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The World Commission on Dams
5th floor, Hycastle House
58 Loop Street
PO Box 16002
Vlaeberg
Cape Town
SOUTH AFRICA

Telephone: +27 21 426 4000
Fax: +27 21 426 0036

Website: <http://www.dams.org>

Email: info@dams.org

Dr Kua Kia Soong,

Director of SUARAM* & Spokesperson for the Coalition of Concerned NGOs on Bakun

Empty promises, damned lives:

The resettlement of nearly 10,000 indigenous peoples for the Bakun HEP dam project

1. Brief Background to the Bakun Hydro-Electric Project

Malaysia's Bakun Hydro-Electric Power (HEP) project on the Balui River in Sarawak has been riddled with controversy ever since it was first proposed. During the recent financial crisis, it was abandoned for the second time since it was first proposed in the Seventies. But despite the stalling of the project and the downscaling of the project from 2,400 MW to 500 MW capacity, and against all the recommendations by anthropologists and other experts who did the feasibility studies, the authorities have gone ahead with the forced resettlement of nearly 10,000 indigenous peoples. The table below provides a brief summary of the history of the Bakun HEP project:

- 1970s: Initial studies to assess the hydroelectric potential of Sarawak's rivers were done by SESCO, the Sarawak Electric Supply Company.
- 1980: The SAMA Consortium, a joint venture of German and Swiss consultants together with the Malaysian authorities, was commissioned to conduct feasibility studies. Bakun was identified as one of four possible dam sites. It was to have a power generating capacity of 2,400MW even though the projected energy needs for the whole of Sarawak was around 200MW in 1990. This project was thus coupled with the proposal to build a (world's first) 650 kilometre undersea cable across the South China Sea to carry the excess electricity to Peninsular Malaysia. The SAMA feasibility studies were, and continue to be classified information under Malaysia's Official Secrets Act (OSA), under which there is a mandatory jail sentence of two years for offenders.
- 1980s: There were protests against the dam by Malaysian NGOs and the indigenous peoples whose ancestral lands were to be drowned by the Bakun Dam. There was also protests against a proposed heavy energy-consuming and highly-polluting aluminium smelting project in Bintulu.
- 1986: Bakun project was abandoned because of the economic recession although the Prime Minister, Dr Mahathir announced just before the UN Conference on Environment and Development at Rio that it was "proof of Malaysia's commitment to the environment" (*New Straits Times*, 13.6.90).
- 1987: At least two NGO activists were arrested and detained under "Operation Lallang" using the Internal Security Act (ISA), which allows detention without trial, for their anti-Bakun Dam activities earlier.
- 1993: With the upturn in the Malaysian economy in the early Nineties and the energy crisis with the national blackout in 1992 (See Kua Kia Soong, *Malaysia's Energy Crisis: The Real Issues*, Oriengroup 1996) the Government announced the revival of the Bakun HEP project. To cushion the expected protests, the Energy Minister announced in Parliament that it would not be one large dam but "a series of cascading dams" and that it would be a privatised project. Before long, it was announced that the Bakun Dam would be a massive 205-metre high concrete face rockfill dam, one of the highest dams of its kind in the world, and it would flood an area of tropical rainforest the size of Singapore Island (69,640 hectares). Transmission of electricity required 1,500 km of overland wires and four 650 km long high-voltage cables to be laid under the South China Sea.
As far as the State government was concerned, "Bakun would ensure that Sarawak will become the powerhouse of Malaysia". The spin-off effects of the project were to be the attraction of foreign investment to the State and therefore industrial development in

which the establishment of an aluminium plant, a pulp and paper plant and perhaps the world's biggest steel plant were specifically mentioned; the development of a high-tension and high-voltage wire industry; and the development of the Bakun area as a tourist resort.

- 1994: The contract for the 2,400 MW Bakun Dam project was awarded to Ekran Bhd without an open tender process.
- 1995: The first of four Environment Impact Assessments was approved in March 1995 and work started on site clearance for office construction, an airport, reservoir and diversion tunnels.
- 1997: With the onset of the Asian financial crisis, the Bakun project was put on hold for the second time.

Concerned NGOs and indigenous peoples were relieved that at least they could remain in their traditional ancestral homes while the fate of the project was still unclear. Meanwhile, Ekran Bhd had subcontracted another Ting Pek Khiing company, Pacific Chemicals, to harvest 1,000 hectares of forest and extracted 79,000 cubic metres of timber within the Bakun area. On 7 September 1998, the federal Government offered to pay Bakun HEC Bhd RM811 million to take over its assets and liabilities in order to enable the federal government to take over the implementation of the project. More than half of this sum was intended for reimbursing Ekran Bhd for the expenses incurred in management and implementation of the project prior to its takeover by the federal government. In the process, a total of RM950 million will be paid out by the Government as a result of its decision to take over the project. This includes RM390 million to Ekran Bhd; RM436 million to financial institutions; RM24 million to Dong Ah, the contractor for the river diversion tunnels; RM100 million to equity holders of BHEC whose shareholders are Ekran Bhd (42.6%), Sarawak Government (25.3%), Sesco (12%), Khazanah Nasional (6.67%), Tenaga Nasional (6.67%) and EPF (6.67%). Assets and liabilities of the company include the river diversion tunnels, Bakun Resort, Bakun airport, Tubau jetty and RM100 million in cash.

