

Issue 2



EcoLex Ecolawgy Bulletin

Better be Extra Than be Extinct





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Welcome to EcoLex

Welcome back to the second edition of the Eco Lex!

Our journey began with a simple yet powerful vision: to deepen awareness and inspire action on environmental issues, especially through the lens of law and policy. With this second edition, that vision continues to grow stronger, thanks to the dedication, insight, and passion of our student contributors.

This edition builds on the foundation we laid in our inaugural issue - delving into pressing topics ranging from climate justice and policy accountability to greenwashing, conservation efforts, and sustainable development in Malaysia. Each piece reflects a unique voice and critical thought on how environmental challenges intersect with legal and societal frameworks. Importantly, the bulletin amplifies Malaysian perspectives while remaining firmly rooted in global environmental discourse.

We are proud to showcase student-led research, reflections, and commentaries that not only inform but also provoke deeper conversations about how law can serve as both a shield and a sword for the planet.

As you read through this second issue, we invite you to engage, question, and above all, act. The fight for environmental justice is far from over - but with consistent effort and collaboration, we believe meaningful change is always within reach.

Here's to learning, growing, and greening the world - one bulletin at a time.

Sheila Ramalingam



LEGAL LENS, IN-DEPTH

When Roads Meet Wildlife: Incidents on Gerik-Jeli Highway

Edited by Pua Zi Qing



Recent elephant incidents in Gerik-Jeli Highway highlight urgent questions about road safety, wildlife protection, and the laws that govern them.

Our highways are vital for connecting people, but they also run through wildlife habitats, cutting through vital ecological corridors. Recently, this has led to some tough situations on the Gerik-Jeli Highway in Perak, showing us just how much we need to balance human development with the safety of our animals.

What Happened Recently:

- **May 21, 2025 – Car Attacked by Elephants:** A driver on KM11 of the Gerik-Jeli Highway had a frightening experience when his car was attacked by a group of elephants. His car was badly damaged, but thankfully, he wasn't hurt. This incident reminds us of the direct risks to people and property when wild animals are pushed closer to our roads.
- **May 14, 2025 – Tragic Loss of an Elephant Calf:** Days before, a young elephant calf was killed after being hit by a truck at KM80 on the same highway. The sight of the mother elephant trying for hours to move her baby touched many hearts across the country. Police investigated and said the truck driver wasn't negligent, pointing to fog and no streetlights at the time. This decision has led to many questions about how we decide responsibility in such sad accidents.



Understanding the Laws Involved:

These events aren't just accidents; they point to areas where our laws and policies need to work better together.

1. Wildlife Conservation Act 2010 (Act 716):

- *Protecting Our Wildlife:* This Act legally protects elephants, recognizing their importance. But when highways are built through their homes, causing direct conflict, it makes us wonder if the Act needs stronger ways to prevent these clashes, not just punish those who harm animals.

2. Road Traffic Act 1987 (Act 333) and Related Rules:

- **Driver Responsibility:** The "no negligence" finding in the calf's death has people talking. What is a driver's duty in bad weather or in areas known for wildlife? This case might lead to a closer look at how we interpret safe driving in these conditions.
- **Speed Limits and Enforcement:** There are calls for lower speed limits and more speed cameras in wildlife zones. These measures fall under existing traffic laws. The fact that lorries are supposed to have GPS monitors for speed checks is a key part of this, but it raises questions about how well these rules are being enforced during investigations.
- **Vehicle Safety:** Past efforts to require speed limiters and "black boxes" in lorries reportedly faced resistance. This suggests a weak point in rules meant to keep our roads safe, especially given concerns about reckless driving by some commercial vehicle operators.

3. **Environmental Impact Assessment (EIA) and Land Use Planning:**

- **Building Our Roads:** Major projects like highways require EIAs (under the Environmental Quality Act 1974) to assess their impact on the environment. These assessments are meant to ensure wildlife crossings and other protective measures are included. The current incidents make us ask if these measures are truly strong enough and followed through. It is interesting to note that no public participation is required for an EIA for construction of roads or highways, although the impact of such roads or highways may be immensely adverse for among others, wildlife habitats, as can be seen from the Gerik-Jeli Highway.
- **Connecting Habitats:** Since highways can cut through animal habitats, there's a real need for better planning that includes "eco-corridors" – safe ways for animals to cross. While land matters are often state-level, working together across federal and state governments is crucial for these plans to become law and protect wildlife movement.



