sharil Beding
10.	Mohd Fauzi Bin Bani
11.	Yusri Ahon
12.	Ajem Amat
13.	Nasir Dollah