- 1999: The Malaysian government announced that the project would be resumed albeit on a smaller 500MW capacity rather than the previous 2400 MW capacity. Despite the fact that the design for the downsized dam had not been prepared and the fact that the area to be filled by the new reservoir would be at least one-fifth the previous size, all the indigenous peoples (nearly 10,000) from 15 longhouses had been forcibly resettled at the Sungai Asap Resettlement Scheme by August 1999 under "Operation Exodus".

2. Secrecy in Decision Making

Ever since the project was first proposed, concerned Malaysian NGOs have consistently raised the issue of the lack of clear information and accountability with regard to the Bakun project. Just about every aspect of the project, including the plans for resettlement, has been shrouded in secrecy, vague promises and there has been poor consultation with the affected victims and NGOs.

At least seventeen studies by the SAMA consortium were commissioned with regard to the project. But these remain classified. Not only that, the Sarawak State government has taken pains to ensure that none of these studies are made publicly available. A Canadian anthropologist, Jerome Rousseau has stated that, as part of his contract with the Sarawak state government, he was asked to sign a confidentiality clause. This he refused to do. His study, openly available, is a highly instructive one with reference to the issues, needs and flaws in the planning for the resettlement. Other researchers contracted by the government did sign a confidentiality clause, meaning that their work and suggestions remain secret. (*See Jerome*

Rousseau: The Bakun HEP Project and Resettlement: A Failure of Planning in "Power Play: Why the Bakun HEP Project is Damned" , INSAN 1996)

The availability of so much information makes the shambles that the present resettlement exercise represents all the more difficult to accept. Not only were there specific studies done on the Bakun communities, but there existed studies of previous schemes within Sarawak (not least, the disastrous Batang Ai resettlement scheme) as well as a plethora of studies from elsewhere in the world as to the principles and pitfalls that could be anticipated in any resettlement process. The World Bank, of course, has provided a number of documents, including a clear statement of the kind of mistakes that must be avoided in resettlement projects but the Sarawak authorities have chosen to ignore just about every positive recommendation of these studies.

These reports have stressed the need for early and full consultation with the affected communities ("participation"); to fully incorporate the needs and aspirations of the affected communities and to preserve as far as possible their autonomy and cultural identity; to provide a series of alternatives; to ensure that adequate fertile land be provided at any new locations; to avoid any traumatic, drastic change in lifestyle and environment; and to support, monitor and evaluate any resettlement project as it develops.

The SAMA studies, for example, had specifically recommended that the resettlement should be done as late as possible and in two phases. The first part should take place after the diversion tunnels are ready and the second part, when the dam itself is completed. The dam is of course nowhere to be seen, and the building of the diversion tunnels too has been dogged by problems and it, too, is nowhere near completion. Other studies had recommended the provision of alternatives for the people, for example utilising land further up the Balui, closer to the original site and more likely to preserve cultural identity and continuity. These could have been (and still could be) further assessed. The last thing that should happen, but which has happened in the case of the Bakun resettlement scheme, is that indigenous peoples are told where to go and what to do. In other words, they have been presented with a *fait accompli*.

The Sarawak state authorities cannot claim ignorance of the experience of resettlement schemes elsewhere in the world because they were responsible for an earlier planning disaster at the Batang Ai resettlement scheme which they themselves had implemented in the early 1980s.

The Batang Ai resettlement, like Bakun was the result of the building of a hydro-electric project, which saw some 21 long houses and over 3,000 indigenous people forcibly displaced. More than 80 per cent of the resettled people now say that they are worse off than before. They complain that there was poor consultation, poor information, many promises which were subsequently broken, unattended grievances relating to their compensation claims and a lack of proper counselling and preparation on financial management (Compensation payments involve the sudden possession of a sizeable amount of cash which indigenous people have hitherto never been used to). Other problems at the resettlement site include: highly inadequate provision of farming land; high expenses for basic facilities like housing, water and electricity; few employment opportunities; new social problems such as gambling, drinking, indebtedness, family dislocation and a worsening of women's position in the community. Not surprisingly, a major report on the Batang Ai experience, by Dimbab Ngidang, remains classified.

All these reports have pointed to the potential dangers of the Bakun resettlement. They talk about the need to preserve cultural vibrancy in the new locations; they argue for alternatives; they point out that the Asap resttlement site has inadequate land; they warn about the dangers of forcing the indigenous people into a monetised economy that would lead to dependency (loss

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of autonomy), migration (for jobs), indebtedness, and they warn that all this will intensify social problems, including a worsening situation for women, gambling, alcoholism, prostitution and general family and community breakdown.

