

Malaysian Indian Minority & Human Rights Violations Annual Report 2009 Malay-sia Truly Racist



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Hindu Temple Demolishment - Our culture and roots erased by Malaysian Government





The only school in a shop house.
No playing field and canteen.



Cowshed like Tamil school. Below school building collapsed due to white ants.



Indians poor – ethnic Indians deliberately denied alternative housing. Malay supremacy agenda



Indian homes demolished whilst negotiations ongoing. Ultimately they end up getting nothing



Weighing the options: Residents discussing the issue at the village



DEDICATION

This report is dedicated to the more than 100,000 brave and courageous Malaysian Indians who gathered together by the famous KL twin towers, for the first time in history of Malaysia on the 25th of November 2007 and braved the thousands of riot police, took the beating by the police, took the firing of chemical laced water canons, tear gas, suffered injuries, with at least one killed, 241 arrested and hundreds others detained and maliciously prosecuted.

These third, fourth and fifth generation Malaysian born Indians all courageously made a stand against the tyranny of the ethno centric Malay Muslim UMNO party led Malaysian government on that historic day. Their stand was to highlight the extent of the State sanctioned tyranny, bullying tactics, racial and religious discrimination with few parallels in the world today, maybe comparable to what is happening in Zimbabwe, or what may have happened in recent history in the Balkans.

Since then, a movement has begun among the silent majority of the Indians, the working class Indians. They are now beginning to speak out against the circumstances leading to their abandonment by the system. This report is dedicated also to all the working class Indians in Malaysia who are seeking to regain their rightful positions in Malaysian society.

Executive Summary

While overseas Indians continue to prosper and grow everywhere else in the world, because they are able to avail themselves of the opportunities around them, we, Indians in Malaysia who have lived in Malaysia for up to five generations in many cases, find ourselves hemmed in and blocked by a racist and religious extremist Malaysian Government. This Government has robbed us of our fundamental rights and continues to deny us equal opportunities in every facet of our lives.

Complete neglect of the conditions of the vast majority of the Indian Malaysians both by the Malaysian Government and the elite of the Indian Malaysian community has resulted in large scale dispossession and marginalization of the vast majority of the Indians in Malaysia.

The current ruling coalition in Government, dominated by the UMNO (United Malay National Organization) party runs a racist, Muslim religious extremist and Malay supremacist Government. By explicit State policies the vast majority of Malaysian Indians are excluded from the national mainstream development of Malaysia. We are systematically denied equality and equal opportunities in direct contravention and violation of Articles 8 and 12 of the Malaysian Federal Constitution. Covenants which were agreed upon by the founding fathers of the country now seem to have lost all meaning at the hands of this UMNO regime.

About 70 % of the Indian Malaysians have been made to be and/or remain in the hardcore poor, poor and in the working class group with 90% being in the daily or monthly wage-earningkalai category.

The poverty we talk about is relative poverty arising from exclusion of the racist religious extremist system – exclusion from proper basic life facilities, from education at all levels, from economic development programs, from social development programs, from cultural development programs, from equal opportunities in employment to name few areas. This is all being executed with intent, as there seems to be no desire whatsoever to correct them.

For raising these very critical issues concerning the deteriorating situation of the vast majority of Indians and for leading the massive Hindraf Rally, a group of Malaysian lawyers led by P.Uthayakumar and M.Manoharan were arrested and detained without trial under the draconian Internal Security Act (ISA) for 514 days at Malaysia's very own Guantanamo Bay, the Kamunting prison. They have recently been released from detention and are present here at this Pravasi Conference.

The lopsided development has been facilitated and catalyzed by a system which in Malaysia we have come to call Mandorism. Mandorism's primary manifestation is the employment by the ruling elite (UMNO at the Federal level and Pakatan at the State level) of the country, of a small layer of the somewhat successful Indian Malaysian Entrepreneurs, Professionals and Politicians to subjugate the rest of the majority of the Indian Malaysians in the country. (For more on Mandores and Mandorism see Appendix A) We estimate this group to be a small percentage (we estimate about 0.1% as no reliable statistics are available) of the 2 million ethnic minority Malaysian Indian population. They are represented in the various arms of the Government, the various political parties both in Ruling as well as Opposition Coalition whose job it is to impose the majoritarian rules on the marginalized Indian minority and prevent new rules to address the adverse situation facing the Indian Malaysian poor from being formulated and implemented. Many of these representatives are present here today as showcases at this Pravasi Bharathiya Divas Conference 2010. These representatives remain in a state of denial of the large and progressively deteriorating problem afflicting the Indians in Malaysia.

For our part, we as representatives of the large section of the Indians –poor and marginalized would like to lay out in this report, specific examples in 15 different categories of areas of exclusion, denial of very basic and elementary needs and

necessities, of denial of minority rights, of basic human rights, of fundamental entitlements and development opportunities for Indians in Malaysia. This structure of the report is intended to show in statistics as well as in real life and blood examples the seriousness and significance of the problem. We want to shatter the myth created by the Malaysian Government, its cronies and the Mandores so the truth cannot continue to remain buried.

Our other purpose in presenting this annual Minorities and Human Rights report is to show the progress or lack of it from year to year. We presented the first report last year for 2008 which provided some indications of the seriousness of the Minorities and Human Rights problem in Malaysia. This year, we have to sadly say that there have not been any notable improvements in the Minorities or Human Rights situation in the country.

The decision to outlaw Hindraf, a Minorities and Human Rights movement championing the poor and the marginalized Indians in October 2008 has not been rescinded, even though there is not any indication of any threat by Hindraf to any facet of Malaysian life, other than that it represents and effectively the oppressed and marginalized Indians.

Even though the detained Hindraf Lawyers have been released, the Government is attempting to now prosecute Hindraf legal Advisor and the Secretary general of the Human Rights Party, P.Uthayakumar for sedition for comments no more serious than any raised here in this report – an unrelenting persecution analogous to what Morgan Tsvangirai experienced at the hands of Robert Mugabe in Zimbabwe.

If convicted, Uthayakumar can be sentenced to 3 years of imprisonment. Given the compromised Judiciary in Malaysia this is a very real possibility. This way, the racist Government of Malaysia circumvents having to use the more obnoxious but also more visible, controversial and draconian Internal Security Law to put Uthayakumar away. The force of the police, the Attorney General's chambers, the Judiciary and the Civil service are stacked up

against the Indians in Malaysia. Where else can we raise these issues and complaints in pursuit of a more just, equitable and fair society if not at this Pravasi and at other international conferences. The issues relating to exclusion, of denial of basic human rights, fundamental entitlements and development opportunities remains without much change, other than for some cursory verbal acknowledgements of the deprivation and marginalization of the Indian community and of promises of things to come by the ruling coalition. There is really not much positive change to report here.

The new negative development in the Human Rights scene concerning the Indians in Malaysia, is the way that the opposition political parties in Malaysia that rode to victory in the general elections of 2008, on the cries of “Makkal Sakthi” the rallying call of Hindraf, have literally abandoned the Indian Malaysian poor. With this development they have indicated a divergence of their interests from the interests of the Indian Malaysian poor. The few politicians of Indian origin in these parties have joined the ranks of the Mandores of the UMNO government in working for their parties and for the power elite of the country to continue to subjugate the Indian Malaysian poor.

Several incidents in the country relating to demolitions of Hindu Temples, Hindu Burial Grounds and Indian Traditional settlements and Indian squatter settlements and denying **state land to the above and also to Tamil schools** by the State Governments run by even these Opposition parties, demonstrated the true position of the opposition Political parties and of the few Indian representatives in those parties. The details of these are included in the

examples and statistics provided in the 15 categories of Minorities Rights and Human Rights violations.

These 15 categories of Minorities Rights and Human Rights violations 2009 are:-

1. Education
2. Land issues for Public Purposes
3. Basic Citizen Rights of Birth Certificates and National Identity Documents and Citizenship
4. Poverty
5. Housing
6. Suicides
7. Involvement in Crime and extra-judicial killings of Indian suspected criminals
8. Federal Government Poverty Eradication and Social Development Programs and Schemes
9. Licenses and Permits for Trades and Regulated occupations
10. Government Contracts and Entrepreneur Development Programs
11. Law Justice and the Federal Constitution
12. Government Fund allocations in the Federal Government Budget
13. State Sponsorship of Racism
14. Forced Religious conversion
15. Opposition Political Parties

Much of the details, specific situations and statistics presented in the details of the violations in each of the categories are from various sources in the public domain. Most of them are from reports in the various Malaysian dailies and the citations are indicated and referenced by the newspaper, date and page in which it was reported.

These facts cannot be argued as most of them come from establishment sponsored mainstream media. In many situations because the Government is not transparent with its statistics we have to make estimates based on limited samples ourselves.

One other key point is that almost every day there is some report in the 3 Tamil dailies that some Temple, or some Burial Ground or a Tamil School, or an Indian settlement is being demolished, relocated, rearranged or about to be demolished in some part of the country against the wishes of the poor and marginalized Indians.

OUR REQUEST TO PARTICIPANTS OF THE GOPIO AND PRAVASI BHARATHIYA DIVAS INTERNATIONAL CONFERENCE

We present this report to the GOPIO and Pravasi Bharathiya Divas International Conference with the expectations that the Conference will, in recognition of serious nature of the violation of the rights of people of Indian origin in Malaysia :

- a. Resolve to write to the Malaysian Government
 - i. A note of censure for its Human Rights record with respect to people of Indian origin in a language consistent with the serious and urgent nature of the problem
 - ii. To urge the Malaysian Government to rescind its outlawing order and to allow the legal registration of Hindraf as a non-Governmental Minorities and Human Rights organization
 - iii. To urge the Malaysian Government to retract all prosecution against those who are being prosecuted with various charges but all in connection with their championing the Indian Malaysian marginalization cause – including all those involved in the Hindraf Rally and P.Uthayakumar's sedition charge.
 - iv. To urge the Government to take suitable long term programs to correct this serious marginalization of the people of Indian origin in Malaysia.