Moving Forward: Ideas for Change:

These incidents are a wake-up call. We need practical solutions that involve changes to our laws and how we apply them:

- **Better Safety Features:** Instead of just signs, we need legal requirements for things like animal detection systems, better lighting, rumble strips, and strong fences in areas where animals cross roads.
- **Stronger Enforcement:**
 - Let's review how "negligence" is decided in accidents involving wildlife to ensure drivers are held properly accountable.
 - Make it standard practice to check GPS data and "black boxes" from vehicles in serious crashes, including those involving wildlife or animals.
 - Be tougher on drivers with a history of traffic or drug offences.

- *Working Together:*
 - *Ensure that recommendations from EIAs for wildlife protection are not just suggestions, but legally binding and properly implemented.*
 - *Federal and state governments should work more closely, perhaps through formal agreements, to align land use and conservation efforts.*
- *Public Awareness: Beyond rules, public campaigns using the emotional impact of these events can encourage drivers to be more careful and respect wildlife on the roads.*
- *Financing: The owners or concessionaires of dangerous highways prone to human-wildlife conflict, such as the Gerik-Jeli Highway, should be financially responsible in upgrading existing highways to include bridges, fences and viaducts to ensure wildlife corridors remain connected. Moving forward, all land transportation system be it roads, highways, railway tracks, MRT tracks, etc should seriously consider putting in place mitigation measures to ensure connectivity of wildlife corridors, before beginning construction.*

The recent elephant incidents are a powerful reminder. They show that we urgently need better laws and a more united effort to ensure both human safety and the future of our incredible wildlife on Malaysia's roads.

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LOCAL NEWS



Kuala Terengganu, May 28, 2025 – The Kuala Terengganu High Court has set August 13, 2025, to deliver its decision on a lawsuit concerning the alleged unlawful killing of a stray dog named Kopi by the Besut District Council. This comes after the High Court dismissed attempts by the Terengganu state government and the Besut District Council to strike out the case, allowing it to proceed to a full hearing (Free Malaysia Today, 2025; The Malaysian Reserve, 2024).

The lawsuit was filed by four animal rights activists, who contend that Kopi's killing in October 2024 by a council enforcement officer violated Malaysia's Animal Welfare Act 2015, specifically sections prohibiting unnecessary suffering and the use of firearms for killing animals unless under specific, legally defined exceptions. The plaintiffs are seeking a court declaration that the council's actions were unlawful and beyond their authority (Malay Mail, 2024).

The case has garnered significant national attention, sparking widespread public debate on animal welfare and the responsibilities of local authorities in managing stray animal populations. Many see this as a pivotal moment for animal rights in Malaysia, with the court's upcoming verdict keenly awaited by activists and the public alike (The Star, 2025; MYC, 2025).



Alor Setar, Kedah, May 27, 2025 – The escalating issue of illicit electrical and electronic waste (e-waste) recycling in Kedah presents a significant environmental and legal challenge. This persists despite recent amendments to Malaysia's Environmental Quality Act 1974 (EQA 1974), which introduced more stringent penalties. The substantial profits from these illegal ventures appear to diminish the deterrent effect of these new laws (Malaysiakini, 2025).

Kedah Environment Department (DOE) director, Sharifah Zakiah Syed Sahab, confirmed ongoing enforcement actions against unauthorized e-waste facilities. The amended EQA 1974 now stipulates fines up to RM10 million and mandatory imprisonment of up to five years for e-waste offences, a significant increase aimed at curbing the illegal trade more effectively (Malaysiakini, 2025).

Sharifah Zakiah highlighted that poor management of industrial and domestic waste also threatens serious environmental degradation, stressing the need for robust environmental governance and strict adherence to legal frameworks.

Addressing this complex issue demands a "coordinated, multi-stakeholder approach," involving government, industry, the community, NGOs, and educational institutions. Public vigilance and reporting are encouraged. This call for collective responsibility, emphasized at the recent Environmental Management and Compliance Seminar 2025, underscores the ongoing need for vigilant enforcement and collaborative governance to ensure environmental law's efficacy (Malaysiakini, 2025).



