

MURUM DAM - Fast Facts

- The communities directly affected by the proposed Murum Dam Project consists of 353 households with 1,415 people (as of August 2011) comprised of 335 Penan households with 1,304 Penan and 18 Kenyah Badeng households with 113 Kenyah.
- There has been extensive consultation with the people directly affected by the Proposed Project. Since 2008, there have been nearly 40 planned community consultations and nearly 80 in informal meetings. All of the formal meetings have been recorded on video as part of the comprehensive Social Impact Assessment process.
- Since January 2010, Sarawak Energy (Project Proponent) and the State Government (Regulator) have consulted the Penan starting on the resettlement sites. By the end of 2010, the seven directly affected communities had identified and confirmed their choice of their respective resettlement sites at Metalun and Tegulang. In August and September 2011, the sites for the seven new longhouse communities in the two resettlement sites were pegged by the communities themselves with the participation of the State Government including the Land and Survey Department and Sarawak Energy.
- The Social and Environmental Impact Assessment (SEIA) Study was carried out in consultation with the directly affected local communities as guided by international standards for resettlement, particularly the Equator's Principles of the International Finance Corporation of the World Bank. The proposed Resettlement Action Plan (RAP) was prepared by taking into consideration, among other factors, the United Nations Declaration for Rights of Indigenous Peoples (UNDRIP) particularly the heavy reliance of indigenous people on land and land-based activities for their daily livelihood.
- The SEIA Study and the proposed RAP will be publicly disclosed as soon as they are complete.
- The directly affected communities at Murum will be significantly better off as a result of their resettlement. The Murum Penan communities were originally fully hunter-gatherers but have since the 1960s become semi-settled in permanent longhouse and cultivation while continuing to practice their traditional livelihood of hunting and gathering. Wage-earning employment among the Penan people is low. The average cash incomes (from wages and allowances) vary between RM49 and RM272 per household per month.
- Sarawak Energy has taken major steps in the past two years to embed good Corporate Social Responsibility (CSR) practice in its business. These include a very successful literacy programme with Penan women, the preservation of sites of significant cultural importance to the Penan, food aid and the construction of a kindergarten at Long Wat.

- In addition to this, Sarawak Energy has committed to embed and use the International Hydropower Association's Sustainability Assessment Protocol and the IFC Performance Standards in its Project Development Model. Training of our Project Design and Project Execution teams (Engineers) in the use of these two standards to guide issues around sustainability in our projects has already commenced.

MURUM DAM - FREQUENTLY ASKED QUESTIONS

1. What is the proposed Murum dam?

The proposed Murum dam is a hydroelectric power (HEP) dam that uses the power of the flow of water through turbines to generate electrical power.

2. Who is building this dam?

Sarawak Energy as the project proponent is building the Murum dam using contractors from the Three Gorges Dam Company (Malaysia)

3. Isn't the government building the dam?

No. Although Sarawak Energy, at present, is 100% owned by the Sarawak State Government, it is being operated as a business enterprise which has a profit objective. Sarawak Energy is raising funds from the private sector and the market to build the Murum Dam.

4. What is the role of the government?

The role of the Sarawak state government is that of the regulator to ensure that the Murum dam will be developed properly. It is also the role of the government as regulator to ensure that the local Penan communities who will be directly affected by the proposed project will be properly compensated and resettled and that their livelihood and well-being will not be worse off than before the proposed project or, if resources permit, better than before.

5. How many people will be affected by the Murum HEP and who are they?

Based on the Household Register carried out as part of the Contemporary Ethnography Study of the Murum Social and Environmental Impact Assessment (SEIA) Study by the Study Consultant, Chemsain, a total of over 1400 persons from 353 households representing 6 Penan and 1 Kenyah Badeng communities will be affected.

Rationale

6. Why is Sarawak Energy building this dam?

Sarawak Energy is building the Murum dam because Sarawak Energy has a commitment to the Sarawak state government to ensure that Sarawak has enough electricity to support the economic development of state in the immediate future.

7. Isn't there sufficient electricity for the needs of Sarawak already?

There is sufficient electricity for the needs of Sarawak today, but not for tomorrow.

The Sarawak government has a plan to develop the Sarawak economy rapidly in the immediate future with industrialisation and the development of new industries so that the people of Sarawak can enjoy a high income. These new industries will need more electricity.

8. Where are all these projects coming from? Is there a need for all these projects?

All these projects are coming from both local and foreign investors and these projects are needed to build the new industrial base for Sarawak which will raise the incomes of Sarawakians working at home in Sarawak.