- b. Persuade the Government of India through your lobby to :-
- i. Forthwith terminate all present and future Malaysian companies, projects in India especially by PLUS, GAMUDA IJN, SCOMI, and other UMNO linked companies undertaking road works, highway projects, monorail and other projects in India.
 - ii. Stop buying Malaysian Palm Oil.
 - iii. Stop all investments in Malaysia.
 - iv. Stop all Information Technology professionals of Indian nationality from working in Malaysia.
 - v. Stop all medical seats offered by the government of India to the government of Malaysia on a government to government basis with immediate effect and the same is to be granted directly to the Malaysian Indian students and to be handled directly by the Indian High Commission in Kuala Lumpur, Malaysia.
 - vi. To set up a special university and offer full scholarship to all Malaysian Indian students denied the opportunities to pursue higher education in Malaysia and especially for 2000 medical seats per year in a university that is recognized by the Malaysian government and another 10, 000 seats per year in the field of specialized Information Technology, Aeronautical Engineering, Auto Mobile Engineering, Pharmacy, Dentistry and Bio Technology.
 - vii. To impose trade sanctions on Malaysia by India until all the atrocities and injustices against the Malaysian Indians stop.
- c. Recommend to all conference participants to:
- i. To discourage foreign investments into Malaysia
 - ii. Limit purchases of Malaysian products
 - iii. Not consider Malaysia My Second Home program
 - iv. Not to consider technology transfer program
 - v. Avoid purchase of Malaysian Palm oil.
 - vi. Not consider partnerships with Malaysian corporations that do not show reasonable Indian Malaysian equity participation or proportionate top level management and executive employment of Indian Malaysians at all levels, in their payroll, or with a reasonable number of Indian Malaysian supplier companies on their supplier/vendor lists.
 - vii. Upon return to your respective countries of residence especially in the USA, Canada, United Kingdom, Europe, Australia and New Zealand's to lobby your local Members of Parliament, your country's policy makers and decision makers the European Parliament, United Nations, International

Court of Justice International Criminal Court, The United Nations Security Councils, the international NGOs and the international community to register their protest and take action against these aforesaid atrocities against the minority Indians in Malaysia. till such actions as recommended by the Conference Resolution in para (a) above is taken by the Malaysian Government.

1.0 Education

1.1 University and Tertiary Education

Summary

Young Malaysian Indians face significant lack of opportunities and hurdles in acquiring tertiary education. Admission to Public universities are through the extremely difficult Pre-University program of STPM(Higher School Certificate) for Non Malays, compared to the much easier pre-University program of Matriculation for the Malays. Then to top it all the places allocated are very limited for Malaysian Indians. Only a few percentage of the places are allocated, with most going to the less desired programs. Then scholarships and loans are very limited for Indian students. Many Indian students choose to go abroad for their tertiary education like India, Indonesia, Russia, Romania, because they have no other choice, in many cases using their parents life savings. However here the government has slapped special certification requirements to go

overseas. Plus the government does not provide scholarships or loans from the Government Higher education fund.

In short the Malaysian Government does not want Indian Malaysians to acquire tertiary education in large enough numbers to disturb their supremacy agenda and so they put all kinds of obstacles so their progress may be reduced.

The facts

Only a handful of seats in Medical Faculties of the Malaysian Government Universities are made available to Indians. Exact statistics are not available but it is estimated to be around 1 -2 percent of the places.

An estimated 90% of deserving Indian students are denied places in the 20 Government run Universities in Malaysia.

Indians students are excluded completely from the 200,000 places in University UiTM which only admits the Malay Muslim students (Utusan Malaysia 1/1/09). About 10% of the intake every year into UiTM are foreign students who come from Muslim countries – ironically.

There are 62,000 diploma places and 60,000 degree places for 2010 at 27 Polytechnics in Malaysia (NST 22/11/09 at page 25). Our estimate is a mere 0.1% of these places will be allocated for Indian students no matter

their qualifications. 8,132 Phd graduates produced from the 20 government Universities (The Star 2/12/09 at page 20). Our estimate is a mere 0.1% of these candidates are Indians.

There are 163,779 students studying at the 20 government Universities nationwide at an annual expenditure cost of RM 2.6 Billion. Our estimate is a mere 1% of this expenditure and/or University places will accrue to Indian Malaysian students.

Dr.Mahathir decided to restrict the number of students studying medicine in various universities in Russia after a visit in 2003. Most of the Malaysians there were from Indian families, many of whom had scraped the bottom of the barrel to put their children through a medical education. There just were not enough places for them In Malaysian universities because of the Governments discriminatory practices, Indian, Russia, Romania, Indonesia provided affordable alternatives. But the Government decided to reduce those alternatives. Several of the Universities were derecognized by the Malaysian Government from 2006 onwards despite there being a shortage of doctors in Malaysia by 50% (UM 8/10/09 at page 29).

The Malaysian Government instituted a new scheme of “No Objections Certificates” to be issued by the Ministry of Education in the name of maintaining education standards before students can go abroad for studies (NST 9/3/09 page 16) This is to further curtail Indian students from pursuing their studies overseas in the face of lack of opportunities locally.

The government is recruiting doctors from (mostly from Muslim countries) overseas. But thousands of Malaysian Indian doctors who qualified from India, Indonesia, Ukraine, Russia, Romania etc have had their degrees derecognized to curtail the number of Indian doctors in Malaysia. To the contrary (because of the lower standards of

Medical schools in the local Universities, the European Union has with effect from 1990 derecognized even University Malaya's (the oldest Malaysian University) Medical degree (NST 19/3/09 page 12)

RM 2.8 Billion is allocated for the 2010 National Budget for students assistance scholarships but only an estimated 1% may reach the Indian students. Most of the funds go for scholarships to Malay Muslim Students.

1,266,671 students have benefited from the government PTPTN(Government Higher Education Loan Fund) study loans till 2009. 147,441 such loans were approved at RM 17.0 Billion (UM (UMNO) 25/3/08 at page 31).

But thousands of private Indian medical students studying in Russia, Ukraine, Romania, India and Indonesia have been denied these loans. Similarly Indian students studying at private Universities and Institutions of Higher Learning have also been denied these study loans.

Contrast that with the following scheme for Malay Muslim students going abroad to do Medicine. Kolej Teknologi Timur in Sepang, which has graduated its 4th batch of students on what is called the Kursus Intensif Timur Tengah (Middle East Intensive Course). This is a 3 month program preparing MARA sponsored students selected to do medicine in the Alexandria University in Cairo. This is a 100pct Malay Muslim program.

PTPTN study loans and scholarships denied to Indian students studying medicine, law, engineering overseas. PTPTN loans and scholarships are also denied to almost all the Indian students studying at the scores of private Universities and Institutions of Higher Education.

Even in the Malaysia Indian Congress (MIC) sponsored AIMST University and TAFE College, PTPTN loans and scholarships are denied to the Indian students.

10,000 scholarships were given out to local University and 2,000 to foreign University students. But we estimate a mere 1% for local universities and 0.1% for foreign university scholarships are given to Indians no matter their qualifications (NST 22/3/09 page 12).

Here is a real story. 9A's and 1B for Dominic Raju for SPM (O'Levels), 5A's in UPSR, 7As in PMR. His father passed away when Raju was 11 years old and he and his mother were living on her Socso pension. But Raju was denied a scholarship by Yayasan TM, Yayasan TNB, Khazanah, Bank Negara and UEB and a place to do matriculation at a government University (NST 21/4/09 page 8) ("Res Ipsa Loquiteour" The facts speak for themselves).

2,000 (with government loans and scholarships) have been trained by the Aviation Training Centre since 1998 as aero machines, technicians, and Engineers (UM IPTA 4/409 at page 9) But we are yet to hear of any Indians ever having been admitted into his centre or graduating from it.

1,513 trainee pilots with government loans and scholarships were produced from the seven flying academies in Malaysia (NST 3/309 page 13). But we have hardly heard of any Indian ever qualifying from any of these academies.

60,000 Phd holders to be produced by 2015 under the government's Mybrain Programme (UM (UMNO) 25/3/09 at page 31). But we estimate only 0.1% of the Indians taken into this programme however academically qualified they are.

The Government plans to produce 100,000 PhDs by 2024. UiTM has a post graduate school called IPSis (Institut Pengajian Siswazah) which has been in operation since 1997. They are targeting to have 20,000 students in their various Post Graduate programs by 2024. They are considering a scheme of assistanceship programs for the better students of RM 1,300 for a Masters student per month and RM1,800 for a PhD student. This is a 100pct Malay Muslim participation program. No Indian can dream of getting into this UiTM.

.Only 4 (1.45%) students out of 581 new student intake at the Sultan Idris Teachers Training College for the year 2009 (TN 3/1/08 at page 16).

1.2 Skills, Vocational & Technical Training

There is an allocation of RM 438 Million to Institute Kemahiran Mara and Kolej Kemahiran Tinggi Mara, Institut Kemahiran Belia Negara and Institut Kemahiran Tinggi Belia Negara. These skills training institutions are all almost exclusively for the Malay Muslims.

Almost no Indians are allowed entry into these Mara training centers although the UMNO propaganda is that about 10% of the Indians are allowed.

Compare thus with allocation of RM 2 Million government allocation for two million Indians in Malaysia @ RM1.00 per Indian head to create Indian entrepreneurs (TN 31/3/09 page 13).

The IKLS Institution trained 2,000 future entrepreneurs (UM Mega 17/4/09 page 12). But we are yet to hear of a single Indian who has benefited from such schemes.

Kolej Risda in Alor Gajah in Melaka – RISDA Rubber Industry Smallholder Development Authority) run private college, developing middle level management, technical and operative level manpower for the Agro Industry.

It runs various Diploma level programs in Agriculture with University Putra Malaysia, Diploma in Plantation management with MARA, A pre-Diploma in Science program as a feeder program to the Diploma programs and Diploma in Landscape Management. There are programs such as Certificate as a Plantation Conductor and a Certificate as a Palm Oil Mill Operator. All the students of the college will be assisted to get funding from the PTPN (National Higher Education Fund) and scholarships are provided to second generation small holders .

This is a 100 pct Malay Muslim program. There is no Indian student Intake at all to our knowledge in this scheme for Rubber industry smallholders.

1.3 Secondary School Education

Summary

Elite schools are completely out of bounds for all Indian secondary school students despite them all qualifying according to criteria established by the Malaysian Government for the Malay Muslim Students.

Highly accomplishing Indian students do not get the opportunity for all round and focused development that is available in the Mara Junior Science Colleges or the fully residential schools.

80% of Indian Malaysian Students do not go beyond Form 5 because a combination of factors, but mostly relating to poverty and lack of any institutional support whatsoever.

The facts

There are 42 fully residential elite Maktab Rendah Sains Mara (MRSM) (Mara junior Science College) (NST 5/4/08) with 12,440 places also in the fully residential schools (BH 21/11/09 at page 7). These schools have been almost exclusively for Malay Muslim students. Most of the 817 Tamil school pupils who had scored 7A's(MO, TN and MN headlines on 20/11/09) (the maximum 5As' in Malay schools) and become more than eligible to enter the MRSMS in 2009 will be denied places in these elite schools. Each of the MRSM schools cost around RM100 million to build.

Indians are also almost 100% excluded in other elite schools like the Royal Military College, Aminuddin Baki Institution, Matriculation courses and the Malay College Kuala Kangsar.