Kuala Lumpur, May 26, 2025 – Malaysia has just started its term as ASEAN Chair for 2025, focusing on "Inclusivity and Sustainability." Right on cue, a big group of civil society organizations and trade unions, with Greenpeace Southeast Asia at the helm, gathered yesterday. Their main message to Prime Minister Anwar Ibrahim: push for a strong, legally binding ASEAN Environmental Rights (AER) framework at the upcoming ASEAN Summit (Greenpeace Malaysia, 2025).

This urgent plea comes as Southeast Asia faces growing environmental problems, like extreme heat that's putting lives and jobs at risk, and pollution that crosses borders. The ILO even warns that heat could cause up to 250,000 deaths each year by 2050 if we don't act (The ASEAN Magazine, n.d.; Mekong Institute, n.d.).

The proposed AER framework wants to make sure everyone has the right to a clean and healthy environment. It also aims to hold companies more accountable for cross-border pollution and give a stronger voice to Indigenous Peoples and Local Communities (IPLCs). Specific demands include protections for workers from heat, making companies responsible for their environmental damage, and clearer rules around how environmental decisions are made (Greenpeace Malaysia, 2025).

Groups like CERAH Malaysia, Building and Woodworkers International (BWI), and Sahabat Alam Malaysia all stressed that we need real laws, not just voluntary promises. They also highlighted the need for financial institutions to invest responsibly and for better checks on environmental practices. Essentially, they're looking to Malaysia to lead the way in making sure climate justice and a fair energy shift happen for the whole region (Greenpeace Malaysia, 2025).



Kuala Lumpur, May 28, 2025 – Nik Nazmi Nik Ahmad, the Minister of Natural Resources and Environmental Sustainability, has tendered his resignation, making him the second PKR minister to step down today, following Rafizi Ramli. His last day in office will be July 4 (*The Rakyat Post*, 2025; *Malaysiakini*, 2025).

During his tenure since 2022, Nik Nazmi highlighted several key achievements of his ministry. These include successfully implementing targeted electricity subsidy reforms through the Imbalance Cost Pass-Through (ICPT) mechanism in Peninsular Malaysia. His ministry also saw the passing of the Energy Efficiency and Conservation Act and introduced a new tariff setting mechanism for the water sector. Additionally, the National Climate Change Bill is in its final stages before being presented to the cabinet and Parliament (Malaysiakini, 2025).

He also noted amendments to the Environmental Quality Act 1974, which increased transparency in environmental impact assessment reporting. Malaysia also submitted its National Biodiversity Strategies and Action Plan, and the United Nations Secretary-General recognized a significant reduction in the country's deforestation rates (Malaysiakini, 2025).



Kuala Lumpur, April 2, 2025 – Following a major gas pipeline fire operated by PETRONAS Gas Berhad on April 1, 2025, a coalition of 28 NGOs, including RimbaWatch and Greenpeace Malaysia, is demanding full transparency on its environmental and health impacts. The blaze affected 364 victims and damaged numerous properties (Daily Express, 2025; Malay Mail, 2025).

The groups voiced concerns over potential health issues from airborne chemicals and pollutants, as well as significant methane emissions, a potent greenhouse gas. They noted that such pipeline leaks are major contributors to emissions, citing the Nord Stream rupture as an example (EDF, n.d.; Nature, 2024). The NGOs urged the Government of Malaysia and PETRONAS to fully investigate the incident, publicly release findings, and disclose all air quality monitoring data. They also called for an independent study on health and safety impacts, benchmarked against WHO standards, with PETRONAS providing full healthcare coverage to victims. Furthermore, they pushed for the disclosure of methane emissions in corporate and national reports, and a prioritization of a Just Energy Transition to safer, cleaner energy. They stressed the urgency due to gaps in Malaysian environmental regulations and the direct threat such incidents pose to public health and energy security (SUHAKAM, 2024; DOE, 2020).