9. Why does the government not consider using solar energy instead of hydropower?

The government has considered solar energy. Surprisingly, Sarawak does not have a better comparative advantage in solar energy than hydro because despite being in the tropics we have constant cloud cover so that solar capture is not optimal.

Consultation: The SEIA Process

10. Some Penan and outsiders allege there has been little or no consultation with the affected community with regard to the proposed project?

This is not correct. The first round of community consultation on the dam took place in November 1994 as part of the then Murum Hydroelectric Project feasibility study. Once the proponent decided to proceed with the project in 2008, active community consultation commenced in August 2008 involving the State, the District Office and the directly affected communities. Subsequently village to village dialogue sessions were held.

Since then we have recorded nearly 40 planned community consultations and nearly double this number in informal meetings with the project affected communities, and these engagements continue on a monthly basis with the SEB Community Relations Team and State officials.

11. Some Penan allege that they have been pushed into these resettlement sites and they were given no choice as to where they would be resettled?

Contrary to this allegation, the Penan were consulted starting from January 2010 on the resettlement sites. By the end of the same year the 7 directly affected communities had identified and confirmed their choice of the two resettlement sites at Metalun and Tegulang. In August and September 2011, the sites for the seven new longhouse communities in the two resettlement sites were pegged by the communities themselves with the participation of the State Government including the Land and Survey Department, and Sarawak Energy.

Not only did the Penan and the Kenyah get to choose the sites for the construction of their longhouses, but they have also been actively involved in the design of their new longhouses. A lot of the design guidelines for the new longhouses have come from the directly affected communities themselves.

12. What is the SEIA study?

The SEIA study is an impact assessment of the Murum dam on both the environment and the people, and is called the "Social and Environmental Impact Assessment (SEIA) for the Proposed Murum Hydroelectric Power project." It was carried out by Chemsain Consultants who were appointed by the State Government. The ultimate purpose of the SEIA Study is to identify mitigating measures for all major impacts identified in the study.

The SEIA Study composes of three major reports: (a) the SEIA on the Proposed Murum HEP, (b) the Contemporary Ethnography Study and (c) the Proposed Resettlement Action Plan, were produced.

13. What is "the SEIA process"?

The SEIA process is a phrase that has been coined in Sarawak to describe the process of close consultation which the Sarawak government has committed to undertake with the directly affected communities with regard to big development projects, which in recent years have been the hydroelectric power projects.

14. When was the SEIA Study carried out?

The SEIA Study was carried out in October 2009 by Chemsain Consultants Sdn Bhd of Sarawak. While the bulk of the study has been completed, the report is being finalised and will soon be ready for release for public disclosure and comment.

15. Why has it taken so long for this study to be carried out?

To ensure accuracy and to go from village to village and carry out such studies can be a time consuming process.

The study has taken a long time to complete because of the importance that is placed by the study on the process of free, prior and informed consultation leading to consent which is time consuming especially from going from village to village. The study is also very comprehensive and detailed in its coverage and time is needed to ensure accuracy.

16. When will the SEIA Study and the proposed RAP be made public?

The key findings of the SEIA Study will be made public before the end of this year.

17. What kind of consultation was involved?

The consultation involved visits to the directly affected longhouses in order to brief each of the affected persons about the proposed project and consult with them with regard to all aspects of their proposed resettlement in order to reach amiable consent for the affected communities, the government and the project proponent.

This involved multiple trips by the Chemsain consultation team in order to fully engage with the affected people and communities. Chemsain have a detailed record of all such meetings

18. How transparent is Sarawak Energy on the construction of the Murum HEP?

Sarawak Energy has been as transparent as we can be with regard to the construction of the Murum dam and the subsequent resettlement. We have nothing to hide. Sarawak Energy and the State Government have consulted with directly affected communities and will continue to consult with the communities through every stage of the project.

19. What about the UN Declaration of the Right of Indigenous Peoples (UNDRIP) and their right to Free, Prior and Informed Consent (FPIC)?

The SEIA process for Murum incorporates key elements of internationally accepted consultation which are “free, prior and informed” consultation leading to consent, as well as the rights of indigenous people to have access to land on which they can work to sustain their livelihood.

UNDRIP is a major document which is seriously taken into consideration by the Murum SEIA Study. There are many provisions in UNDRIP; the major provision is the importance of land to the daily livelihood of the indigenous people to which serious consideration has been made in the proposed Resettlement Action Plan (RAP) to ensure that there is sufficient land for the daily survival of the directly affected communities.