RM 20 Million have been allocated for 20 high performances schools @ RM 1 Million per school. But almost zero Malaysian Indians are admitted into these schools. 80% Indian pupils had (been forced) stopped schooling after 5th Form (O' Levels) (Malaysiakini/10/07-Lim Teck Ghee, Asli).

1.4 Primary School Education

Summary

The State of Tamil schools where 50% of all Indian children in the country go to continue to be a major issue for education for the Indian Poor and marginalized. The key theme in Tamil School education system seems to be a lack of all kinds of basic resources.

In the Malay Muslim school system the theme seems to be to produce excellence. In the Chinese school system the theme seems to be to produce world class and competitive citizens. Whereas the Indian Tamil school system is groveling with basic issues. This foundation level education is suffering very badly due to systematic neglect by the Malaysian UMNO racist Government.

The facts

50% of the 200,000 Indian students attend the National Primary School system. 50% or about 100,000 students attend the Tamil Primary schools in an even split.

These 100,000 students attend 523 Tamil schools. 371 of these primary schools are denied full government financial assistance even after 52 years of independence. 289 of these are located in the plantations.

99% Malay Muslim Maktab Rendah Sains Mara (MRSMS) in Trolak Perak was set up at a cost of RM 120 million. All 523 Tamil schools in Malaysia had been promised RM 100 Million allocation under the 2009 first and second economic stimulus packages.

So far, zero of these funds from this RM 100 Million has flowed down to any of the said 523 Tamil schools (Refer to The Star 30/09/2009 and our aforesaid letter to Prime Minister Najib dated 13/10/2009) and this allocation is for 2009 and the year is up.

RM 30 Billion for 80 new schools, 1,100 additional blocks and 347 School replacement projects; to refurbish, upgrade schools, pre-school education and high performance schools in the 2010 national budget. But about two thirds of the Tamil medium schools are in a pre war and dilapidated if not near cow shed conditions.

817 Tamil schools pupils scored 7As' (Headlines MN, TN and MO on 20/11/09) but we estimate a mere 1% of these 817 pupils will get to enter the 12,440 Mara and fully government residential schools (BH 21/11/09 at page 7).

State land has yet to be allocated to most of the partially aided Tamil schools in the country. Scores of Tamil school land are snatched (or disappears in thin air as in the Tamil movie "Athipatti") or schools are told to relocate to another place or another nearby Malay or Chinese school) (refer TN 18/4/09 page 3).

Many Tamil Primary Schools are located in places which clearly they should not be located because of the little children that study and play there. Because of the total neglect of education for Indians in the country these things are allowed to continue. To name a few - there is a Petrol station building next to the Jalan Silibin Tamil School in Ipoh. Another School in which an incident did occur is in Shah Alam Tamil School where scores of Indian students were recently admitted to hospital as a result forced inhalation of petrol fumes from the adjacent Petrol Station. Imagine if they had died. The Old Klang Road Saraswathy Tamil Schools is another such school which stands between four Petrol station and a flyover just feet away from the school.

1.5 Pre -School Education

Summary

Given the fact that Indian children education is of low priority for the Malayisan racist UMNO government it will be too far fetched that they will give pre-school education of Indian children any priority. Rightfully so, as a result of which most of the poor children do not get the Pre-school education that should be their right.

The Facts

All Primary schools in the National Schools system have pre-school facilities. But many of the Tamil schools do not have these pre-school facilities. So Indian children in many cases just start without any pre-school education.

RM 100 Million has been allocated for the Budget year 2010 for Pre-School program of Early Permata childcare and education in 457 childcare centers nation wide nurturing 17,565 children.

But none of these children are likely going to be Indian children except for a few namesake Indian children who have been “advertised” and made show pieces in the government’s mainstream media.

2.0 Land Issues for Public Purposes

2.1 Almost daily demolition of Hindu temples, Hindu burial grounds or Indian settlements

Summary

This is a major area of contention between the Indian poor and the State Governments. Almost every day there are reports in the Malaysian dailies of demolition of some Indian structure somewhere in the country. The rights of the poor Indians are seldom recognized in these matters and the State Governments use their full might of State power, manipulation of media reports, twisting of public opinion, corruption and Mandorism to evict the poor Indians. Being poor and denied legal ownership they land up losing ultimately in almost every case. Their historical occupation of the land in many cases for over a hundred years does not count for much. The compensation seldom matches what they lose.

The facts

Almost every day there is some attempt to demolish a Temple, a Burial ground or a Settlement. As an example from what was published in the dailies on the 22nd of Dec 2009. This morning three demolitions have been scheduled by the Malay-sian authorities against the Indians as follows:-

1. Shanmugam a third generation Indian cattle farmer who has been operating his farm in KL. His property is to go and he has not been given any alternative land by UMNOs’ KL City Council. This is despite HRP having formally applied on Shanmugam’s behalf for a farm land from the Prime Minister based on precedents of such land being given out liberally to almost all the needy Malay Muslims farmers.

2. The demolition of scores of former Indian plantation workers houses at Bukit Jalil, Wilayah Persekutuan by UMNO's DBKL despite UMNO's Plantation Workers Housing scheme that was denied to these former plantation workers.
3. The demolition of the Hindu cemetery at Ladang Batu Pekaka, Kuala Ketil, Kedah by the PAS Opposition State government.

One Hindu temple was demolished every week on the average under the former Chief Minister Khir Toyo's rule of Selangor up to 2007 (Reply to Manoharan Malayalam Legislative Member for Kota Alam Shah in early 2008 at the State Legislative Assembly).

Malay Muslims recently protested against the relocation of a Hindu Temple to their locality from another in Shah Alam by stepping and spitting on a severed cow head in early September 2009. This has never happened to Hindus in any part of the world except in Malaysia (NST 31/8/09 at page 10). And when Hindraf held a peaceful candle eight vigil in protest sixteen Hindraf members including their legal adviser P. Uthayakumar (Makkal Osai 6/9/09 at page 14) were arrested

2.2 No permanent land for Indian places of worship, for burial grounds for settlements and for Tamil Schools

Summary

Because of the massive displacement that has happened to Malaysian Indians because of this thing called development, many of the structures identified with the poor Indians face daily jeopardy of demolition, relocation or indignity of being moved about at the fancies of the authorities. The Malay-sian government has refused to legalize and gazette pre existing Hindu temple and Hindu burial grounds upon getting independence in 1957 and as they had done

for all Muslim places of worship, so all these places become 'illegal' as some of these lands are sold to private, usually UMNO relayed interests and then they all become targets for demolition.

The facts

There are 23,000 Hindu temples and shrines in Malaysia (NST 4/5/09 page 11). But the government has refused to grant them land and gazette the same accordingly as they had done for all the Islamic places of worship.

These 23,000 Hindu temples are time bombs that can be demolished at any time by the fundamentalist Malaysian Islamic authorities,

Kaliaman Hindu temple near Semambu had to be moved three times in a few years to avoid being demolished (TN 18/2/09 page 13).

Even as late as 22nd December 2009 even in the Opposition PAS, PKR and DAP led Kedah state government an ancient 100 over year old Hindu cemetery in Ladang Pekaka Kuala Ketil in memory of the plantation Indian

community given by the British colonial masters for their use was partly demolished on 16/12/09 and demolished finally on 22/12/09

An Indian Heritage Village called Kampung Buah Pala (a land given in trust by the Brown family) where the villagers had lived for over 100 years were forced out and their homes was razed to the ground by the Penang State Opposition government and private developers.. The State Government fully acknowledge that the land was stolen from the villagers by the previous State government but they colluded with the developer anyway to evict the villagers using inducements, threats and State force. They razed the village down to the ground on the 3rd of September 2009.

There were two cattle farms on the land and they were demolished in this exercise. One of the owners was hounded afterwards by the State government Enforcement agency for allowing the cows to roam the residential areas because the cow pens had been demolished and he had no alternative. Hounded to the extent that the cattle farmers Mr. Murugan succumbed to his heart ailment under the pressure of the hounding by the State Government on the 23rd of December 2009.

Reports in the Malaysian dailies indicate that on the average every day a Hindu temple or a Hindu burial ground or a Tamil school or an Indian settlement or Indian squatter homes are relocated, damaged, demolished or to be demolished. (ref MN 21/12/09 at page 15)

3.0 Basic Citizen Rights of Birth Certificates and National Identity Documents and Citizenship

Summary

In the ethnocentric system that operates in Malaysia, the ruling racist UMNO regime seeks ways to increase its political advantage by reducing the population of those ethnic groups that are not its basic constituency and of increasing those that are of its basic constituency - Malay or Muslim. The fact that there are so many Indians without birth certificates and/or identity documents, an estimate that runs from 150,000 to 200,000, can only be understood as due to willful neglect and of making it difficult for correction. This problem is caused, perpetuated and amplified by the UMNO regime. This becomes all the more clear when contrasted with the way that Muslim immigrants are treated from neighboring Indonesia and Philipines.

They readily are given citizenships as evidenced in the increasing numbers in some cases very sharply as in Sabah of the Malay

Muslims category. The compulsion to hang on to power according to the rules of the ethnocentric political system really is the root cause of this problem.

The Facts

93,360 birth certificates were processed in 2009 for children and others without proper birth certificates as reported by the ministry of home Affairs.(UM 14/11/09 page 4). We estimate there at least 150,000 third, forth and fifth generation Malaysian born Indian children have been denied even their birth certificates and have currently been made stateless.

Malaysians have to go through a very troublesome procedure of providing proof of birth of the child, parents' marriage, parents' citizenship proof and then be sent back several times because the applications are not complete or incorrect and then interviewed before this birth certificate will be issued. This is deliberate policy of the government to contain the population of non Malay Muslims in the country.

Here is an example of a child without a birth certificate. Darshini (11) was denied her birth certificate because her mother had not registered her birth within the required 42 days as her father was away working.

He works as a crane driver in Penang. She has been told to leave her school. The Malaysian authorities rejected her application so many times so much so that she has stopped trying (Naragan Malaysiakini 23/1/09 5.19 p.m). The far reaching consequences are children like Darshini cannot enter primary, secondary schools and University, cannot get a motorcycle, car, van or

lorry licence, cannot get a job even as an unskilled factory worker or security guard (lowest paid unskilled labourer).

In Late 2009 there has been a large campaign by the national registration department to go into the interior of the Sarawak state to register birth of children and to provide birth certificates to these children. But nothing like that is being done for Indians to resolve the problem among an estimated 150,000 children. The point is this problem can be solved if there is a will. But there is no will.

Contrast this also with what is happening in Sabah where there has been a unexplained large increase in the population in a category of citizens called Other Bumiputras. The discrepancy in the percentage increase between Kadazan, Dusun, Murut on the one hand and other Bumiputera between 1970 and 2000 i.e. 236 per cent and 631 per cent respectively. The discrepancies in the population increase between 1970 to 2000 in Sabah, and West Malaysia: 636,431 to 2,449,389 or up by 285 percent in

Sabah, 10,439,430 to 22,202,614 or up by 113 percent in Malaysia(*Malaysiakini, 6/10/2008 - Sapp: 'Loopholes' behind IC scam.*).