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INTERNATIONAL NEWS



SOUTH AFRICAN COURT SAID NO TO NEW COAL-FIRED POWER: WHAT'S BEHIND THE RULING

South Africa is heavily dependent on coal for electricity production, with approximately 85% of its electricity generated by burning coal. This heavy reliance on coal, along with other unsustainable methods of electricity and heat generation, contributes to around 87% of the country's greenhouse gas emissions. As a result, South Africa ranks as the highest emitter of greenhouse gases on the African continent and the thirteenth highest globally. Despite these alarming figures, in 2020, the Minister of Mineral Resources authorized the procurement of a substantial amount of new coal-fired power capacity for inclusion in South Africa's energy mix. In response, environmental justice groups filed a legal case against the government, seeking a court declaration that the authorization of new coal-fired power was unlawful and unconstitutional. They argued that the decision would infringe on fundamental human rights, including the rights to life, human dignity, equality, and access to food and water. They also emphasized that it would violate children's rights and the constitutional right to an environment that is not harmful to health or well-being. The court ultimately ruled that the government's new coal plans were unlawful, invalid, and unconstitutional. It held that the government had failed to demonstrate that it had properly considered the negative impacts of the proposed coal-fired power, particularly its effects on children. As a result, the coal expansion plans could not be implemented.



TRUMP TAKES AIM AT CITY AND STATE CLIMATE LAWS IN EXECUTIVE ORDER

In an executive order issued on Tuesday, President Trump directed the Department of Justice to "stop the enforcement" of state climate laws, which his administration claimed were either unconstitutional or otherwise unenforceable. The order coincided with Trump's promotion of new efforts to revive coal—the dirtiest and most expensive fossil fuel. For many, these state-level climate laws represented a last hope for meaningful climate action amid the president's aggressively anti-environment agenda. Trump also targeted lawsuits filed in recent years by states, cities, and counties against major oil companies. These lawsuits accused the fossil fuel industry of knowingly concealing the climate risks associated with their products and sought compensation for the resulting environmental damage. The legality of Trump's executive order was swiftly challenged by environmental lawyers, who argued that it was both illegal and unconstitutional, noting that the U.S. Attorney General does not have the authority to unilaterally invalidate state laws.



PERUVIAN FARMER TAKES GERMAN ENERGY GIANT RWE TO COURT IN LANDMARK CLIMATE CASE

A German court will resume hearings in a case filed by a Peruvian farmer against the German energy giant RWE. He argues that emissions from the company have contributed to the melting of Andean glaciers, increasing the flood risk to his home. He is seeking approximately €21,000 (\$23,000) from RWE to help fund a \$3.5 million flood defense project. This case could set a precedent for future climate litigation by holding companies accountable for past emissions and requiring them to contribute to climate adaptation efforts in affected communities. Data from the Carbon Majors database, which tracks historical emissions from major fossil fuel and cement producers, shows that RWE is responsible for nearly 0.5% of global man-made emissions since the Industrial Revolution. RWE has argued that a single emitter of carbon dioxide cannot be held solely responsible for global warming. The two-day hearing will examine expert reports to determine whether the melting glaciers are raising water levels in Lake Palcacocha and posing a direct risk to Lliuya's home in Huaraz over the next 30 years. A 2021 study by Oxford and Washington universities found that the melting of a glacier in the Peruvian Andes was directly linked to man-made global warming.

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POLICY & LEGISLATION UPDATES

Wildlife Conservation and Trade:

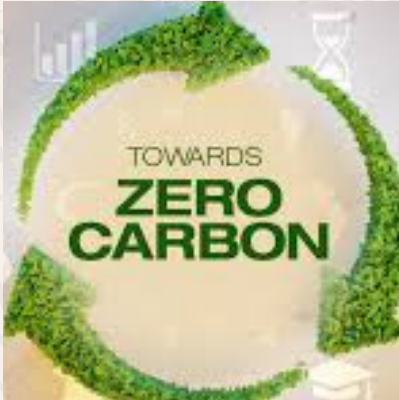
The Wildlife Conservation Act 2010 (Act 716) aims to provide comprehensive protection for wildlife, categorizing species into "protected" and "totally protected." It imposes stringent penalties for offences such as poaching and illegal trade, with fines up to RM100,000 and/or five years imprisonment for hunting totally protected species. Challenges in enforcement, such as judicial sentencing, that do not always align with the severity of offences, have been noted.

