

MEMORANDUM

NO RARE EARTH FOR GENOCIDE

Protect People • Protect the Planet • Protect Peace

A Civil Society Memorandum calling on the Malaysian Government to prevent rare earth industry from contributing to an ongoing genocide, foreign military supply chains and environmental harm.

Submit to

Federal Government of Malaysia

- Prime Minister of Malaysia
- Minister of Investment, Trade and Industry (MITI)
- Minister of Natural Resources and Environmental Sustainability (NRES)
- Minister of Foreign Affairs (Wisma Putra)
- Minister of Science, Technology and Innovation (MOSTI)
- Minister of Health (MOH)
- Minister of Finance (MOF)
- Ministry of Human Resources (MOHR)

Parliament of Malaysia

- All Members of Parliament

Government Agencies

- Department of Atomic Energy (Atom Malaysia)
- Department of Environment (DOE)
- Department of Occupational Safety and Health (DOSH)
- Attorney General's Chambers (AGC)
- Malaysian Investment Development Authority (MIDA)

Submitted by

The 'No Rare Earth for Genocide' Coalition

'No Rare Earth for Genocide' is a broad coalition of Malaysian environmental organisations, human rights organisations, youth movements, labour organisations, student groups, faith-based organisations and concerned citizens.

The Coalition was formed in response to the proposed agreement between Lynas Rare Earths Ltd and the United States Department of War (Pentagon), and to advocate for a rare earth industry that respects human rights, protects the environment and upholds Malaysia's commitment to peace and international law.

Coalition Members

- Malaysian Protest for Palestine (MP4P)
- BDS Malaysia
- Sahabat Alam Malaysia
- Greenpeace Malaysia
- Gerakan Gabungan Anti Imperialis (GEGAR)
- Save Malaysia Stop Lynas
- Aid Watch
- Ban War Criminals
- Rimbawatch
- Sekretariat Solidariti Palestin
- Consumers' Association of Penang (CAP)
- The Artivist Network
- i-AWARE
- Cinta Gaza Malaysia
- Malaysian Carnation Press
- Malaysian Voices For Sudan
- Students Against Genocide Malaysia (SAGM)
- Thousand Madleens To Gaza (Malaysia)
- Basirah
- Centre For Human Rights Research and Advocacy (CENTHRA)
- Angkatan Kesatuan Siswa Sosialis (AKSI)
- Concerned members of the public

(This list will continue to expand as additional organisations endorse this memorandum.)

OUR SHARED BELIEF

The Government of Malaysia holds the nation's natural resources in public trust for its people, entrusted in preserving them not only for the current generation but for the generation to come. Malaysians' health and lives are precious. The Government has a duty of care to exercise prudence and enforce the law and implement policies in the interests of the public, our environment for now and for the future.

The 'No Rare Earth for Genocide' coalition believes that Malaysia's rare earth industry should advance socially and ecologically equitable and sustainable critical mineral practices. The industry should help power the global transition to renewable energy and sustainable development, not repeating the same fossil fuel-driven imperialistic, colonialistic, unequal dynamics associated with human sufferings, endless costly armed conflicts, genocides, environmental degradation, and the exploitation of everything for the profits of the few powerful players.

Natural resources extracted from and processed on our land should never become part of military supply chains where there is a credible risk that they may facilitate genocide, war crimes, crimes against humanity or other serious violations of international humanitarian law and human rights. An overlooked aspect of the development and use of natural resources in the mining supply chain is the ongoing legacy of colonialism and exploitation led by multi-national corporations.

Likewise, no community in Malaysia should bear environmental and public health risks arising from rare earth processing due to inadequate environmental safeguards, ineffective grievance mechanisms, weak regulatory oversight and poor corporate governance.

Environmental justice, climate justice and humanitarian justice cannot be separated. A sustainable future and just economy must not be based on inequalities and ignite conflicts.

