

Comments on the "four rights" of immigrants affected by dam construction

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Villagers affected by Manwan Dam, Yunnan Province, China
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Abstract

The Central Party Committee recently readdressed the 'four rights': the right to be informed; the right to participate; the right to make decisions; and, the right to supervise/monitor. The purpose is to keep the rural stability and to promote the rural development, and to promote grassroots democracy, good governance, and political openness in China's rural areas. These 'four rights' are very important for the resettled people in the Manwan Dam area in order to improve their lives and development.

It has been 18 years since the start of construction of the Manwan Dam, the living conditions of the resettled people have not yet improved, 'When Manwan Dam generates hydropower resettled people will achieve a rich standard of living', the situation of today is that the living standards are lower than their level before the construction of the dam. In 2004, Yunnan Provincial Department of Auditing publicised the auditing results for the Manwan Dam Resettlement Fund, showed/highlighted RMB 5.46 Million were abused by the local government. This is because the resettled people do not have the 'four rights' in the resettlement process. In order to protect these four rights for our resettled people, we organized by ourselves a workshop on 'Participation Rights in Manwan Dam resettlement Process.'

Keywords: four rights, Manwan Dam, rights of resettled people

This article introduces and summarizes this workshop on the 'four rights' which representatives of the resettled people from four counties participated in, and the resettled people decide to learn more about and how to utilize laws, policies, and empower themselves using the 'four rights' In the end to improve their resettled life.

Manwan Hydroelectricity Station is located in the middle reaches of the Lancang River. As one of the biggest hydropower construction projects in Yunnan province, the resettlement of people involved people from three prefectures (Lincang, Simao and Dali) and four counties (Yun, Fengqing, Jingdong and Nanjian).

The middle reaches of the Lancang River are home to the ethnic groups of Han, Bulan, Yi and Hui. They have lived here for generations. Their livelihoods depend on agricultural cultivation. Cash crops such as fruits are the main income sources of the local people. Most of the farmlands are located at the along side of the River. This region has rich resources of water, soil and favourable climates. Depend on these unique natural resources, the people living in the region can produce enough grains for their own consumption as well as for sale. With the reform of the rural economy, the agriculture production in this region had made great progress.

The construction of Manwan submerged 6224 mu of farmland, 8507 mu of forests (including 1043 mu of cash crops), 11483 mu of wasteland and pastureland. To each county that had been affected by the dam construction, the areas that had been submerged were the most productive lands in the county. For the people living in these inundated areas, most of them were moved to the inland from the river bank. Some of them were moved out to far away places. Only a small group of people still live in the same places and are urbanized.

After the construction of Manwan, several villages have received new cultivated farmlands from the local governments. Most of these new lands are located at an elevation of above 1300 meters. Some have the slope of over 50 degrees. In some places, the immigrants were compensated for their lands with the standard of 1024 yuan per mu irrigated land and 400 yuan per mu dry land. There are still some immigrants who didn't get any compensation of either land or money. Even the people who had received new lands are facing the problem of food shortages because of the low productivity of lands. The living conditions of most of the immigrants are getting worse year by year. Many young people have moved out to work in construction sites as cheap labour. Because of poverty, children are facing the threat of dropping out of education, whilst adults are facing the threat of diseases. There are families that have broken down, with the wives and children leaving home for other provinces. To speak from the perspective of the local people, the operation of Manwan is also the beginning of a disaster for them.

The difficulties of local inhabitants are in stark contrast to the flourishing development of the Manwan enterprises. The company has been denominated as one of the excellent production units in the Chinese electricity system for five years. In the year 2001, it made 120 million yuan profit for the enterprise, excluding the 100 million yuan paid in taxes to the central government, 50 million yuan paid to the provincial government and 50 million yuan paid to county governments. Both the enterprises and governments benefit from the exploitation of hydroelectricity in Manwan. Additionally, the staff of Manwan all have stock shares in the company. The annual salary of managers can reach up to 120,000 yuan. The company has its own luxury hotel. To speak from the perspective of the staff and the enterprise, both of them are the winners of the project.

When comparing the lives of local inhabitants and the benefits to the enterprise and governments, the discrepancy is obvious. The main reason for this gap is that information in resettlement policies and decision-making was not opened enough to the public. The construction of project was started before the immigration, which gave the investors and local governments an opportunity of cutting down the expenses of resettlement to meet the escalating construction costs. The plan of resettlement neglected the rehabilitation and development of immigrants. The estimations about the number of people need to be resettled and their property loss were severely lower than the realities. In addition to these, the design of Manwan was made in the period of a planned economy while the construction was conducted in the period of a transitional economy. Now we are living in the period of a market economy. Neglecting of the subsequent transitions in economy, the compensation of Manwan still follows the low standards of a planned economy that are favourable for the enterprise. These outdated policies now have become evidence of the policies of the unequal allocation of benefits.