The issue of accountability also pertains to how contracts relating to the Bakun HEP and the resettlement have been given, to whom have they been given, and who is actually benefitting from the project. Of course, the way in which the overall contract for the Bakun HEP was given to Ekran, without tender and without any transparent process, has already been the subject of serious concern. This was amplified when Ekran proceeded to subcontract a number of projects to companies like Pacific Chemicals, which coincidentally were directly connected to Ekran boss, Ting Pek Khiing. Again, there was no publicly accountable process involved.

In terms of the resettlement, there are a number of questions that need to be raised. First of all, we should be told who gained from the various contracts for the building of the new site. Apparently some 300 million Malaysian ringgit was set aside for the resettlement. How has this money been spent? Where is the accountability?

A number of companies have been named as recipients of contracts at the Asap site. First and foremost, a British-based company, Bucknalls, was apparently given the contract for building the new longhouses. It seems absolutely extraordinary that a foreign company with no previous experience of either the design or construction of longhouses be given this contract. How much were they paid? What responsibility did they exercise with regard to the costs of the housing, the design, the standards of materials and labour used, the adequacy of the completed job and the response to grievances? What was their relationship to sub-contracts - did they properly assess subcontractors, properly supervise their work and call them to account?

It is clear that the hurry to resettle these indigenous peoples is linked to the fact that the contracts for the Asap Resettlement Scheme had been given out before the onset of the economic crisis. It was also calculated that money could be made from oil palm plantations in the resettlement area. The displacement of the Balui population was thus part of the plan to convert them into wage labourers for these plantations. The State is in fact subsidising these plantation interests not only in creating this pool of cheap labour but in the budget allocation for the Asap Resettlement Scheme.

3. Controlled Consultation Process

From the beginning, the Sarawak state government seemed determined to control who would be consulted and how, and in the process ensured that the majority in the affected communities remained ignorant of the state plans and could not contribute to decisions affecting their lives.

The state authorities first set up the Bakun Development Committee (BDC) to act as THE forum for consultation. This committee was made up of government-appointed persons, including government officials, politicians and local headmen, and failed to command the confidence of the majority of the affected people. The BDC itself complained of lack of information from the government and indeed, its own recommendations from a two-day workshop in 1995 were ignored. Nevertheless, the state government continues to insist that the BDC is the only 'legitimate' channel for grievances.

Some of the local indigenous people set up alternative structures to voice their concerns and to ask for proper consultation. The Indigenous Peoples Development Committee (IPDC) and the Bakun Peoples Regional Committee (BPRC) were two such groups. However, any initiatives

emanating from these groups were ignored by the government. Letters and petitions from individual long houses or individuals have also been ignored.

4. Displacement to the Sungai Asap Resettlement Scheme

The schedule for the resettlement exercise, as for the Bakun project as a whole, has been subject to constant change, adding to the general uncertainty and trauma faced by the indigenous communities. It was first announced that the resettlement would take place in 1997. This was postponed several times, as it became clear that the announced schedule for the Bakun HEP as a whole was wildly optimistic and also the fact that the resettlement site itself was not complete.

But despite the fact that the Bakun HEP project had then been put on hold in November 1997, the plans for “Operation Exodus” went ahead. One can only surmise that the Government had to justify spending on the Asap Resettlement Scheme. Two other objectives for the forced resettlement include the eviction of the indigenous peoples from the forest land to be exploited and the “freeing” of the indigenous peoples from their traditional lifestyles to become wage labour for the plantations and other industries.

The first families, the Ukit from Long Ayak, were moved in September 1998. Subsequently, families from other communities were moved and Operation Exodus was completed in August 1999. It should be noted that not all families from each community have moved to the new site - some have decided to move to other sites, which have not been designated by the government. According to our figures, the situation is as follows:

Table I: Families that have remained at their original homes on the Balui River

Longhouse families remaining	Original no. of families on the Balui	No. of families	No. of who have moved
Long Geng	250	205	45
Rumah Daro	45	43	2
Batu Kalo	75	41	34
Bato Keling	90	78	12
Long Bulan	170	133	37
Long Jawie	205	196	9

**Source: Coalition of Concerned NGOs on Bakun, “Empty Promises, Damned Lives: Evidence from the Bakun Resettlement Scheme in Sarawak”, Suaram Komunikasi, Kuala Lumpur 1999: 25*

Then there are the residents on the Balui river who have chosen to build new longhouses further upstream. The situation is as follows:

Table II: Families that have moved to new long houses further upstream

Longhouse	New Settlement Upstream
Long Geng	Long Lawen – residents have already shifted
Batu Kalo	Up the Sg Bakau - new houses are almost completed.
Batu Keling	Apau Bulu – residents have already shifted
Long Bulan	Sang Anau, an old logging camp – residents have already shifted
Long Jawie	A site has been identified.

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We have noted above the reluctance and apprehension of the indigenous people to move to the Sungai Asap Resettlement Scheme. In order to get the people to move, the Government had to resort to inducements. In this strategy, the *tuai rumah* (government-appointed head of the long house) was sought and informed about the move. Besides other preferential treatment, these community leaders were also given the community compensation funds to administer without having to meet full accountability procedures. In this way, the task of persuading the people to move was given to the *tuai rumah*.