Most of the Other Bumiputras increase has been from illegal Muslim immigrants from Southern Philippines to change the ethnic composition of the State to be favorable to the racist UMNO regime. These facts, were amongst the many other points that were disclosed by MP for Sepanggar, Datuk Eric Majimbun.

Another estimated 200,000 third, forth and fifth generation Malaysian born Indians have been denied their Malaysian citizenships and are currently been made stateless.

Here is an example of an Indian family in Kulim Kedah, who are effectively Stateless even though they have lived in Malaysia at least four generations. Mariappan is an odd job laborer, his wife, works occasionally as a cleaner in a restaurant. He and his wife do not have Identity Cards , his 3 children have no birth certificates. He and his wife cannot find legitimate jobs because they do not possess ICs. His marriage to his wife is not registered, again for the same reason.

Two of his children are attending a nearby Tamil school, two out of about twenty children without birth certificates in that school. Soon these children will be asked to leave school because they have no birth certificates or Identity cards.

Chow Kitt Road in Kuala Lumpur is famous for its open markets largely run by recent immigrants from Indonesia. These people have been granted Citizenships. They obtain their citizenship even though they are not born here or meet the other stated criteria of the Government. This is because these people fulfill the UMNO racist regime need to increase the malay Muslim census numbers.

4.0 Poverty among Indians

Summary

Poverty is a historical feature of the vast majority of Indians. This is not disturbing. What is, is the way the system operates to trap the Indians into an endemic condition of poverty. The impoverished Indians find themselves totally abandoned, by the system – the racist UMNO government, their elected representatives both from the ruling as well as opposition coalition and the elite from the Indian community. Whatever entitlements are due to them are made unavailable to them because they are ignorant, inarticulate, rendered stateless by the fact that their identity documentation are not existent and by the hostile and insensitive racist UMNO Administration.

The facts

70% of the Two Million Indians are hardcore poor or poor when the national average of the poverty level is a mere 2.8 % last year (refer NST 3/3/09 page 17)

For those earning below RM 720.00 per month (poverty level) the government promises RM 400.00 (USD approximately 100.00) per month as welfare help. (NST 29/3/09 page 23). But thousands of Indians in the hardcore poor, poor working class, old, sickly and handicapped have been denied of even this very basic welfare help.

The government has allocated RM 48 Million for welfare programs including providing assistance and house rental payments and RM 174 Million for senior citizens. (NST 24/10/2009 at page 10) But at the ground level we get feedback that most of the Malaysia Indian poor either have had their welfare help applications rejected at the counter level, given the run around, given a pittance of RM 120.00 approximately (USD 35.00) per month when the poverty line index is RM 687.00 (The Star 24/10/2009 at page N6) or even this pittance of RM 120.00 is terminated after just a few months.

Here is an example of such a case. Widow Parameswary (47) a diabetic lives with her five children aged 20,17 etc in one congested room at the back of a garage. Their toilet is just a zinc enclosure without a door but a piece of cloth. Her daughter does not have a birth certificate. They cook next to a drain and the washroom. She does not get any Welfare aid or a government flat. (TN 6/1/09 page 14).

Another example in Kulim. Twins from Taman Sepilai near Kulim , Sharmila and Shalini both 13 years of age. Both have deformities in their lower limbs and are totally incapable of moving about on their own.

They both are tied down to wheelchairs. They are born to a family of 7 siblings. Their father, Letchumanan is an oil palm plantation worker earning about RM 500 per month. He receives no welfare aid whatsoever. (MN Nov 19 2009 pg 15)

Yet another example. Punitha (31) and who is 8 month pregnant is forced to live in a storeroom with her five children. She plans to give up her unborn baby for adoption. Her daughter has been denied her birth certificate. Her other children has not attended school for the past two years because of poverty (NST 8/2/09 page 26).

One more example. Pravinkumar (18) lost both his parents. He also lost his leg in an accident. He now also has to care for his brothers are 15 and 11. They have been denied any government welfare help (TN 8/4/09 page 4)

RM 478 (approximately USD 100.00) and below earnings per month are considered to be absolutely poor and 44,643 households said to be in this category. The government provides child allowances of RM 100.00 per child up to maximum of RM 450.00 per family. (NST 3/3/09). We estimate that about half a million Indians to be in this category but have been denied this state welfare help. If you do not have an IC you can avail of none of these entitlements. Many of these Indians we suspect do not have ICs and consequently cannot avail of this entitlement.

I.Jeeva Santhrika gets about RM4 per day to feed 5 people. Her husband is in jail (because of a poverty related crime). There is no water and electricity supply in her squatter house. Both she, her husband and all five children have been denied birth certificates and of course as a result no identity documents. Which means they get none of the entitlements in the law. (although they are third, fourth and fifth generation Malaysian born). Jeeva Santhrika earns RM 10.00 per day, working in a second hand goods shop. She has to pay RM 3.00 for 10 pails of water from a neighbor and RM 3.00 to buy candles per day. Jeeva Santhrika has a balance of RM 4.00 per day to feed five mouths and also to feed herself. (The Star 18/12/09 page 51)

So all of such deprived Indians land up as daily paid workers who do not formally exist and therefore all the entitlements in the law are unavailable to them. We have no accurate estimate of this problem but our daily experience indicates this may be a very large number.

Veeni Arjunan (35) , mother of seven earns RM 350.00 per month (USD 100.00) per month cannot even afford pay rentals of her shack and is to become homeless at any time. (ref MN 21/11/09 at page 16)

5.0 Housing

Summary

This is another critical area that requires significant Government intervention. Large proportion of the Indians in Urban areas today live in squatter settlements. Having been pushed out of the plantations they arrive in the cities into these squatter settlements. These settlements are located illegally and they run the danger of being demolished as soon as development begins in the area. The Government supposedly has a low cost housing solution, but woven in with all the other Human Rights issues and the resultant state of the Indian poor most can ill afford these low cost flats even where they are available.

The Facts

500,000 poor Indians have been and are in need of low cost houses and have been waiting for years. They have the option of renting these flats for RM 124.00 per month (NST 11/1/09 page 14).

We have received complaints that the poor Indian squatters from Sentul K.L. who have been forced to be relocated to these low cost flats from squatter areas. They cannot afford to pay the RM 124.00 per month rentals.

In addition, taking up these flats means relocation, away from the places of work. Many of them are unskilled workers. Relocation means losing their jobs and doing odd jobs elsewhere close to their new flats. And then when they cannot pay their rents the government seals off their houses after earlier disconnecting their water and electricity to get them to leave.

For the poor Malay Muslims in similar predicament, the Islamic Foundation Baitulmal “bails” them out by paying up their rental arrears and thereafter pays their rentals and water and electricity bills.

There is no support scheme like that for the Indian poor. So they either go back to other squatter settlements or they go on to the streets.

Even the Opposition Penang DAP state government ruthlessly and with impunity demolished Kampung Buah Pala the last Indian traditional village in Penang, in October 2009, just a few days before Deepavali despite the significant public campaigns against the demolition and evicted all the residents with little more than verbal inducements of alternative housing.

6.0 Suicides

Summary

Suicide rates are highest in Malaysia in the Indian community compared to the other ethnic communities. It is 600% higher than the Malay Muslim community. This can only be explained by the fact that the burden of life is heaviest on the Indians by virtue of their socio-economic position. Low incomes, lack of appropriate literacy, family disputes, indebtedness, alcoholism and a critical sense of alienation and hopelessness are reasons cited in various researches conducted in the country to explain this unusually high rate of suicides among Indians. This ties into the overall problem of marginalization, a sense of hopelessness and a complete lack of desire on the part of the racist UMNO regimes to address the marginalization problem

The Facts

Recent studies have shown increasing rates of suicides among the Indians. In a study done several years ago the number of suicides reported in that year there were 670 suicide deaths of Indians or about 600% more compared to 102 suicide deaths from the Malay community. (Source “A Rising Social Problem” Malay Mail 18 Aug 1990).

In the year 2008 the Deputy Minister for Women, Family and Community Development, G Palanivel revealed that 30-35 Malaysian Indians per 100,000 committed or attempted to commit suicide annually as compared to 10-12 Malaysians per 100,000 on the average or 3 times the Malaysian average.

There have been several reports of Indian Mothers committing suicide and attempting in that one stroke to kill their own children before taking their own lives. The most recent case was that of Seetha of Gemencheh Negri Sembilan. Seetha, who could not take the grief of her little brother Surendran's death. Surendran was shot dead by the Malaysian Police in cold blood on the 8th of November 2009. In her grief she decided to take her life and those of her 4 children on the 12th of November. She gave everyone Paraquat to drink, telling her children that they will be able to meet their Uncle if they all drank the medicine. All of them drank it. She passed away several days later, her children survived.

7.0 Involvement in Crime and summary killing of Indian suspected criminals

Summary

The crime rate has been steadily getting worse in the country. This really reflects the corruption in the law enforcement agencies, and their reducing effectiveness as a law enforcement agency. The fact that law enforcement agency has become corrupt has to do with the fact that the ruling coalition is increasingly relying on the Police to exert force on their behalf for the misdeeds of the ruling coalition to be kept under wraps. This effectively provides the Police force with default immunity from any prosecution for any crimes they may themselves commit. The net result is that they have become a law unto themselves. The other factor contributing to this increasing crime rate is the effects of increasing marginalization experienced by the Indian poor. The participation of Indian youth in crime is now widely acknowledged.

The Police have taken to brutal methods in dealing with crime suspects as a means of dealing with this rising trend. There have been well documented instances of the police beating suspects to death. Most (more than 90%) of those killed while in Police custody have been Indian crime suspects. The Police have also taken to shoot to kill in what are now called Police encounters. These are done with impunity and in gross violations of the law of the country and all Human Rights conventions.

The Facts

There has been a 300% increase in crime rate in the last 18years.

The Human Resources Minister said in Parliament recently that 200,000 Indian youth are involved in crime. Indians 15-34 years old young Indian males total close to 330,000. This is an alarming percentage of the young Indian men – 60% who are at risk. The problem is acute and requires multi faceted intervention to turn around. There are many studies done, but very little in the form of positive educated action. All that is happening to improve the crime situation in the country is increased Police killings.

In a period of 30 days in November 2009 the Police shot and killed 11 suspects – 10 of whom were Indians (UM Nov 12/2009). One of whom, was Surendran referred to earlier in this report whose sister attempted to kill herself and her 4 children because of this.