WHY THIS MATTERS

Malaysia has earned international respect as a country that consistently speaks out for peace, justice and the protection of civilians. Malaysia has supported the rights of the Palestinian people, called for accountability under international law and repeatedly affirmed that civilians must be protected during armed conflict. These values should also guide the governance of Malaysia's strategic natural resources. However, the rare earth deal between Lynas Rare Earth and the U.S Department of War is in direct contrast with Malaysia's longstanding solidarity with the Palestinian people.

On 16 September 2025, the UN Independent International Commission of Inquiry has concluded, in accordance with the 1948 Genocide Convention, that Israel has committed genocide against Palestinians in the Gaza Strip¹. According to their report, Israel has committed the following acts against Palestinians: (i) killing members of the group; (ii) causing serious bodily or mental harm to members of the group; (iii) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; and (iv) imposing measures intended to prevent births within the group. The report also found that statements made by Israeli officials, namely President Isaac Herzog, Prime Minister Benjamin Netanyahu and then Defence Minister Yoav Gallant, are direct evidence of genocidal intent.

Meanwhile, according to a report released by Cost of War Project at Brown University, the United States has provided at least US\$21.7 billion in military aid to Israel since October 2023 to September 2025². The report concluded that, “without U.S. money, weapons and political support, the Israeli military could not have committed such rapid, widespread destruction of human lives and infrastructure in Gaza”.

Despite the conclusion found by the UN Commission of Inquiry, the U.S. continuously assists Israel in their genocidal project. In January 2026, the U.S. House of Representatives approved another US\$3.3 billion of military aid to Israel³. Thus, by funding the Israeli military, the U.S. government is deeply complicit in the genocide against the Palestinians.

According to the International Court of Justice, all State Parties to the Genocide Convention are obligated to employ all means available to prevent genocide. Responsibility may incur if State Parties fail to take all measures within their power to prevent genocide and which might have contributed to preventing the genocide⁴. Furthermore, the UN Commission of Inquiry outlined several recommendations to member states regarding Israel’s genocide, which include to “cease the transfer of arms and other equipment or items, including jet fuel, to the State of Israel or third States where there is reason to suspect their use in military operations that have involved or could involve the commission of genocide”.

¹ [Legal analysis of the conduct of Israel in Gaza pursuant to the Convention on the Prevention and Punishment of the Crime of Genocide](#) (Office of the High Commissioner United Nations Human Rights, 2025) accessed 27 June 2026

² [U.S. Military Aid and Arms Transfers to Israel, October 2023 – September 2025](#) (The Watson School of International and Public Affairs, 2025) Accessed 27 June 2026

³ [House of Representatives approves \\$3.3bn in military aid to Israel](#) (Middle East Eye, 2026) Accessed 27 June 2026

⁴ [ICJ. Case Concerning Application of the Convention on the Prevention and Punishment of the Crime of Genocide](#) (International Legal Materials, 2007) Accessed 27 June 2026

Rare earths are key materials to advanced military technologies such as F-35 jets and Tomahawk missiles⁵. Thus, the deal between Lynas and the Pentagon is not only morally reprehensible, but it also positions Malaysia to be legally culpable of genocide complicity. There is credible reason to suspect that the rare earth proposed to be exported to the U.S. Department of War may be used for the purpose of genocide in Gaza. Recently, the illegal strikes on Iran by the U.S may also put Malaysia at risk of being complicit in the country's possible commission of war crimes⁶.

The Malaysian Government has the responsibility to ensure that rare earth processes in Malaysia are not used in ways that can further contribute to the killing of children and innocent civilians. As a State Party to the Genocide Convention, Malaysia must take all measures to prevent the ongoing genocide against the Palestinian people, which include banning the export of rare earths to the U.S. military-industrial complex that is deeply complicit in the genocide. The Coalition believes that this responsibility extends beyond trade policy. As demand for critical minerals continues to grow, there is an urgent need to develop and strengthen related policy and legal frameworks in ways that serve the public interest. This includes safeguards for environmental protection, public health, corporate accountability, democratic oversight and full respect for international humanitarian law and human rights.