A major lever that was used to force the indigenous people to move to Sungai Asap was the withholding of the remainder of the compensation payment (some 70%) until they had moved. Even so, months after they had moved, residents at Sungai Asap were still complaining that they had not received the major portion of the compensation due to them. This was confirmed by the Fact-Finding Mission to Bakun when they interviewed residents and officials in May 1999. (See Coalition of Concerned NGOs on Bakun 1999: 28)

This is both legally and morally questionable. The compensation due to the affected people is intended to be payment for the loss of their land and property. It belongs to them (individual compensation) and their communities (community compensation) as a right and should not be tied to any condition pertaining to their prospective place of residence.

The authorities also promised the affected people adequate plots of land (3 hectares), reasonable housing, jobs and other facilities at the Asap Scheme. They had no previous experience of the Asap Resettlement Scheme until their final exodus, which is a very costly journey. They had to sign the Sales & Purchase Agreement on arrival as a condition for obtaining the keys to their new homes.

As a further pressure for the indigenous people to move to Asap, the authorities closed all support services (schools, clinics, etc) in the original long houses and all those who stay behind or move further upstream have been warned that henceforth they are trespassing on state land and liable to be forcibly evicted. Those who refuse to move to Asap have been told that they will lose their right to their compensation payments.

This is hardly the situation within which such a traumatic experience for the indigenous peoples who have lived for generations in their ancestral homes, should be taking place. Instead of receiving all manner of assistance to settle in to the new life, they have had to put up with veiled threats and (empty) inducements. The entire “Operation Exodus” has shown a failure of planning and decision planning. The state of the Asap Resettlement Scheme itself further confirms this fact.

5. Grievances at the Asap Resettlement Scheme

A Fact-Finding Mission was organised by the Coalition of Concerned NGOs on Bakun (Gabungan) in response to reports of serious grievances expressed by indigenous peoples involved in the Bakun Hydro-electric Project (HEP) resettlement programme. Doubt about the project and about the resettlement was shared by many people and organisations, within Sarawak, Malaysia as a whole and outside the country. As a response, the Coalition was established in 1995. It has consistently had a membership of some 40 Malaysian non-government organisations and has acted to mobilize public opinion against the misconceived Bakun project and to support the indigenous peoples affected by the dam.

The Mission's objective was to investigate the resettlement process and to make recommendations for action based on this investigation. The Mission interviewed indigenous people who had already moved to the Asap Resettlement Scheme; assessed the physical state and facilities at Asap; investigated the process of resettlement with specific reference to compensation payments, charges, and also talked to government officers and politicians involved in the resettlement to get their comments and perspective.

The Mission accomplished these aims by staying at the longhouses at Asap, interviewing headmen and ordinary indigenous people and families, of all age groups; documenting the physical condition of the site; staying with and talking to indigenous people who had refused to move to the new site; and interviewing Government representatives and officials both at local level, in Belaga and Kapit, and at Sarawak State level, in Kuching.

The Fact-Finding Mission was in Sarawak from May 7th to May 14th, inclusive. It was comprised of six members, each with different expertise:

Dr Kua Kia Soong, sociologist and former Member of Parliament;

Dr Kumar Devaraj, medical officer;

Mr. N. Surendran, lawyer, Bar Council Legal Aid Centre;

Ms. Zaitun Kassim, representative of All Women's Action Society;

Mr. K. Simon, representative of Education and Research Association for Consumer;

Mr. Mathew Loke, video documenter.

During the time they were in Sarawak, they interviewed over 300 people affected by the resettlement, as well as people from government departments, politicians, academics and non-government organisations. The 300 people interviewed included people who had already been moved to the new site, as well as people who had either not moved, or who had moved to a different site, chosen by themselves. In Kuching, the Mission met with the State Government ministries and agencies, including the State Planning Unit, the State Assembly and the offices of the Land Consolidation and Development Authority (LCDA). The Mission discovered the following complaints:

- **Why Move?**

The decision to go ahead with the resettlement despite the fact that the postponement and scaling-down of the Bakun project was uncalled for. >From interviews with local officials, it is clear that the whole resettlement plan has been a top-down process with no opportunities for dissent. In some cases, such as the Resident at Kapit, his attitude reflected the arrogance of officialdom. When the mission members brought up the grievances expressed by the displaced people and the appeal for alternative relocation sites, his response was one of indifference: If they occupy state land, they will be charged, they will be driven out. The officer in charge of the Bakun project at the Belaga District Office displayed a complete lack of accountability by refusing to talk to the mission when they called at his office. Similarly, the officer responsible for the controversial compensation payments at the State Land Survey Department did not even display any civility toward the mission members by showing them the door.

- **Compensation**

The way indigenous land in the Ulu Belaga area (the site of the Bakun HEP) was surveyed and compensation figures assessed is highly suspect. Most of the residents with whom the Mission talked claimed that the major portion of their land had not been surveyed. They stated that only relatively small areas in the vicinity of their long house were taken into account.