We estimate that 95% of Malaysian victims shot dead by the police 90% of the deaths in police and prison custody victims and 80% of the victims of police harassment, unlawful arrests, flimsy and malicious prosecutions, inmates of police lock ups and prisons are Indians. That is extremely

significant and telling about how the Indians are being systematically mauled despite the Indians being a mere 8% of the total Malaysian population.

A. Kugan (22) was killed in the Taipan, Subang Jaya police station by beatings at the hand of at least 11 policemen. The photo of his badly bruised body and frothing mouth was unusually captured when Hindraf and family members stormed the mortuary and took photographs of his body (The Star Online 23/1/09).

8.0 Federal Government Poverty Eradication and Social Development Programs and Schemes

Summary

The Malaysian Government has actively pursued Poverty Eradication as one of its core strategies from the inception of the nation, and accelerated with the introduction of the New Economic Policy (NEP). The officially stated objectives of the NEP were:

1. To reduce absolute poverty irrespective of race through raising income levels and increasing employment opportunities for all Malaysians; and

2. To restructure society to correct economic imbalances so as to reduce and eventually eliminate the identification of race with economic function.

The objectives of the NEP have both been met, but in the process the NEP begun in 1971 as an affirmative action program soon degenerated into an exclusive race based system where all the resources of the country were garnered and channeled by the UMNO political party to the leaders and members of the party along with a trickle down to their Malay constituency. This began more and more to feel like the South African Apartheid system. As a result the NEP produced a sea change in the social attributes of the majority Malay community but it shut out the Indian community completely from the process of development, in spite of the stated objective of poverty eradication.

The Facts

The UMNO government set up various Development Agencies to implement its various programs of the NEP. Some of the major ones were:

FELDA (Federal Land Development Authority)
FELCRA (Federal Land Consolidation and Rehabilitation Authority)
RISDA (Rubber industry Smallholder Development Authority)
MARA (Majlis Amanah Rakyat Malaysia)
FAMA (Federal Agricultural Marketing Authority)
KESEDAR(South Kelantan Development Authority)
DARA(South East Pahang Development Agency)
KEDA (Kedah Development Authority)
PERDA (Penang Regional Development Authority)
KEJORA (South East Johore Development Authority)
KETENGAH (Trengganu Regional Development Agency)

Large part of the National Budget was channeled through these agencies for the various development programs for the rural and agricultural sector. All these programs and projects only benefited the majority Malay community in the name of affirmative action. There was zero allocation in any of the programs and projects for Indians in the country. This is the scale of usurpation in the Agricultural Sector.

99.9% of deserving Indians denied agricultural land ownership in any and all of the schemes for the hardcore poor and poor in the government run FELDA, FELCRA, RISDA, FAMA, Agropolition 10 acres land ownership schemes, This is also in the 13 State Government Land Schemes. We estimate only a token 0.1% Indian participation in all these schemes

FELDA started as a modest program in 1956. Today it has become a giant organization. The schemes it manages now covers an area of 2 million acres and touches the lives of more than 530,000 people, all Malays. The 2005 results of FELDA show a total turnover of RM 12 Billion. The profits alone are over 700 million.

FELDA's main role is to open up new land areas for agriculture and relocation of low income and landless rural inhabitants – does not say in its founding charter that this was to be a solely malay Development program. It doesn't say Malay only but the fact is that the Felda program is almost entirely for the Malay poor and landless.

There is systematic and wholesale exclusion of Indians from this program. Nowhere in the Federal Constitution does it say that programs like this must exclude Indians.

12,000 Felda agricultural land ownership schemes with 800,000 hectares, 200,000 Risda land ownership plots of land but almost all Indian plantation workers have been excluded (refer UM 20/3/09 page 16 and UM 6/2/09 page 14 respectively)

The Felda Jengka land ownership schemes has 98% Malay muslims participation.

RM 1,200.00 per month for 10,000 poor in Gahai Land Ownership Schemes (UM 1/3/09 at page 5). But the Indians have been completely excluded.

RM 58,000.00 per person in Felcra Land Ownership Scheme dividends (UM 25/2/09 page 27). But again not a single Indian benefited from this Felcra scheme.

429,375 hectares and 163,172 cows at the government Kawasan Tumpuan Sasaran (KTS) land ownership schemes (UM 24/3/09 page 9). But zero Indians are given any opportunities in this scheme.

7,000 hectares of land for food production (NST 14/11/09 page 6). But we do not know of any Indian having been granted any piece of this 7,000 hectares of land.

The recent case of the Kampung Buah Pala Cattle farmers being pushed out of the land that they have been operating from, without any relocation aid in Penang is a case clearly in point. In fact this incident led finally to the death of one of the cattle farmers – Muruga, because of stress induced heart attack.

Another is Shanmugam, a third generation Indian cattle farmer who has been operating his farm in KL. His property is to go with no alternative land by UMNOs' DBKL. This is despite HRP having formally applied on Shanmugam's behalf for a farm land from the Prime Minister (appeal letter dated 14/12/09). based on precedents of such land being given out liberally to almost all the needy Malay Muslims farmers.(22nd Dec 2009 www.humanrightspartymalaysia.com),

Malaysia imports 75% of its beef, 95% of its milk and 90% of its mutton. But a third generation cattle and goat farmer Shanmugam is not given grazing land as would be given to any deserving Malay Muslim cattle farmer. On top of such a disadvantage, now his cattle farm is to be demolished very soon by the KL City Council. Indian farmers like Shanmugam are discriminated against for State assistance and in many cases they are even hounded out of their traditional farming occupation. The Veterinary department offered to buy up Shanmugam's cows when the City Council demolishes his farm and then they offered to sell him milk to distribute.

Agropolitan is an initiative aimed at eradicating hardcore poverty through various agricultural and agro-based development projects. It brings together a group of hardcore poor into a sustainable, all-encompassing community. Each family head or main participant, will be involved in

primary activities, either in palm oil, rubber or cocoa, and will be provided with monthly income and allotted with shares. Not one case of hardcore poor Indian has been awarded anything like in the Agropolitan initiative.

9.0 Licences and Permits for Trades and Regulated occupations

Summary

Licences and permits are required for many trades and services so the UMNO racist Government in the name of regulating trade practices actually uses it to restrict participation in these services to its Malay majority constituency. Almost in every licensed trade the participation of Indians is extremely low to non-existent. Where permits are required, Indian participation is usually with rented permits from the middle Malay renter. Where Indians have created an advantage in a particular trade, they are harassed constantly with all kinds of restricting or hampering regulations. The scrap metal trade is one very glaring example.

The Facts

1,400 new taxi permits were issued (UM 26/1/09 page 7). We estimate about 40% of the taxi drivers are Indians but only 10% of this 40% are given their own taxi permits or only about 4 % are permit holders. The rest rent their taxi permits from Malay Muslim companies. About 30% of their income would go to the payment of these permits.

Of the scrap metal traders in Malaysia, 85 % are Indians. According to the Malaysian Indian Metal Traders Association secretary General Mr.R.A. Param,(July 22 2008 The Star) the livelihood of the scrap Metal Traders has been getting more and more difficult. He says that they have to get approval from seven government departments – the Local Council, the Land Office, the Fire and Rescue department, the District Health Department, the Drainage and Irrigation department, Public Works Department and the Police. Does that sound like the racist UMNO government is promoting this trade or the traders. Rather this is the systematic way the racist they block even in those areas where the Indians by some turn of events have developed an advantage. Many of the traders operate without licenses as a result and are harassed daily by the authorities. Contrast that with all the support the Government dishes out to the majority Malay constituency of theirs.

Even as late as November 2009 of G. Subramaniam, the last few remaining Indian mini market owner of 30 years standing in Temerloh Pahang had his license to trade revoked. (The Star headlines 22/11/09).

We estimate that about 99.9% of the hundreds of thousands of Entrepreneurs created and to be created by the Rural and Regional Ministry, Agriculture and Agro Based Industry Ministry, MARA, SME Bank, Agro Bank, etc with hundreds of billions of government funds are denied to the Indians.

10.0 Government Contracts and Entrepreneur Development Programs

Summary

The racist UMNO government has set up a tightly controlled system of Government procurement where intending vendors need to be cleared by the Ministry of Finance. The Finance Ministry only clears Malay vendors. Indians are effectively kept out of Government projects or contracts in this way. Also given the socio-economic status as Indians there is significant development effort that is required to develop an entrepreneurial class among Indians. There is at best only a cursory attempt at this, which anyway is paraded as a gigantic effort by the Mandores of UMNO and by UMNO. All the preferential treatment for budding entrepreneurs is reserved exclusively for the Malay entrepreneurs – preferential loans, technical advice, networking assistance, training and skill building. Indians get nothing of all this. It is not as if the Indians are lacking anyway in entrepreneurial energy, it is just that they are not allowed to develop by the extremely restrictive policies of the racist UMNO regime.

The Facts

100 new franchise A & W outlets are operated by (Malay Muslim) Koperasi Usaha Bersatu (KUB) (UM 13/1/09 page 20) and 520 new (Malay Muslims) KFC outlets (UM 14/3/09 page 21). But the Indians have been excluded totally from all franchise business- examples of which are Mc Donalds, Burger King, Ayamias, Starbuck, Coffe Beans, Pizza Hut and so on.

Similarly for petrol stations such as Shell, Petronas, Mobil, Esso – these are lucrative because they are relatively risk free and recession proof award of licences for these retail outlets are regulated totally in favour of the Malay Majority while completely excluding Indian participation.

The lucrative highway rest area food stalls and tit-bit shops and government food stalls and trading opportunities at public places like the railway stations, bus stations, airports all systematically exclude Indians.

At festival times a large number of petty traders appear - 700 at Thaipusam festival at Batu Caves (TV1 Tamil news 8/2/09 at 7.30 p.m) and thousands of others at Hindu temples nationwide. But after the festivals, these thousands of Indian petty traders are denied the licenses and the opportunities to do business elsewhere on a permanent basis. But this is granted to almost all Malay Muslim traders at all the Pasar Malams throughout the country.

Several product imports are regulated by the Government through the issuing of APs. None of the APs are approved to eligible Indians for example to import chicken the government imposes an AP Condition (refer UM 8/5/09 page 2). But these chicken importing AP are denied to all Indians. There is not a single Indian chicken importer in the country.

99% of the registered business is in the Small and Medium Scale Industries (SME) category and it accounts for 56% of the employment (NST 22/3/08 at page 20) in the labour market. There is almost zero participation of Indians in this sector.

This has to do with the overall issue of the socio-economic status of Indians coupled with a total neglect by the government, complete denial of development opportunities and placement of hurdles to retard any progress by Indian entrepreneurs.

RM 900 Million loans are approved for 40,000 Class F (95% Malay Muslim) contractors NST 11/1/09 page 5 and NST 24/2/09 at page 14 respectively. RM 9.4 Billion worth of government jobs (NST 20/3/09 at page 8) are given out to this class of contractors. But again not a single Indian gets these government loans, government tenders, contracts or projects directly. But there are many who operate as sub contractors.