OUR ENVIRONMENT IS NOT A SACRIFICE ZONE

War-related environmental destruction is presented in harsh realities. Climate scientists found a sharp increase in carbon emissions since the start of the war linked to the conflict and genocide.⁷ There is irreversible damage to natural ecosystems, and civilians are facing soil, water and air pollution. Ceasefire and peace processes must integrate environmental restoration and resilience-building measures.

Various human rights abuses are recorded across the life cycle of critical minerals, which tend to disproportionately fall on marginalised groups, including local communities, Indigenous Peoples, workers, children and human rights defenders.⁸ For

⁵ [Is China's rare earths policy frustrating US upgrades to the F-35 stealth jet?](#) (South China Morning Post, 2025) Accessed 27 June 2026

⁶ [Over 100 International Law Experts Warn: U.S. Strikes on Iran Violate UN Charter and May Be War Crimes](#) (Just Security, 2026) Accessed 27 June 2026

⁷ [Israel-Gaza Conflict Carbon Emissions Exceeded 30million Tons](#) (One Earth, Volume 9 Issue 3, March 2026)

⁸ Annex III: overview of compliance cases before international financial institutions on renewables and transition minerals, to the report 'A human rights-based approach to the energy transition' (A/80/188), <https://www.ohchr.org/sites/default/files/documents/issues/climatechange/iii-additional-materials-overview-compl.pdf> accessed 27 June 2026

more than a decade, Malaysians have expressed concerns regarding radioactive waste management, environmental monitoring and the long-term impacts of the rare earth value chain.

Communities living within the proximity of industrial facilities have the fundamental right to transparency, independent scientific assessment and the highest standards of environmental protection; a clear and comprehensive regulatory framework must be promulgated to reflect that.⁹ After all, environmental responsibility does not end when minerals leave a processing plant. Responsible stewardship requires governments and corporations to consider the full life cycle of these technologically altered resources, from extraction and processing and all the way to waste management and their downstream use. The existing domestic standards of storing and disposing of radioactive waste poses a huge safety risk to communities and workers.

Corporations also have an independent responsibility to respect human rights within their operations and value chains.¹⁰ Malaysia should commit to international human rights instruments such as the Universal Declaration of Human Rights, Genocide Convention and other supporting conventions. Malaysia should respect, protect and fulfil human rights, including the components of the right to a healthy, clean and sustainable environment. Protecting our environment also means protecting our values.

MINIMISING WARMING BELOW 1.5°C

The climate emergency demands a decrease in greenhouse gas emissions and net-zero emissions by the end of the century, but we are nowhere close to those targets, where planetary boundaries¹¹ are also alarmingly breached. Every season, people all over the world, including our own country, suffer losses and hardships due to disasters linked to failures to keep global warming temperatures below 1.5C. Military and conflict-related emissions are often not reported, exposing a critical gap in global climate governance. With military expenditure projected to rise, associated emissions trajectories call for urgent scrutiny.¹² The compounded rise in war and conflict today is impacting the environment, clean air and the climate.

OUR CALL TO THE GOVERNMENT OF MALAYSIA

⁹ [Resourcing the Energy Transition: Principles to Guide Critical Energy Transition Minerals Towards Equity and Justice](#) (UN, 2024)

¹⁰ [Guiding Principles on Business and Human Rights](#) (UN, 2011)

¹¹ [Planetary Boundaries and Planetary Health](#) (Planetary Health Alliance)

¹² Submission to the UNFCCC Global Stocktake: Military and Conflict Emissions, <https://unfccc.int/sites/default/files/resource/GST%20MILITARY%20EMISSIONS.pdf> accessed 27 June 2026

The No Rare Earth for Genocide Coalition calls upon the Government of Malaysia to uphold four fundamental responsibilities.

First: Protect Life

Ensure that rare earth materials processed in Malaysia are not supplied for military use and associated with serious violations of international humanitarian law and genocides.