This may reflect the underlying prejudice and negation of indigenous native customary claims to land which has long been a feature of the Sarawak state government's policy. For indigenous people, their land comprises of particular land serving particular purposes. Their *temuda* represents the area of land around the longhouse, including their farmed land. Their *menoa* is the area of land (forest) which is their ancestral domain and which they use for hunting and gathering. Their *pulau* is an area of land set aside for water catchment and for material extraction for building, for example. *Dampa* are cultivated fields a distance away from the longhouse.

Each part of this land serves a particular purpose in sustaining the spiritual and economic health of the community. If proper respect is to be paid to the affected indigenous communities, and due compensation paid, then all such land should be recognised for what it is and what it is worth. We should add that, in order to attempt to preserve as far as possible the farming and cultural identity of the communities, similar land should be available at alternative site(s).

However, this has not been the case. In general, the Sarawak state government has enacted successive land legislation which has consistently undermined native customary rights to land. In particular, it has in practice denied recognition and rights to *menoa* and to *pulau*. In the case of the survey of the Bakun communities, it would appear similar denial was practised.

It would be pertinent if the Sarawak state government made public its survey and the basis on which it was done. In assessing compensation, the State government have allocated varying amounts for different parts of the compensation process. Out of the land survey, there is individual compensation (for individually cultivated crops, fruit trees, and so on) and a community fund, representing compensation for communally held land (though most of the communities would claim more than just the *temuda*, as explained above). The community fund is administered by the community itself, and different communities have made different decisions as to how this is paid out. Some, for example, have given a per person pay out (with certain conditions, such as residential qualifications) and some have given per *bilik* (family).

Over and above these compensation, there is a disturbance allowance and a moving allowance (transport). There will also be a figure worked out for compensation for the original housing, which is offset against the charge for the new home. The amounts of compensation vary widely from individual to individual and from community to community. For individuals, the amount may be as little as nothing to as high as the reputed payment (not confirmed) of RM700,000 to a particular headman. Whilst to present an average amount is relatively meaningless, it is the case that such compensation in the vast majority of cases is nowhere near the RM52,000 being charged for the new home.

Community funds also vary widely depending on the size and valuation of the communal land surveyed. The Long Geng community, for example, already have been able to pay some RM4,000 per head, which reportedly represents just one-third of the total amount received by the community. This is a relatively larger figure - other communities will have much less because of the smaller amount of land originally assessed as theirs.

Because there has been no transparency in the compensation accounting, there have been allegations of irregularities in the process. One headman was alleged to have been given as much as RM700,000 because (it was claimed) he managed to claim land that was not his. Indeed, the alleged enrichment of those close to the government (or 'bought off by the

government'?) is an issue that was mentioned several times to Mission members. There are reported worries about the management and use of community funds. At the same time, apparently arbitrary payments were made to individuals as compensation for crops and other items. For example, a sliding scale has been used for fruit trees, so that a *durian* tree may be compensated for anything between RM 14.30 and RM48.60, *lensat* from RM 14.00 to RM 26.40, and so on. It was not clear to people how this assessment was made. In addition, apparent anomalies, such as the headman for Long Sah B Baru being reportedly paid 90 sen as compensation for the burial grounds of his ancestors, further indicate arbitrary payment.

The Sarawak state government has said that some RM 168 million was set aside for compensation payments. State Minister James Masing announced (May 19th) that RM 107 million had already been paid out, RM 8 million had been deposited in the High Court for distribution to the residents yet to sort out their internal disputes over who owned and owns what, and the rest given to the Kapit District Office for outstanding payment. So that everyone knows exactly how this money has been spent, we recommend that an independent audit be done on this and other financial aspects of the resettlement project (and the Bakun project as a whole), to put to rest any suggestion of irregularity, favouritism, arbitrariness or other inadequacies.

- **Site Conditions**

The site conditions are quite appalling considering they are scarcely a year old. Lack of an adequate sewerage system, lack of rubbish disposal, lack of proper access roads are serious faults, threatening the health and longer-term sustainability of the communities. The plumbing is made of PVC pipes which can be seen under the houses, connected to the septic tank. Leakages in some of these pipes are already noticeable, despite the newness of the scheme. No apparent remedial action has been forthcoming from the authorities. Sewerage waste at some of the long houses flow directly into the river near the long houses (we saw this at the Long Geng and Long Ayak resettlement area).

The long houses do not have a proper drainage system. There are no concrete drains and there are already sections of stagnant and putrid water in the mud drains which take discharge from the houses. This is unsanitary and pose a health hazard, being mosquito breeding grounds and pose risks to children who may play with the water.

Rubbish collection is another problem faced by the community in the resettlement area. It is non-existent. The access road is too narrow for the rubbish collection lorries. Rubbish disposal is an essential service. During our stay at the site, we noticed at one long house residents were tipping rubbish into the stream, while at another, it was being dumped in a heap not far from the long house. They have no alternative. The question is: Who planned this site and how could the design have been passed with such basic flaws?