Bank Rakyat gives out RM 13.0 Billion worth of loans for government business (NST 25/2/09 page B9). But these Bank Rakyat loans are not available to the Indians.

RM 1.5 Billion in micro credit small business loans are given by the government through AIM, Tekun, BSN and Agro bank (UM 11/3/09 page 21). But yet again we estimate that about 98% of the deserving Indians have been denied these loans. Only a token "show case" loans of a few thousand Ringgits or so are given to Indians. These are amplified by the racist UMNO government to give a picture of everything is equal and OK and that the Indians are actually benefiting from these RM 1.5 Billion loans.

Agro bank targets RM 5.7 Billion of agriculture loans this year. But we have hardly heard of any Indian given any part of these 5.7 Billion loans especially the traditional and pre existing cattle farmers.

Recently, late 2009, the government approved RM 2 million, to develop Indian entrepreneurs. or RM1 per Indian for the Two Million Indians in Malaysia in development funds. This is an insult to the Indian citizens of the country, yet UMNO persists in making these small gestures and then making a mountain of it in the media to create a perception of being active in promoting Indian interests.

11.0 Law Justice and the Federal Constitution

Summary

The senior members of the Courts, the Attorney General, the Police, the Armed Forces, the Administration, the UMNO leaders and beneficiaries form a significant part of the Power elite of the country. As such they are the ones being challenged by Hindraf. So, it is no surprise to say here, that they are all ganged up to defeat Hindraf. They provide Hindraf with no support whatsoever and attempt to reduce the influence of Hindraf at every step. They continue to silence Hindraf by still attempting to put away Uthayakumar in prison on frivolous charges of sedition using the compromised Judiciary. They totally deny media access to Hindraf. They continue to outlaw Hindraf inspite of them having no evidence at all of any security threat from Hindraf. The Police have become a law unto themselves and they continue to kill Indians who are suspects both in custody and during encounters. Besides, it is also an acknowledged fact the Malaysian Judiciary is a compromised Judiciary and works hand in glove with the economic elite of the country. They along with the State DAP government are responsible for the eviction of a whole traditional Indian village Kampung Buah Pala in Penang

The Facts

The Malaysian Courts used force on most of the 241 participants who were among those arrested on the on the 25th Nov 2007 Hindraf Rally into pleading guilty to teach them a lesson for rebelling against the racist UMNO government. (Ref NST 17/12/09 at page 12).

After 514 days of detention without trial under the draconian International Security Act (ISA) Hindraf lawyers P. Uthayakumar and Manoharan Malayalam who are present today at this 2010 Pravasi Bharathiya Divas Conference were released on 9/5/09. They had been detained for merely championing and campaigning against the direct racial and religious discrimination and excluding the Indians from the national mainstream development of Malaysia.

Uthayakumar is now being prosecuted for sedition for having used the term “ethnic cleansing”. More than 100 Indians were injured or killed in the Kampung Medan racial attacks. One temple per week was demolished in Malaysia during Khir Toyo’s reign in Selangor in 2006/2007. But when Hindraf lawyer P. Uthayakumar raised these “ethnic cleansing” issues to the Commonwealth Heads of Government Meeting in Harare in 2007, he is charged with sedition.

His criminal trial is now going on full steam with the view to convict him and put him away potentially for three years and also to bar him from standing for the next General Elections just far speaking up for the Indians in Malaysia. The racist UMNO government wants to put Uthaykumar away one way or another

Hindraf remains outlawed as an organization for no reason other than for championing the cause of the poor and marginalized Indians. The UMNO government's charges that Hindraf has links to the LTTE held no water at all because it is just not true and they could not produce one iota of evidence of any link. Yet they continue to outlaw the organization in total disregard of the constitutional provision for freedom of association.

In almost 99% the cases of death of crime suspects while under Police custody, the Police get away scot free. From 2003 to 2007 1,535 detainees died (and /or were killed) in police custody (NST 11/11/09 at page 20). But almost no policeman has been prosecuted for these murders.

Only one policeman has been prosecuted so far for the grisly murder of Kugan. Even this one Policeman is being prosecuted for a token criminal offence of using force while extorting a confession and this prosecution only came after much public pressure. Given the character of the Malaysian Police and the Malaysian Courts we doubt that anything significant will happen as a result of this single prosecution.

The Indian villagers of Kampung Buah Pala were evicted in Sept 2009, because the Federal Court of Appeals held that the residents who had lived there for four and five generations were squatters. This was inspite of a dispute over the ownership of the land on which sat Kampung Buah Pala and which the High Court of Penang had ruled that the ownership issue needed to be settled in Court. Instead of allowing that question to be settled, the Federal Court of Appeals ruled that the villagers had no locus standi to raise the issue. The Court determined they were squatters and handed the land to the Developers without really settling the question of the ownership of the village land. The present State Government of Penang had on many public occasions declared that the land had indeed been stolen from the poor Indian villagers. But the higher courts Malaysia took no cognizance of the issue of justice. The net result was eviction of a whole village of poor residents and demolition of the only traditional Indian village on the Penang island.

12.0 Government Fund allocations in the Federal Government Budget

Summary

The approach to National resource application is nothing but a reflection of the priorities of the racist UMNO government. And Indian issues are at the bottom of their priorities. Of the budgeted expenditure of 191.5 Billion Ringgits for 2010 there is no indication of specific allocation for any programs or projects for the needs of the poor and marginalized Indians. Even allocations promised in the 2009 budget for the upgrade of Tamil schools, miniscule as it is has not been disbursed and 2009 is over by the time you read this. This approach of usurping all resources to their needs is characteristic of the racist UMNO government.

The Facts

The total expenditure budget for the Malaysian Government for 2010 was set at RM 191.5 Billion but the UMNO Government does not even establish a welfare program that helps the hardcore poor Indians with welfare payments above the level of what it says is the threshold income for hardcore poor.

RM One Billion has been allocated to improve the services of the Malaysian Police (NST 24/10/2009 at page 28). But the Malay-sian government refuses to allocate even a fraction of that RM 1 Billion to keep especially the Indian youths out of crime by giving them the licences, loans, skills training as given by PNS, MARA, Bank Rakyat, Entrepreneur Development Ministry and the Agriculture and Agro based Industry Ministry to the Malay Muslims youths abundantly to open up and operate Petronas, Shell, Mobil and Esso petrol stations, KFC, Mc Donalds, A & W, Ayamas and scores of other franchise outlets, food stalls and titbit outlets at the scores of low rental and high yielding highway rest areas, government buildings, government built food courts and thousands of other government supported businesses.

Our request for RM 10 Billion to put the Indians into the national mainstream development of Malaysia was rejected without even a formal reply to our official letter dated 3/10/09.

RM100 million for Tamil Schools was allocated in the 2009 budget but which has not been disbursed because (according to UMNO explanations) the costs of building had escalated.

We suspect it may not get disbursed as the financial situation of the Government is deteriorating and expenditure for Indian causes always is seen as a low priority expenditure.. Another interesting aspect to this allocation is – this RM100 million was supposed to be used for upgrade all the 523 Tamil schools in the country, compared to RM120 million for one elite MRSM school in Trolak, Perak, which is primarily meant for the Malays.

13.0 Racially Motivated Discrimination by UMNO

Summary

One of the key ways by which this racist system is perpetuated is through the implementation arm, the Administration. All of the Administration is effectively manned by Malays majority of whom are members of UMNO or supporters. This is just like in Apartheid South Africa where at the height of the Apartheid system 500,000 all white administration ran South Africa. This racist administration is indoctrinated with the Malay supremacist ideology by the indoctrination arm called the Biro Tata Negara. The UMNO controlled Utusan Malaysia, a Malay daily continuously spews out racist distortion of events but going by the adage a lie told a hundred times can become the truth, it influences the Malay world outlook and contributes to significant polarization among the peoples of different ethnicity. Racial discrimination is visible in most day to day interactions between the Indians and the Administration and also in all the aspects of life of the common Indian people – the discriminatory practices are so evident. The Human Rights and Minority Rights violation do not need further discussion as its erosion and denial is abundantly clear from the situation cited below.

The Facts

The Government is the largest employer in the country and has 1.2 million employees. If teachers of Chinese and Tamil were taken out more than 95% of these employees would be Malays. In effect the entire Administration can be said to be Malay. This becomes another pillar in the perpetuation of the racist system. This is akin to the Administration of South Africa during the Apartheid days where the entire Administration was made up of whites, some 500,000 of them.

Such an ethnically homogeneous Administration did not happen by accident. It happened by design of UMNO to facilitate the implementation of the various UMNO/Malay/Muslim biased policies.

To further ensure implementation of the UMNO/Malay/Muslim biased policies the employees are put through an UMNO/Malay/Muslim slanted education program called Biro Tata Negara. 1,016,749 civil servant "graduates" have been put through this Education at a cost of RM 55 Million per year to implement the UMNO led government's racist and religious extremist policies against and in particular the Indians (refer UM Bulletin 27/6/09 at page 19). This indoctrination ensures the blocking of the non-Malay Indians and the promotion and support of the Malays.

What this pillar of racism does is:

1. Applications for entitlements are rejected on slightest reason
2. Ensuring information on entitlements are blocked out from the eligible Indians
3. Ensuring it is difficult for the Indian Malaysian poor to register as citizens of the country
4. Ensure that lower level policies are in line with the overall racist bent of the higher-level policies
5. Ensure statistics of the disbursements or acceptance or selections are kept away from the non-Malays –Indians
6. Ensure interpretation of policies is such as to disfavour Indians
7. Make the procedures for various applications in respect to the Government unduly complicated for Indians

The State controlled mass media especially the Utusan Malaysia seeks to project a very racist interpretation of events and happenings in the country. News is always presented with a twist to make it favorable to UMNO position. This results in continuing polarization among the people of different ethnic groups. For example in a recent piece in Utusan Malaysia we have the editor Zaini Hassan writing

"Tak apalah. Orang Melayu tidak seperti orang India , walaupun ada juga Melayu yang darah keturunan keling (DKK), tapi darah Melayu yang lembut banyak menguasai mereka."

(Never mind. The Malays are not like Indians, although some of them have 'keling' blood, but the 'soft' Malay blood in them is overwhelming). Noisy... that is their culture.

This article is penned by an Editor of the largest Malay Daily in the country and an organ of UMNO.

http://www.utusan.com.my/utusan/info.asp?y=2009&dt=1209&pub=utusan_malaysia&sec=Rencana&pg=re_10.htm&arc=hive

RM 2.3 Billion has been allocated to construct and upgrade infrastructure in rural areas. But many roads to plantations, to Indian settlements, to Hindu temples, Tamil schools and Hindu crematoriums are either still sand and muddy roads or roads with full of potholes, because there is no allocation like this.