Second: Protect Our Environment

Require the highest standards of environmental governance, transparency and proactive disclosure of monitoring data, including full compliance with all environmental licensing conditions, responsible management and disposal of radioactive waste, as well as independent scientific oversight.

Third: Protect Public Trust

Strengthen transparency, parliamentary oversight, and public participation in decisions related to mineral exports, environmental approvals, and regulatory compliance.

Fourth: Protect Malaysia's Integrity

Ensure that Malaysia's industrial development, foreign policy and environmental governance remain consistent with the country's longstanding commitment to peace, justice, environmental stewardship and respect for international law.

OUR DEMANDS

The No Rare Earth for Genocide Coalition calls upon the Government of Malaysia to take the following immediate actions:

1. Stop the Lynas-Pentagon Rare Earth Deal and Prevent Malaysian Resources from Contributing to Atrocities

Immediately require Lynas Rare Earths Ltd to cancel its proposed agreement to supply approximately **US\$96 million** worth of rare earth oxides to the United States Department of War (Pentagon).

Suspend all exports, pending an independent review, under the proposed agreement to ensure that Malaysian-processed rare earth materials are not exported where there is a credible risk that they may contribute to genocide, war crimes, crimes against humanity or other serious violations of international humanitarian law.

2. Ensure Full Transparency and Independent Public Accountability

Require Lynas to publicly and proactively disclose:

- the end-use arrangements for rare earth exports under the proposed agreement;
- the identity of the ultimate end-users where disclosure is legally possible;
- independent audits and due diligence relating to military-related supply chains; and
- relevant information demonstrating compliance with Malaysian and international laws and regulatory requirements.

The Government should also establish an independent review of the humanitarian, environmental, legal and public policy implications of strategic mineral exports involving military-related end-users.

3. Put Environmental Protection and Public Health First

Suspend Lynas's current operating licence until all of its original obligations as stipulated in the previous licensing conditions are complied with, especially those pertaining to removal of its Water Leach Purification (WLP) waste from Malaysia.

Independently review the adequacy of the current regulatory framework and guidelines pertaining to management and disposal of mining industry's radioactive waste against established international standards and management guidelines on hazardous waste containing long-lived radionuclides.

Reject all future proposals to expand Lynas' operations until all outstanding environmental obligations have been independently verified and fulfilled, especially those pertaining to radioactive waste management and disposal ensuring the protection of public health, local communities and the environment.

4. Reform Malaysia's Mineral Governance

Introduce comprehensive legislation governing the extraction, processing and export of Malaysia's strategic minerals.

The legislation should:

- prohibit exports where there is a credible risk that Malaysian strategic minerals may contribute to genocide, war crimes, crimes against humanity or other serious violations of international humanitarian law;
- require mandatory human rights and environmental due diligence;
- strengthen corporate accountability and supply chain transparency; and

- provide effective parliamentary oversight and public participation in decisions involving strategic mineral exports.

5. Demonstrate Malaysia's Leadership for Peace and Justice

Strengthen Malaysia's diplomatic leadership by working through the United Nations and other appropriate international mechanisms to promote accountability, protect civilians and advance compliance with international humanitarian law.

Malaysia should also advocate for stronger international standards to prevent strategic resources from being used to facilitate serious violations of international humanitarian law and encourage greater international cooperation on responsible supply chain governance.

Conclusion

Malaysia can become a global leader in responsible critical mineral governance. A responsible industry that supports a just energy transition is one that:

- advances the clean energy transition;
- protects biodiversity, ecosystems and public health;
- respects Indigenous Peoples, workers and local communities;
- operates transparently and responsibly;
- upholds human rights throughout the supply chain; and
- contributes to peace rather than conflict.

Malaysia's natural resources should help build a cleaner, fairer and peaceful future. They should never come at the expense of people, the planet or our shared humanity.

Protect People. Protect the Planet. Protect Peace. No Rare Earth for Genocide.