- **Quality of Housing at Asap**

The situation with regard to the housing provided at Asap is appalling. Not only is the design and condition of the new houses inadequate, but indigenous people are being forced to pay some RM52,000 for a unit through a contract that has not been explained to them and is written in English legalese. The price of the house is extraordinary, given its shoddy quality, its location and the paltry amount of compensation paid for the original buildings which were of far greater substance and relevance to the people. Sarawak is supposed to be one of the world's main suppliers of wood. (For comparison, a concrete properly finished low-cost house in Peninsular Malaysia costs only RM25,000!)

The longhouses are of standard design. Each longhouse has fifteen units (*bilik*). They are arranged on two storeys. Downstairs is a hall and a kitchen, with a bathroom and toilet. Upstairs is just one open room, presumably for sleeping. The common balcony () is much narrower than a traditional longhouse design, meaning it is difficult to use for traditional communal activities. Other than the roughly cemented toilet and bathroom floors, and the bathroom and toilet walls which are of asbestos, the houses are made of wood - very poor quality wood at that. The doors and wall panels are of plywood, the floor boards are thin third-grade soft wood with gaps between the planks, while the main pillars are thin *belian* wood.

The long houses at Asap have been designed without any indigenous peoples' inputs. Instead, a British-based company (Bucknall's) was given the contract! And the serious fact remains that no Certificate of Fitness has been issued and this is a serious irregularity in the planning process for the site. The State authorities have in fact acted against the municipal laws of Malaysia.

- **Inadequate Land**

Residents claim that they had asked for ten acres each at Sg Asap. They were promised seven but only received three acres. Three acres of land is hardly sufficient to meet their needs. The fertility of the soil is inadequate for much of the land is situated on swampy or hilly areas. The size of the land is also inadequate. Further, despite prior warnings, the state authorities have failed to provide for the circumstance whereby the indigenous people have had to abandon their previous land (and crops) but have had no time to cultivate the new land. There is thus a dearth of vegetables and fruits available at the site.

Several consequences have emerged from this. Firstly, the pressure on the existing land has meant almost immediately that there is a severe shortage of fish, game and jungle products. This, together with the lack of vegetables and fruits, has meant that the communities have been thrust immediately into a wholly cash economy, spending significant sums on purchasing food and materials which had previously been obtained for free. High transportation costs also means that the cost of such purchases are relatively expensive.

To attempt to offset this, some of the indigenous people have begun to cultivate state land, outside of the demarcated land for the resettled communities. Again, there is not enough of this extra land, and this has already led to inter-community conflict. In addition, the cultivation of such land (considered "state land") is likely to incur the wrath of the authorities, sooner or later, meaning such cultivation will be terminated.

It is not coincidental that while the mission was in Sarawak, the State Assembly actually passed an amendment to the Land Code to outlaw squatting on state land. This would have grave consequences for the indigenous peoples at Asap who have been using State land beyond the three acres they have been given. The mission found that this was a general practice of most of the people there. The other group of people affected by this amendment would be those who have chosen to move further upriver.

The failure by the planners to properly provide adequate alternative land again reflects an apparent inability to respect and honour what the indigenous people themselves had asked for, to properly respect and honour their culture and traditions, to respect and support sustainable farming and to respect and support provision for future generations. It further indicates how the indigenous communities have been treated like objects in a process which has provided a hopelessly inadequate alternative life for them, under the guise of 'development'.

- **Coping with a monetised economy**

The residents have been displaced from a subsistence/part-cash economy to a totally cash economy. Almost everything has to be paid for, including their staple rice, vegetables, wild boar, fish, even *buah pinang* and *sireh* which they used to get in abundance. There was a general loathing toward having to pay electricity and water rates. As they have no income, they have been living off their compensation money and this is almost finished now.

The cost of living for the households has increased dramatically after they move into the new resettlement area at Sg. Asap. Now, the people are burdened with electric and water bills, which they never paid before. In their origin home, they were using a diesel generator to generate electricity (the diesel was provided by the logging company at no cost) and the water supply came from the natural streams.

- **Limited opportunities for wage employment**

Although the State Government had envisaged the displaced people as wage labour for oil palm plantations, to date only one company has moved in. Even so, the seedlings will take at least five years to mature and allow harvesting work to be done. When the time comes, it remains to be seen whether the plantation interests will choose to employ the displaced Balui people or other migrant labour instead. From interviewing some local people at Asap, the plantation company Samling prefers to pay local people RM8 per hectare but they pay Indonesian labourers RM20 per hectare. Five companies have been given the green light to open up plantations, including the Sarawak Enterprise but only one has started. This again shows dismal planning by the authorities.

- **New Social problems**

- (a) **Breakdown of family relations**

While some have decided to stay on in their traditional long houses or have decided to set up new long houses upriver, their other family members have chosen to go to Asap for no better reason than that there are schools and clinics in Asap. These amenities have all been withdrawn from their former villages. The lack of employment opportunities at Asap will drive other youth, men and women to seek work in Belaga or Bintulu, Sibiu and even Kuching. This reality will be faced very soon when their compensation money has dried up. Thus communities will be split into disparate geographical areas. More worrying is the danger of the womenfolk being forced into prostitution in the logging camps, resorts, towns and cities.