RM 88 Million to implement 5, 356 social amenities like rural clinics, Community halls, recreational areas (NST 24/10/2009 at page 29). But government clinics with qualified government doctors are denied in the estates with mostly Indians even up to this date. Estate hospitals with Hospital assistance are still in existence

Recreational areas and community halls are not built in Indians areas. Hundreds of football fields in Indian settlements have been wiped out.

RM 2 Billion has been disbursed in the form of aid for school children Especially the poor students (NST 18/10/2009 at page 3) But the poor Indian students have been excluded, The reasons given for not giving this aid to Indian students is always very flimsy. This discrimination at the school level is directly an outcome of the BTN conditioning.

Similarly RM 2 Billion rebate for Malay Muslim padi subsidies (NST 18/10/2009 at page 3). Compare with a total lack of allocation for the poor and hardcore poor of Indians

Similarly RM 850 Million as social safety net for the poor, disabled and senior citizens (NST 18/10/2009 at page 3) but which does not reach the poor and needy Indians.

14.0 Forced Religious Conversions

Summary

Forced religious conversions and religious intolerance are evidence of creeping Islamization of Malaysia. Whenever there is a crossing between Islam and Hinduism, there is a tendency for the Islamic perspective to dominate regardless of the merits of the case. This can be seen in the several cases of Indian Hindus who have found themselves or their children forcibly converted and are not able to reverse the process. This is an area where clearly minority rights are being trampled upon.

The Facts

Here is one example of forced conversion. A mother of two S Banggarma, whose Muslim name is Siti Hasnah Vangarama Abdullah, claims that she was unwittingly converted to Islam by state religious authorities as a child while at a welfare home in Kepala Batas, Penang. She said she

discovered this when seeking to register her marriage in 2000. Banggarma had apparently fled from the welfare home when she was 16 together with several inmates without taking any of her identity documents. "I was shocked when the NRD officers told me that I'm a Muslim convert by the name of Siti Hasnah.

I was issued a MyKad with that name," She said due to her Muslim name, she could not register her marriage to Sockalingam, which was conducted according to Hindu rites. She was also unable to register her husband's name as the father in her children's birth certificates. According to her, she was converted to Islam in 1989, when she was seven years old. Due to the conversion, Banggarma had difficulties in registering the birth of her two children - Kanagaraj, eight, and Hisyanthini, two – until last year. "I finally managed to obtain birth certificates for my Hindu children through legal help. I also tried to change my name back to my original Hindu name in my MyKad twice. But my attempts were unsuccessful," she said. In Malaysia as an adult she cannot revert to the religion of choice although this right is guaranteed for in Article 11 of the Federal Constitution.

Another example is Indira Gandhi, a Hindu lady had her a baby girl snatched away from her by her husband who had converted to Islam just to spite her because of marital problems (NST 28/4/09 at page 4). The Islamic authorities and the police had refused to secure her baby from her estranged husband despite a High Court Order to do so.

(The star Apr 24 2009)

Yet another example in Perak is that of T Tharmakanoo's two children who were converted to Islam by his estranged wife. (Conversion without consent - <http://www.thenutgraph.com/conversion-without-consent>, 21st Apr 2009)

15.0 Opposition Political Parties

Summary

2009 has been a year of revelation about the true position with regards to the poor and the marginalized of the opposition political parties in Malaysia who rode to power on the cries of Makkal Sakthi, a Hindraf rallying call in the 2008 general elections. They are more closely aligned with the ruling UMNO than they are with Hindraf when it comes to the issues of the poor and marginalized. The opposition political parties use the same system of Mandorism against the poor Indians.

The Facts

This 52 year old led National Front government's racist, religious extremist and supremacist mindset has even spilled over to the PKR, DAP and PAS run Opposition state governments who even in their second year of ruling the State have achieved the following:-

1. The DAP Government of Penang has successfully evicted the residents of Kampung Buah Pala in collusion with the Developers.
2. PAS and PKR are on the verge of demolishing an old Hindu burial ground at Kg. Ladang Pekaka Kuala Ketil also after writing of this report
3. The PKR led Selangor state government demolished the Ampang Hindu temple in early 2010.
4. The DAP, PAS & PKR Perak state government granted 110 hectares of land to the Malays under the Rancangan Kampong Tersusun (RKT) 102,000 Chinese New Villagers and 3.3 hectares to the orang asli and 10,000 hectares of government land for nine Chinese Independent schools but zero for the 138 Tamil schools, Hindu temples and crematorium in Perak.

The ruling UMNO government politics of using the MIC Indian Mandores have spilled over to the Opposition PAS, PKR and DAP who use the Indian Exco Mandors (State Ministers) in Kedah, Perak (earlier) and Selangor and the so-called Deputy Chief Minister II (DCM II) of Penang. The Kedah Exco Indian Mandore could not even stop the demolition of an ancient Hindu cemetery (TN 21/12/09 page 3), in fact he facilitated it.

The Penang DCM II Indian Mandore could not stop the demolition of the last traditional Indian heritage village in Penang.

The Selangor Indian Exco Mandore plays peanuts politics as he is unable to secure all the 236 Tamil school students who had scored all As' in UPSR fully residential elite schools. The former Perak Indian Exco Mandore and the Kedah, Penang (Deputy DCM II) and Selangor Exco Mandors could not secure State land for all the Hindu temples, Tamil schools and crematoriums during their tenure .

Conclusion

There was genuine and natural feelings of harmony and sense of co-existence in the pre independence 1957 days. But in the 52 years of Independence, the UMNO led Malaysian government embarked on a racist, religious extremist and supremacist crusade especially against the Indians that Malaysia today qualifies as the most racist and religious extremist country in the world against its very own citizens.

The Malaysian Indians are still fighting for the 18 Point Demands dated 12th Aug 2007 that was forwarded to Malaysia's Prime Minister Badawi and the Deputy Prime Minister Najib Razak in effect demanding equality, equal opportunities, equal upward mobility opportunities and elimination of State sanctioned and institutionalized discrimination against the Malaysia Indians and for Indian Malaysians to be included into the national mainstream development of Malaysia.

Malaysia may have been independent for 52 years but for the Indians we are yet to attain independence as we are still being colonized by the Neo Colonialist UMNO controlled Malaysian Government. Perhaps we would not be in this predicament today and may have been happier in India had the British not exported our forefathers to Malaysia

All the atrocities reported are just the tip of the iceberg. As of the date everything is still happening and happening with impunity. We have tried to bring it out with concrete examples along with some statistics.

In the aftermath of the Hindraf 25th November 2007 peaceful rally, the UMNO led Malaysian government has quite successfully spent millions of Ringgits in confusing and breaking up the unity we experienced as Malaysian Indians. Given some time we in Hindraf will regain the same ground which we held on the 25th of Nov 2007 and will bring about the change we all so desire Hindraf has made such an impact that it has been reported that it would be difficult to find a Malay-sian Indian who does not sympathise with Hindraf.

Tharani who had scored 8A1s' and 2A2s' in her SPM said 'I would dedicate my success to you (P. Waytha Moorthy) as you are my inspiration. Your will to never give up and stay strong through all odds has inspired me. My true ambition is to become an Indian who is capable of setting Indians in this country free. I am currently pursuing ACCA. Sir, thanks a lot for inspiring me and teaching me valuable lessons in life. Makkal Sakthi by Tharani (Hindraf. Org 14/3/09).

Hindraf's political wing the Human Rights Party of Malaysia led by P. Uthayakumar as the Secretary General has developed an approach – an ambitious forward moving Indian Political Empowerment Strategy targeting to capture 15 Parliamentary and 38 state seats in the 2012/13 General Elections.

There are One Billion Indians in India and 25 Million Indians overseas. But no Indian in the world ever suffer such systematic marginalization, discrimination oppression and suppression indignity by their very own government as the Malaysia Indians do.

OUR REQUEST TO PARTICIPANTS OF THE GOPIO AND PRAVASI BHARATHIYA DIVAS INTERNATIONAL CONFERENCE

We present this report to the GOPIO and Pravasi Bharathiya Divas International Conference with the expectations that in recognition of serious nature of the violation of the rights of people of Indian origin in Malaysia the Conference will :

a. Resolve to write to the Malaysian Government

1. A note of censure for its Human Rights record with respect to people of Indian origin in a language consistent with the serious and urgent nature of the problem.
2. To urge the Malaysian Government to rescind it's outlawing order and to allow the legal registration of Hindraf as a non-Governmental Minorities and Human Rights organization.
3. To urge the Malaysian Government to retract all prosecution against those who are being prosecuted with various charges but all in connection with their championing the Indian Malaysian marginalization cause – including all those involved in the Hindraf Rally and P.Uthaykumar.
4. To urge the Government to take suitable long term programs to correct this serious marginalization of the people of Indian origin in Malaysia.

b. Persuade the Government of India through your lobby to :-

1. Forthwith terminate all present and future Malaysian companies, projects in India especially by PLUS, GAMUDA IJN, SCOMI, and other UMNO linked companies undertaking road works, highway projects, monorail and other projects in India.
2. Stop buying Malaysian Palm Oil.
3. Stop all investments in Malaysia.
4. Stop all Information Technology professionals of Indian nationality from working in Malaysia.
5. Stop all medical seats offered by the government of India to the government of Malaysia on a government to government basis with immediate effect and the same is to be granted directly to the Malaysian Indian students and to be handled directly by the Indian High Commission in Kuala Lumpur, Malaysia.
6. To set up a special university and offer full scholarship to all Malaysian Indian students denied the opportunities to pursue higher education in Malaysia and especially for 2000 medical seats per year in a university that is recognized by the Malaysian government and another 10, 000 seats per year in the field of specialized Information Technology, Aeronautical Engineering, Auto Mobile Engineering, Pharmacy, Dentistry and Bio Technology.
7. To impose trade sanctions on Malaysia by India until all the atrocities and injustices against the Malaysian Indians stop.

c. Recommend to all conference participants to:

1. To discourage foreign investments into Malaysia.
2. Limit purchases of Malaysian products
3. Not consider Malaysia My Second Home program
4. Not to consider technology transfer programs
5. Avoid purchase of Malaysian Palm oil
6. Not consider partnerships with Malaysian corporations that do not show reasonable Indian Malaysian equity participation or proportionate employment of Indian Malaysians at all levels particularly at the top, in their payroll, or with a reasonable number of Indian Malaysian supplier companies on their supplier/vendor lists.
7. Upon return to your respective countries of residence especially in the USA, Canada, United Kingdom, Europe, Australia and New Zealand's to lobby your local Members of Parliament, your country's policy makers and decision makers the European Parliament, United Nations, International Court of Justice, International Criminal Court, The United Nations Security Councils, the international NGOs and the international community to register their protest and take action against these aforesaid atrocities against the minority Indians in Malaysia. till such actions as recommended by the Conference Resolution in para (a) above is taken by the Malaysian Government.