Malaysia is a signatory to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which is domestically implemented through the International Trade in Endangered Species Act 2008. Effective enforcement of this act necessitates continuous monitoring and capacity building to prevent illicit wildlife trade. Policy recommendations to strengthen wildlife conservation include:

- *Strengthening Enforcement and Judicial Sentencing.*
- *Enhancing Inter-Agency Collaboration.*
- *Promoting Public Awareness and Community Involvement.*
- *Regular Review of Legislation.*
- *Fostering International Cooperation.*



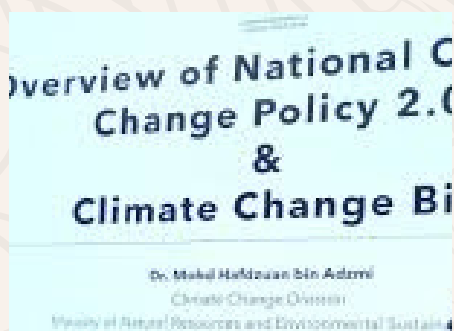
Climate Action and Environmental Quality:



- **Carbon Neutrality Goal:** Malaysia aims to achieve carbon neutrality by 2050 and plans to introduce carbon pricing instruments, including a carbon tax and a domestic voluntary emissions trading scheme.



- **Environmental Quality Act (EQA) Amendment 2024:** This amendment focuses on significantly raising penalties for various environmental offences, including air and noise pollution, soil and water pollution, and hazardous waste mishandling. It introduces a minimum penalty amount, a higher maximum penalty amount, and mandatory imprisonment for certain offenses.



- **National Climate Change Policy 2.0:** Malaysia is developing this updated policy to enhance resilience to climate change across regions, sectors, and society, and to strengthen institutional capacity to address the climate crisis.

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EMERGING VOICES

Evaluating the Future of NGV in Malaysia: Safety Concern or Strategic Shift?

Author: Aliya Najihah binti Mohaji



INTRODUCTION

In recent years, the global transportation sector has been at a crossroads, with various countries exploring alternative fuels to reduce carbon emissions and enhance energy security. Among these alternatives, Natural Gas Vehicles (NGVs) have long been considered a viable, cleaner option compared to traditional petrol and diesel-powered vehicles. Yet, Malaysia is currently taking a different turn. In 2024, the Malaysian government announced its plan to phase out NGV vehicles, citing public safety as the primary reason.

This sudden shift has raised many questions. While countries such as Nigeria, Italy, and even China continue to invest in compressed natural gas (CNG) infrastructure, Malaysia is moving in the opposite direction. Is safety truly the underlying concern, or are there other motivations behind the policy? How valid is the claim that NGVs pose a danger to Malaysians? And if NGVs are indeed unsafe, why do other nations still support them?

This article aims to evaluate the Malaysian government's position on NGV, assess the validity of safety concerns, and contrast the situation with global trends. Through this lens, we attempt to understand whether the phase-out of NGV is a necessary move or a missed opportunity.



WHAT IS NGV?

Natural Gas Vehicles (NGVs) are automobiles that run on natural gas typically compressed natural gas (CNG) or liquefied natural gas (LNG) as a fuel. These vehicles are often regarded as a cleaner alternative to petrol or diesel, emitting lower levels of carbon dioxide and other pollutants. NGVs have been used for decades worldwide, particularly for public transport fleets, taxis, and delivery trucks.

CNG, the most common form of NGV fuel, is stored at high pressure and offers significant advantages in terms of reduced greenhouse gas emissions and lower fuel costs. In countries like Italy and Argentina, NGVs have become integral to national transport strategies. Malaysia, too, adopted NGVs in the early 2000s, with many taxi drivers and fleet operators relying heavily on CNG due to its affordability and government support. However, over the years, the enthusiasm for NGVs in Malaysia has waned. With the government's latest decision to phase them out, the future of NGV in the country hangs in the balance.

THE MALAYSIAN CONTEXT: GOVERNMENT'S PLAN TO PHASE OUT NGV

In November 2024, the Malaysian government officially announced its intention to gradually phase out Natural Gas Vehicles (NGVs) nationwide. According to Transport Minister, Anthony Loke, the decision was made primarily due to growing safety concerns, aging infrastructure, and reduced demand for NGV fuel. The government argued that deteriorating NGV systems, especially those installed in older vehicles, could pose serious risks to public safety—including the potential for gas leaks or explosions.