The resettlement has caused a great deal of psychological trauma to the elders as well. Elders were very much part of the community and family structure, contributing members of the community and highly respected. Now, however, many feel that they are a burden to their families. The elders have a strong attachment to *adat* (traditional customs and values), and they lament that their community *adat* and activities are slowly but surely being abandoned, a fate best described as “ethnocide”.

- (b) **Distrust within communities**

The dispensing of compensation money has been the source of deep distrust within communities. The sudden flush of cash has completely changed the traditional values of these indigenous peoples. This distrust has been created also by the paltry payment to most and the exorbitant amounts paid to village elders. Investigations by the mission have revealed irregularities in the way in which the compensation for the community trust (30% of which has been paid so far) has been invested. The possibility that some village elders

have been corrupted by inordinately high compensation and investment irregularities may explain why they seem to be the only staunch defenders of the Asap Resettlement Scheme.

(c) Lack of social and recreational outlets for the youth

In their traditional long houses, the youth took part in the economic activities of their elders, gathering forest products, hunting, growing crops and partaking in the traditional practices of the long house. The verandah (*oseh*) outside the traditional long house is vast and is the arena for social activities and festivities. None of these activities required cash. At Asap, these activities are lacking and there is a distinct air of temporariness to the existence in Asap. The *oseh* of the Asap long house is too narrow to conduct proper social gatherings. The compensation money has been frittered away on consumables like motorbikes and alcohol, mainly beer and a cheap brandy-flavoured spirit which is 33% proof alcohol. At Long Geng Baru in Asap, there were around 50 motorbikes but these will no doubt be repossessed by the hire purchase companies when the payments are no longer forthcoming.

(d) Conflict between different communities

Almost all the people we interviewed told us they were not touching their three acres but were first working on the state land beyond. In the process, they have come into confrontation with people from other communities at Asap. This is inevitable since the state land at Asap is limited while the area has never seen such a density of population before. So far, the weaker ones have submitted to the stronger communities but they warn that there will be a flash point some time soon. This danger of placing the various indigenous communities with such different characters and numerical strengths in close proximity had in fact been forewarned by anthropologists in the 1980s studies. Regrettably, the officials interviewed have refused to acknowledge that this problem exists.

(iv) Impact on Women

For women, the resettlement has clearly had an impact on their access to and control of resources and their freedom. Based on the interviews, there appears to be greater dependency on others, primarily on the male members of the family or community. From having played a vital role in food production and income-generation activities, they are now increasingly dependent on others for material resources and for labour. This will reduce their significant role as producers and carers, educators and holders of communal knowledge, and guardians of culture.

Many women are becoming house-bound due to the circumstances of the resettlement area, and are becoming the sole carers for the children and the elderly. What was a more egalitarian way of life, where productive and reproductive roles were shared, is fast becoming one that favours men as heads, and is quickly leading to a situation where women are subordinate, secondary and supportive in their roles.

A woman whose access to land and its benefits have been removed or restricted feels powerless because rather than depending on herself, she has to depend on others. Within the family, a woman who is not able to contribute, either in production or income, is likely to have little decision-making power, little bargaining power and a lack of respect from her husband, or other male breadwinners in the family.

Male-defined work hierarchies mean that where paid work is concerned, women tend to end up as lowly-paid labourers in the new scheme or they have to leave their village to look for jobs in factories or towns. Women are usually the last in, first out, and they tend to be employed on a casual basis to ensure higher margins of profit. Their subordinate position

leaves them vulnerable to exploitation and abuse. Women on plantations are generally paid less than men. They also face threats to their health, especially in the use of chemicals in factories and pesticides in plantations. In most plantations, two-thirds of the pesticide sprayers are women. In addition, the heavy loads which women plantation workers are forced to carry have had adverse effects on women's health, leading to reproductive health problems and miscarriages, for instance.

The role of women in food production has been diminished. Previously, home gardens and *ladangs* that were within walking distance meant that women were very much involved in providing the household daily food requirements. The land around the houses in Asap are visibly barren, especially in Long Gang and Bato Kalo houses, and according to the residents, not very fertile.

Cooking is primarily done with cooking gas, yet another expense. Most households depend on the men who have access to vehicles to deliver the gas tanks. In the old *kampung*, a lot of the cooking was done with firewood which the women and men were able to gather nearby. There would usually be a spacious inside kitchen and an attached, firewood cooking area for preparing food that required a longer cooking time, like boiling root vegetables and for barbequeing meat. In Asap, the kitchens are markedly smaller, and there is no outside cooking area. Some families have constructed an outside cooking area so they can cut down on the cooking bills by using firewood and to continue traditional ways of barbequeing and cooking. However, they have been warned by the authorities that their kitchens will be knocked down because they are not aesthetically pleasing and are deemed a fire risk.

Most of the water used in almost every household is primarily for washing, cooking, cleaning, i.e. work that is generally associated with the roles performed by women. Thus the pressure to save on bills falls heavily on the shoulders of women.