More than 60 villages have been affected by the construction of Manwan. All of them are facing different difficulties. In order to solve these problems, the immigrants continuously tried to report their difficulties to the governments. But unfortunately these efforts have not resulted in any improvements or resolving of the situation. On August 17th 2003, more than 8000 people gathered in Manwan to ask the company to thoroughly solve the problems. This time the problem gained the attention of governments and people were resettled for the second time. However, the second resettlement was conducted with a low standard of compensation and the quality of the lands they received were very bad. The problems of resettlement have still not been settled.

In July of this year, several farmers participated in the "The sustainable development of dam immigrants and watershed communities workshop" conducted by Green Watershed in Lijiang county on behalf of the inhabitants of Manwan. In the workshop, they learned relevant laws and regulations, and communicated with other participants from Jinsha River, Nujiang River, Lancang River and other potential sites of hydroelectricity development about the sustainable

development of dams, ecological and environmental protection of watersheds, participatory social impact assessments and involuntary immigration. From the workshop, they learned from other participants about how to protect their own rights.

When they returned to Manwan, they believed that it was necessary to make the other inhabitants know about the relevant laws, regulations and the “four rights” of farmers, which are: the right of being informed; the right of participation; the right of decision-making; and, the right of monitoring. Following with this idea, they organized a training workshop for immigration laws and regulations on August 17th of this year. Besides local inhabitants, they also invited representatives from Jinsha River, Nujiang River, Xiaowan Dam and Dachaoshan Dam.

More than 140 farmers from 50 villages had participated in the workshop, which was held in a small village along the Lancang River. Some of the participants came from villages more than 100 kms away. These farmers gathered to learn about the immigration policies of the central government, the laws of land, the relationship between dam construction and sustainable development, the ecological environmental protection in dam areas and the participatory social impact assessments. The training workshop made the farmers understand what are the rights of immigrants and how to protect their own rights through the legal framework. The objective of the workshop was to empower the farmers in terms of environmental protection and public participation in decision-making. The empowerment will facilitate the participation of local inhabitants in hydroelectricity development utilizing their “four rights”. Such participation can change their status from the loser to the winner or beneficiaries, whilst enhancing the sustainable governance of the hydroelectricity industry.

The workshop formed the following agreements:

1. In accordance with the principles of the central government of "governance for people" and "based on human beings", the problems of Manwan immigrants must be given careful consideration. The State Bureau of Auditing should re-assess the resettlement expenses and property loss of the immigrants, and compensate the farmers according to market prices.
2. In order to guarantee the equality of this re-assessment and to protect the rights of being informed and participation, the assessment should have immigrant representatives in the assessment process.
3. The arrangement of resettlement must follow the "Law of land administration of the People's Republic of China", and to fulfill the principles of government as: to ensure the movement as well as to keep social steady, to ensure that immigrants can live better than before as well as to protect environment".
4. The development fund for dam immigrants should be increased. The taxes submitted by Manwan to the local government should be used in the development of the dam areas and ecological environment protection.
5. The inhabitants have made great contribution to the construction of Manwan. Based on the principle of market economy, the inhabitants who had invested in the construction should share the benefits of the projects through a prioritized utilization of power and employment opportunities.
6. An equal allocation mechanism should be set up to ensure that the immigrants can gain a proportion of profits from the hydropower company legally to solve their living difficulties.
7. In order to protect the rights of the inhabitants in dam areas and to enhance the administration of resettlement, reasonable legal frameworks should be set up.

The construction of Manwan has caused many problems in the resettlement of people. The basis of all of these problems is lack of information transparency and public participation. The resettlement plan made by governments and investors has caused the poverty of immigrants after 18 years of development. Since the current legal framework doesn't empower with the right of monitoring, the farmers cannot ask the governments and investors to fulfill their promise as "getting wealth through the construction". The difficulties of local inhabitants have caused social problems in dam areas and as a result, have affected the normal operation of the hydroelectricity station.

We are proud to say that although the immigrants are the losers in dam construction, they are still tolerant and willing to contribute to the development of the hydroelectricity industry. It is an essential factor for the sustainable development of dams. We believe that the development of hydroelectricity needs a participatory decision-making mechanism. It is particularly important for the protection of the "four rights" of local inhabitants as the biggest stakeholder groups of dam. Leave from their participation, all expressions about the "sustainable development of dam" are fallacies or beautiful lies.