One article published by The Sun Daily highlighted that phasing out NGVs was “essential for public safety,” especially in densely populated urban areas where accidents could have catastrophic outcomes. This sentiment was echoed by industry officials who claimed that many NGV-equipped vehicles had not undergone proper maintenance, making them prone to malfunction.

However, the sudden policy shift left many stakeholders puzzled. As of 2023, there were still over 50,000 NGV users in Malaysia, particularly among taxi and e-hailing drivers who have relied on CNG for its cost-efficiency. The government's abrupt approach to discontinuing the use of NGVs has caused frustration and uncertainty among this group. In response, Deputy Economy Minister, Datuk Hanifah Hajar Taib stated in October 2023 that the government was “ready to explore the potential” of natural gas in the vehicle sector before making any firm decisions. Yet, the November 2024 announcement seems to contradict that earlier openness.

The core argument presented by the government revolves around safety. But how dangerous are NGVs in reality?

A closer look at technical studies and expert opinions suggests that NGVs are not inherently more dangerous than conventional fuel vehicles—provided they are maintained correctly. Free Malaysia Today opinion piece titled “Natural Gas Fuel Not a Hazard” emphasized that the safety record of NGVs globally has been relatively stable. In fact, NGVs are often equipped with multiple safety mechanisms, including pressure relief valves and reinforced tanks, to minimize risks.

Moreover, international standards for NGV tank design and installation are rigorous. The International Atomic Energy Agency (IAEA) database includes various safety studies affirming that NGVs meet high safety requirements when installed and operated under proper guidelines.

If safety concerns were truly at the heart of the Malaysian decision, one must question why countries like Nigeria and Italy have not only continued NGV programs but expanded them. The answer may lie not just in safety, but in economic, political, and infrastructural considerations.



GLOBAL PERSPECTIVES ON NGV USAGE

Nigeria: A Bold Shift to CNG

Nigeria presents an interesting counter-narrative to Malaysia's NGV phase-out. In the wake of petrol subsidy removal, the Nigerian government aggressively pushed for compressed natural gas (CNG) as a more affordable alternative for transport. The Associated Press reported that Nigeria began converting vehicles en masse, citing cost savings, environmental benefits, and long-term sustainability.

In an article by Global Voices, Nigerian citizens voiced their support for CNG adoption, noting that the transition allowed for more financial stability in daily commuting. Critics of Malaysia's NGV ban argue that if a developing nation like Nigeria can scale up CNG safely and efficiently, there is little excuse for Malaysia to abandon its existing system altogether.

Iran: Struggling but Still Committed

Iran's experience shows both the promise and pitfalls of NGV reliance. While the country has invested heavily in CNG vehicles, issues like lack of spare parts, inconsistent policies, and economic sanctions have stifled progress. The Financial Tribune reported a "bleak future" for NGV-hybrids in Iran, yet the nation has not abandoned its natural gas vehicle program entirely. Rather than giving up, it is exploring hybrid solutions and alternative routes to sustain cleaner transport.

China: A Strategic Energy Play

China's energy strategy includes a diversified mix of New Energy Vehicles (NEVs), including natural gas and electric options. Center for Strategic and International Studies (CSIS) report described China's NEV program as an "expensive gamble," but one that highlights long-term vision. China has shown that a phased, well-supported roll-out of NGVs and other green technologies can be economically and environmentally beneficial.

COUNTERARGUMENTS AND PUBLIC CONCERNS

Public response to the government's NGV phase-out has been mixed. While some support the move on the grounds of safety, many stakeholders especially those in the transportation industry—believe the decision was rushed and not fully supported by transparent data.

Taxi drivers, in particular, have expressed frustration. CNG was not only a more affordable option but also a cleaner alternative that aligned with Malaysia's environmental goals. The lack of clear government subsidies or transition plans for affected drivers has only intensified dissatisfaction.

Environmental advocates have also raised concerns. Discontinuing NGVs without a strong alternative risks pushing vehicle owners back to petrol or diesel, which could increase emissions. If Malaysia is genuinely committed to carbon neutrality and green technology, the outright removal of NGV seems contradictory.