Almost all the work involved in producing *rotan*-based items like mats, baskets, headwear and ornaments for household use or for sale, etc is done by the women. Although men sometimes help in gathering the *rotan*, the cutting and weaving is almost exclusively done by women. However, even this handicraft is slowly dying out in Asap as *rotan* is rapidly being depleted. They have to travel further to get this natural resource, which means they again have to depend on the men in the community who have access to motorised transport.

Women tend to be less mobile than their menfolk at Asap. Transportation, especially for long-distance travelling, is very costly at Sg Asap. It is provided by the owners of the land cruisers, at a price. It is important to note at this juncture that compensation money that was spent on the house, for example the purchase of various electrical appliances, furniture and cooking implements benefited the household as a whole. However, the motor vehicles that were purchased seem to be at the disposal of the male members of the community, either as personal transport or as an income-generating vehicle. All the motorbikes tended to be ridden by the boys and younger men, and all the landcruisers driven by men. Women are usually consumers of the service, but have no control over the vehicles themselves.

6. Grievances of families that have remained at their original homes or moved upstream

A significant number of families from the 15 long houses resettled so far have remained back at their original locations on the Balui river or moved further upriver for two major reasons: One, the strong links they feel to their ancestral land and secondly, the fear of facing the same problems faced by those who have moved to Sg Asap. These people are facing a different set of problems:

- **Denied compensation**

They have yet to receive the remaining 70% of the compensation of their crops and displacement allowance. Some residents have been told by the District Officer that they will not be receiving these payments because although they have moved from their original locations, they have not moved according to the resettlement plan i.e. to Sg Asap .

- **Closure of schools and clinics**

The schools and clinics at Long Jawie, Long Bulan, Batu Keling and Long Geng have been closed, so the families staying back in these longhouses have either to stop their children's schooling or to lodge them with relatives in either BeJaga town or in Sg Asap. Either of these options results in seeing their children less often as well as an increase in the cost of travelling. In fact, many who have moved to Asap have said that one of the major reasons they were compelled to move to Asap was the closure of their schools.

- **Lack of clear information**

Those who want to resettle further upstream face a dilemma. If they do not go far enough upriver they face the risk of being flooded if the reservoir is built. If they go too far up the tributary, their larger long-distance boats will not be able to dock at the new village site.

7. Conclusion and Recommendations

In a wider context, the whole process raises the fundamental questions of who defines and who benefits from development. The fact is that the indigenous population affected by the Bakun HEP have been asked to sacrifice their entire natural and cultural heritage in the name of development. Indeed, government spokespeople and others have lambasted critics as being anti-development and traitors. Yet on closer examination of the way this whole project has been planned and implemented, it is clear that the indigenous people feel utterly betrayed and degraded by this so-called "development". They have been made to change a lifestyle which they controlled and from which they could plan their future, to one where everything has been planned for them and which has robbed them of their dignity, autonomy and ability to sustain their livelihood through integration with their traditional land and its resources.

It must be pointed out that the indigenous peoples of Bakun are by no means "backward" and living primitive lifestyles. Far from it. Most communities have been participating in part cash economy for a long time now. Their original long houses have produced quite a few university graduates and professionals. The member of parliament for the area is himself a former headmaster. What they could do with to improve their quality of life at their original long houses are better services: transportation, education facilities, clinics and hospitals, marketing and credit, etc. They could do with some sustainable means of power for each of their long house communities. In other words, development must be based on the needs of the community and not the socially destructive type like the Bakun project.

The Coalition of Concerned NGOs on Bakun have called on the Government to set up an independent enquiry into the whole resettlement operation; an independent audit on all financial aspects of the resettlement; to declassify all reports and feasibility studies on the Bakun project, and to bring to account all officials who have flouted the law and proper procedures. The Coalition has also called on the Sarawak State Government and its respective agencies to:

1. Take the complaints of the families who have been resettled in the Sg Asap Scheme seriously - hold meetings with them to understand their problems - implement specific measures to deal with each of their complaints - explain these measures to the people affected.
2. Seriously consider the option of allowing the longhouses which are further from the dam to move further upstream in their traditional lands. - this would be in keeping with the wishes of the affected longhouses - would not disrupt their traditional way of life - would also make more land available for the 5 longhouses closest to the dam who may be forced to relocate to Sg Asap.
3. Freeze all further resettlements until these issues are settled through a process of dialogue with the people affected.
4. Annul the Sales & Purchase agreements which were signed by residents without their full understanding of the consequences. Allow electricity and water rate discounts for the settlers in Asap since they have sacrificed their ancestral homes for a HEP project.
5. Ensure that the dispensation of compensation payments, including the investment of the community's compensation be transparent and accountable to the long house people. The survey and the basis on which it was done should be published in full.
6. Review the present provision of land at the site, and provide, as a matter of urgency, further, adequate land to the resettled people, for cultivation and other purposes. We also call that serious consideration be given that land at the original site which will not be inundated remain in the hands of its original owners.

* SUARAM (Suara Rakyat Malaysia: Voice of the Malaysian People) is a leading activist human rights organisation of Malaysia which has been coordinating the activities of the Coalition of Concerned NGOs on Bakun.