Thank you.



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For further information please visit www.humanrightsmalaysia.com

Appendix A

The Mandorism System

A system to subjugate the Indian poor in Malaysia!

Mandorism comes from the root Malaysian Tamil word “Mandores”

A Mandore ?

Historically, a Mandore was a supervisor in the rubber estates, whose role was to ensure the estate bosses got their work done by the Indian rubber tapper – the daily paid wage workers. Besides just supervising to get the job done these Mandores also had the role of goading the workers on, on unpopular policies. They resorted to manipulation, force and deceit, in many cases to do this. Then, when dissatisfaction brewed and the workers began to speak out they also played the role of the spy for the master – telling on trouble makers. In many of these situations they connived with their masters because of their understanding of the nuances of the tappers lives and communities.

The master for his part always remained in the background. He used many ruthless schemes to maximize his personal gains from the background. He skillfully used his Mandore to be his fall guy. In return for the fronting he did for the master, these Mandores enjoyed a few more perks in life. The master gave a very small portion of truly what should all have gone to the tappers, to the Mandores and set off with the rest. Those tidbits gave the Mandores a status that they strutted while the master got the large chunk of the value that was created by the tappers. The master got off with the loot. The Mandores got a few crumbs and was always humming and hawing for more. The tappers got the short end of the stick.

That was the process of yore, devised by the plantation owners of those days to ensure they got the maximum possible yields. They allowed only enough to be paid to the tapper and his families' subsistence , some toddy and maybe a little for his festivals, but not more.

Then the white masters left and the brown and yellow "tuans" took over in the 1960s. This system remained and evolved. What started as a system for maximizing the profits in the plantations became in time a system for subjugating the Indian poor to maximize the returns for the "tuans" in the economy as a whole wherever the Indian worker was involved. The "tuans" influence now extended to all aspects of the economy and politics.

Mandores become Mandorism.

What is Mandorism?

Mandorism in short, is a system for subjugation of the Indian working class by Indian middlemen fronting for the power elite of the country.

With Independence came an opportunity for a better life for all. But it was not to be. It was independence for The Malay, Chinese and Indian elites only. It was not Independence for the workers. It was really not any different for the workers – in fact it got worse for the workers.

At this stage of the nation, there was collusion and contention between these 3 sections of the elite. They colluded where their collective self preservation was concerned and they competed where their individual self preservation was concerned.

It was in the collusion mode that Mandorism arose. The new Mandore's role now, was to hold the down the Indian poor so the Malayan elite could pole vault off their backs undisturbed into their newfound opportunity for prosperity.

The new system was such that it benefited the elite but it impoverished the workers and the workers had to be kept ignorant and they had to be kept down.

One policy which clearly impoverished the Indian workers was the fragmentation of the estates and the ejection of the estate workers en masse into the urban centers. The dislocation created was massive, the negative effects of which are still being felt.

How did this happen without any effective opposition from the people so thrown out. Enter the new Mandore – the MIC. Their historical role now, it is clear was to mollify the effects of all this deprivation and dispossession. Mandorism was born.

Here are some key features of how Mandorism operates/operated:

- 1) The new Mandores assumed leadership for the Indian workers through the Malaysian Indian Congress (MIC) beginning in the 1950s. They extended the Mandores role from inside of the estates to the outside and to all aspects of the economy and politics that involved the Indian workers.
- 2) The interests of the workers were increasingly compromised by these MIC Mandores for positions in the Federal Cabinet, in Parliament, in other Governing councils for the Mandores at all levels in the MIC.
- 3) The MIC Mandores were made responsible for resolving the issues and the problems of the Indian community through the ethnocentric political arrangement of the Alliance. The elder brother UMNO took on the role of the Tuan and MIC became their Mandores.

4) The Mandore was not really expected to solve the problems of the community – they could not anyway, because of the miniscule allocation of resources. They were just to hold the Indian poor down so the tauns could take away the resources to their higher priorities without questions from the Indian poor. The MIC Mandores were expected to give a perception that they were solving the problems. So, whenever problems arose and there were plenty of them, UMNO would just pass the buck to the Mandore MIC and Mandore MIC would create mirages of doing something about the problems and the poor were fed with a steady diet of such illusion.

5) So what kind of things does the Mandore MIC do to create these illusions– set up illusory bodies like the National Land Finance Cooperative (NLFCS), the NESA scheme, the MIC Unit Trust Scheme, the Koperasi Pekerja Jaya company, the Maju Jaya Cooperative, the MAIKA Scheme, The AIMST and MIED funds. These bodies were the Mandores answers to the woes of the Indian community. Not only did they all not provide any tangible benefit to the Indian poor, they bankrupted the Indian poor further in many cases.

Compare this with what the “tuan” was doing on the other side - FELDA, FELCRA, PERDA, KEDA, KEJORA, MARA, PNB, PNS, KHAZANAH, PETRONAS, FAMA, all the other Government Linked companies, to name just a few. Look at the net effect of all those development efforts and the opportunities they had created and how they have brought about sea changes to the Malay community. The Indian poor achieved zero with all the illusory schemes of the Mandores while the Mandores continued to sell off the rights of the Indians with impunity and connivance with UMNO and destroyed the future of several generations of Indian.

6) The MIC Mandores did not consolidate and develop the position of the Indians in the country at all. They compromised all that for the crumbs of positions as Minister, Deputy Ministers some other positions in Government, stole whatever little crumbs that were thrown at the Indians, obtained grants of lands, shares for themselves, their cronies and their relatives.

7) For the problems of the Indian community, elder brother UMNO would always send in the Mandore MIC to front for them. And what does the Mandore do – he says, **I will raise it in Parliament**, he says, **I will raise it in the Cabinet meeting**, he says **I will raise it to the PM**. He creates an illusion of representation. Result – zero.

8) They put up pictures of handing over some mock cheques in the Tamil newspapers, they issue statements in the Tamil newspapers that the PM gave a 100 million Ringgits, the PM gave 65 million Ringgits, a new school building has been approved, the Indian entrepreneurs would be given loans, the Indian poor will be allotted low cost houses, the temple demolition will be stopped or postponed and such other lies and nonsense. Net effect, the Indian newspapers which anyway were owned by the MIC Mandores sells more copies (Samy Vellu owns the Tamil Nesan and Subramaniam owns the Makkal Osai) and the Mandores look like they are busy settling the problems of the Indian poor. The truth is that nothing has changed, the tuan loots, the Mandores get some crumbs and the poor keep getting shafted.

9) For some other problems that seems to be getting out of hand for the tuan UMNO and which could cause some embarrassment or hurt, they send in the Mandore MIC to sweet talk, to bribe, to threaten and to coax the key individuals into submission and kill the offending problem off.

We see this in so many instances – the temple demolitions, the squatter home demolitions, the police murders to name a few.

All of this represents just a facet of the whole system in the country – a pernicious one nevertheless. There is just no political will in the system to resolve the Indian working class problems, so Mandorism steps in and keeps the problem at bay. There is a lot of play acting, but no real substance of a long term and sustainable solution.

Enter the Newest mandores - The PR mandores

In the last general Elections the Indian poor for the first time threw off the illusions created by the MIC Mandores and kicked them out and put in place in 5 States, Governments that they thought would have more political will to address their longstanding issues. They placed a lot of hope in the Pakatan Rakyat Coalition. But much to their disappointment what they got was just more of the same. Old wine, just new bottle.

What do they get, a new set of Mandores who facilitate their new tuans to demolish, to destroy, to delude, to throw more crumbs, to mollify. If we go back up this story and replace the MIC Mandores with the PR Mandores the story will not read much different, only these Mandores are doing in these last two years what the MIC Mandores have been doing for over 50 years.

They help their “tuans” break Indian settlements, demolish Indian temples, demolish Hindu burial grounds, give mock cheques in the newspapers, promise secondary schools after the next elections, give a little bit of land for a school here, a school there, give some handouts to fire victims and play it big in the newspapers.

They support the Srilanka Tamil refugees in a big way, they want to kill off the MIC Mandores, burn their effigies, they want to kill off Hindraf, the emerging champion of the poor Indians, they lie, they twist, they do everything what MIC has been doing for the last 50+ years.

They propose no permanent solutions to any of the problems. They develop no master plan to address any of the problems. They have no vision for a healthy and thriving Indian community as part of a larger healthy and thriving Malaysian community, they have no political will to address these problems head on.

They are interested only in supporting their new tauns, keeping their political positions, looking good within their respective political parties and hoping to get nominated by their parties for the next general elections and then maybe retire with a lifelong pension.

So what is the difference – MIC Mandores or PR Mandores? All the same stuff, just different in name and style.

Mandorism as a system must be demolished

Time has come for us to completely kill off this Mandorist system. Mandores do not represent the poor and marginalized, the majority of Indians in Malaysia. They represent the interest of their respective “tuans”. What is needed now is a true representation of the poor and the marginalized in the halls of power. Only then will policies be forced in place for the poor and the marginalized. Not just for the Indian poor and marginalized but for the poor and marginalized of all of Malaysia.

The current two coalitions really do not represent the poor and the marginalized, that is why they have similar policies and methods in spite of their avowed differences— an example of this similarity is this policy of the continuation of Mandorism.

The powers-that-be must deal with the true representatives of the poor and the marginalized, they should not try and manipulate their way out of their obligations to the poor of the country. The Mandorist system has been a way for them to do it.

Powers that be must get out of the denial syndrome

The powers-that-be now need to stop denying that the poor are beginning to speak up and that this is not reversible anymore. They must accept that the expectations of the people cannot be bottled in any more.

The likes of those who do not quite belong to the category of the poor and marginalized are increasing, as more and more become aware of what is really happening and why. No matter that the poor may still be inarticulate themselves, the numbers who are speaking up for them are increasing and are doing so increasingly fearlessly. The process is set. You cannot put the genie back into the bottle.

This truth must be accepted and the denials and the petty intrigues must stop and realism must set in, to prevent further pain and further loss for Malaysian society as a whole.

The powers that be must demolish the Mandorist system and start negotiating a better future with the poor and marginalized themselves through their true representatives. There is no other way out of this problem of the poor and marginalized Indians.



The last remaining Tamil Hindu Heritage Village (Kg. Buah Pala) of 200 years demolished illegally by the Government and villages evicted



Human Shield



A distraught lady attempted self immolation to save the village



Human Shield

Extreme Muslims protest the existence of 100 years old Hindu Temple. Cow head slaughtered, paraded and stomped to insult Hindus



Home Minister holding joint
press conference with Muslim protesters
justifying their action



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