Furthermore, some netizens and opinion writers argue that the government's sudden safety narrative may be masking deeper infrastructural and economic issues—such as the decline in NGV station maintenance, or the lack of profitability for fuel suppliers to continue operating CNG stations.



In 2010 an academic article published in Energy Policy via ScienceDirect, researchers noted that successful NGV integration depends heavily on consistent policies, incentives, and public confidence. Countries that maintain strong technical regulations and offer adequate refueling infrastructure tend to see longer-lasting NGV adoption.

Similarly, the Center for Strategic and International Studies (CSIS) pointed out in its 2023 analysis that developing a sustainable NGV market requires a long-term roadmap. Without it, even the most promising fuel alternatives could fail due to mismanagement and public mistrust.

An article on the International Nuclear Information System (INIS) platform also confirmed that NGVs remain a viable energy solution when installed, operated, and maintained with proper standards contradicting the blanket safety claims made by the Malaysian government.

Experts generally agree that rather than phasing out NGVs entirely, Malaysia could have adopted a transitional approach such as setting stricter inspection regimes, mandating certification for CNG conversion kits, or investing in hybrid NGV-electric technologies. Such steps could have balanced both safety and sustainability.



CONCLUSION

The Malaysian government's decision to phase out Natural Gas Vehicles has sparked an important national conversation about energy, safety, and the future of sustainable transport. While safety should never be compromised, the move raises deeper questions about policy consistency and long-term planning.

Globally, countries like Nigeria and Italy continue to invest in NGV and CNG infrastructure, proving that the technology itself is not inherently flawed. Rather, the success of NGV lies in its execution—rigorous maintenance, proper installation, and sound government oversight. The Malaysian experience seems less a failure of technology, and more a failure of support systems.

As Malaysia forges ahead in its energy transition, we must be careful not to discard viable solutions without exploring reforms. Phasing out NGVs without a clear replacement could increase costs for consumers, strain environmental goals, and alienate thousands of current users.

If the goal is truly public safety and sustainability, then the solution must be more nuanced than a ban; it must be smart, inclusive, and forward-looking.



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EMERGING VOICES

She Stood by Her Baby for Hours: A Mother's Grief We Should Never Ignore

Author: Mar Qistina Aini



TRAGEDY ON THE HIGHWAY

Two recent tragedies have pierced the hearts of Malaysians, not just because elephants died, but because their deaths revealed a painful truth: a gap between what we claim to protect and what we actually do.

In the early hours of May 11, 2025, along the Gerik-Jeli Highway near Gerik, a mother elephant stood helplessly beside her dying calf. Her heavy body pressed close to a lorry, her head bowed low in grief. Her baby, just five years old, had attempted to cross the road, but tragically, he never made it. The calf had been struck and killed by a lorry transporting chickens. For over five hours, the mother, aged around 25 to 27, refused to leave her baby's side. Even sedation could not pull her away. This powerful, wordless image of maternal love and loss speaks to all of us. But this tragic vigil is not an isolated incident.



A SECOND LOSS IN SABAH

Thousands of kilometers away, in Sabah's Tawau district, a disturbing pattern of elephant killings has emerged. The decapitated body of a young Borneo pygmy elephant was found dumped by the roadside on January 19, 2025, along the Kalabakan-Sapulut road. Its head and limbs were severed, likely the brutal work of poachers targeting its tusks. This was the first in a string of similar killings. A second carcass was discovered on April 7 along the Tibow-Sapulut road, and a third on April 9 inside Ladang Bukit Tukok, an oil palm plantation managed by Sabah Softwoods. All three young elephants were believed to have been shot dead and decapitated. According to the Sabah Wildlife Department, the heads were likely removed to quickly retrieve the tusks and avoid detection. The Bornean pygmy elephant, classified as a Totally Protected Species under the Sabah Wildlife Conservation Enactment 1997, continues to face severe threats from poaching, even within actively monitored plantation areas.

Different states. Different circumstances. But one shared truth: Malaysia's elephants are in danger. Not just from poachers. Not just from highways. But from all of us, through silence, delay, and a lack of will to act when it matters most.



LEGAL PROTECTIONS EXIST, BUT IMPLEMENTATION FALLS SHORT

This tragedy is a symptom of deeper problems rooted in poor planning, weak enforcement, and a chronic failure to prioritise wildlife conservation in our development agendas. Malaysia's legal framework, on paper, provides strong protections. Under the Wildlife Conservation Act 2010 (Act 716), elephants are listed as Totally Protected Wildlife in the Second Schedule. Section 68 makes it a criminal offence to hunt, kill, or possess such animals without a special permit, punishable by a fine up to RM500,000 and/or imprisonment up to five years. Additionally, Section 86 criminalizes cruelty to wildlife, while Section 101 empowers enforcement officers to stop, search, and seize conveyances involved in wildlife crimes.

Despite these statutory safeguards, elephants continue to die, often without justice or even public outcry. The Gerik-Jeli Highway, which cuts through the ecologically rich Belum-Temengor Forest Complex, remains a hotspot for wildlife conflict. According to Section 34A of the Environmental Quality Act 1974 (Act 127), Environmental Impact Assessments (EIA) are required for any prescribed activity likely to impact the environment, including road developments near sensitive habitats. Yet, in practice, these EIAs often lack thorough mitigation measures, and enforcement is weak. Roadkill incidents, including a fatal elephant crash in April 2024 and another near-miss in January 2025, highlight a glaring absence of functional wildlife crossings and speed mitigation zones.

INSTITUTIONAL GAPS AND POLICY FAILURES

The problem, ultimately, is not the absence of law, but a failure in enforcement, coordination, and planning. Agencies like the Department of Wildlife and National Parks (Perhilitan) are often reactive, arriving only after an animal is injured or dead. Inter-agency cooperation with road and transport departments remains minimal, and wildlife-sensitive infrastructure is still not mandated in road construction.

What must change, and urgently, is the system surrounding wildlife protection. Wildlife crossings must be mandated in EIAs for all roads bordering forest reserves and national parks. Nighttime speed limits from 7PM to 7AM must be enforced in identified elephant corridors. The Environmental Quality Act should include penalties for non-compliance with approved mitigation plans, with independent monitoring. Perhilitan should be better resourced through drones, AI-assisted tracking systems, and trained response teams. Nationwide public reporting systems and awareness campaigns must also be introduced to mobilize civic participation in wildlife conservation.

These aren't just legal fixes, they are moral imperatives. Elephants grieve, form lifelong bonds, and feel pain. The mother elephant's vigil was not simply instinct, it was a conscious, emotional act of love and loss. Her grief demands that we re-evaluate how we coexist with the natural world.

A DECENTRALIZED SYSTEM: SABAH AND SARAWAK

This is more than a conservation issue, it is about ethics and humanity. With fewer than 2,000 Borneo pygmy elephants left in the wild, their survival is precarious. In addition to the Wildlife Conservation Act 2010, which imposes stronger enforcement mechanisms and harsher penalties, the International Trade in Endangered Species Act 2008 enforces Malaysia's obligations under CITES, banning illegal ivory and wildlife trade.

The situation is further compounded by the fact that wildlife protection in Malaysia is decentralized, Sabah and Sarawak have their own wildlife laws, namely the Wildlife Conservation Enactment 1997 (Sabah) and the Wildlife Protection Ordinance 1998 (Sarawak). While these state laws provide general protections, their penalties are often less stringent. For example, under Sabah's Enactment, the maximum fine for hunting totally protected species is RM50,000, compared to RM500,000 under the Wildlife Conservation Act 2010. Meanwhile, Sarawak's Ordinance prescribes fines starting from RM10,000, often insufficient as a deterrent.

Legislation alone cannot save them. Remote forests remain unmonitored, road deaths go uninvestigated, and poaching rarely leads to prosecution.



A CALL TO ACTION

To address these gaps, Malaysia must commit to stronger surveillance and enforcement, mandatory infrastructure protections in development, corporate accountability for environmental harm, and education reform to instill conservation values in schools.

The grieving mother elephant is not just a tragic photo, she is a mirror of our failure. She stood over her lifeless child, unwilling to leave. Her pain should not fade into silence. Let it spark change.

We must act, before another mother mourns another needless death. Let this be the moment we choose compassion over convenience, and responsibility over neglect.



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