The rationale behind “free, prior and informed” consultation is to arrive at consent so that significant development projects can be implemented for the improvement of the affected communities and the economy as a whole. Where possible, resettlement should be voluntary. If voluntary resettlement cannot be achieved, a compromise is called for with the end result that the livelihood of the directly affected communities are restored or, within the resources of the government, improved.

In promoting the SEIA process, the Sarawak government wishes to assure the directly affected communities and interested communities in the world at large that the implementation of significant development projects in Sarawak is done with due respect and regard to the welfare of the affected communities and the people of the State. The Sarawak government welcomes positive suggestions as to how the SEIA process can be improved.

20. How can we be sure that the SEIA Study was of international standard?

The SEIA study was conducted by a team of experienced people and experts who were guided by international standards on impact assessments and mitigation measures. In addition to following local rules and regulations, the SEIA study and the proposed RAP were guided by the Equator Principles and the IFC Handbook on preparing a Resettlement Action Plan. The SEIA and RAP have also been reviewed by an international expert as third party reviewer.

21. Has Sarawak Energy learn from what have transpired at other local dam projects in terms of the benefits, shortcomings and disadvantages to the affected communities?

Yes, Sarawak Energy has learnt from past projects and experiences of the state and other countries and we think we have significantly improved our current projects. In fact, we strive to develop our own standards through the SEIA process which incorporates international standards and local rules and regulations as well as local sensitivities and care for our own indigenous peoples.

Resettlement, compensation and benefits

22. How will the development of the Murum dam benefit the people affected by the dam?

The development of the Murum dam will benefit the communities who are directly affected by the dam.

The government and Sarawak Energy are fully aware that the development of the Murum dam has caused some difficulties for people directly affected by the dam development. The government is concerned that such hardship should be minimised if not avoided and where possible restitution should be made as quickly and as completely as possible.

In order to minimise the impact on the people the government has plans to use the opportunity of the proposed resettlement to eradicate poverty from the affected communities and improve their livelihood far better than they are currently undergoing.

23. Some people say that the Penan have a healthy lifestyle now. Why is the State trying to change this?

Our contemporary ethnography study of the communities shows that the Penan communities are living under very trying conditions, as their population is outgrowing the ability of the forests to sustain them and the remoteness of their settlements makes it expensive and physically difficult to obtain modern services such as healthcare and education. As a result, the Penan find themselves in need of cash which they have difficulty in obtaining because of their lack of linkage to economic opportunities.

The State recognises that the Penan people are still very much tied to the forests which they need for their comfort and happiness. This is why the State is providing the Penan people with access to the nearby Protected Forest.

The proposed RAP will introduce the Penan communities to take small but steady steps into the modern market economy.

24. How can the affected people be sure that the resettlement will be successful?

The best way for the affected people to be sure that their resettlement will be successful is to take active participation in the proposed resettlement action plan with realistic programmes which the communities can undertake. Enhancement can be made to their proposed resettlement action plan by incorporating all major government technical assistance that they can get in order to raise the standard of skills and education in their communities.

The success of the proposed resettlement depends very much upon the vision of the affected communities themselves, while the government and corporate entities such as Sarawak Energy can support and facilitate the efforts of the people. This is why we envisage a participatory approach to the Murum resettlement exercise and have kept the Penan informed during the various stages and also given them the opportunity to choose their own resettlement sites for the individual longhouses.

25. What sort of compensation will you be offering the people who will be resettled?

The compensation will be guided by existing policies of the government. Among other, land-related issues will be guided by the Sarawak Land Code on land, crops and fruit trees by the Land and Survey Department, and graves and cultural heritage by the Museum Department.

The compensation will mostly be replacement in kind, such as housing and land. Compensation in cash will be made when the lost assets cannot be immediately replaced, such as crops and fruit trees.

26. What are the types of properties that are going to be compensated?

The properties that are eligible for consideration of compensation or ex-gratia payments are:

1. House including longhouse
2. Crops including fruit trees
3. Graves
4. Community hall, church
5. Land.

27. How much land is going to be allocated to the affected communities at the resettlement area?

Each household will be allocated 14 hectares of land.

28. Is there any deal for payment of royalty, bonus, and commissions from the yearly profits of the Murum dam to be given to the affected people in the future?

No, there is no such consideration.

CSR activities at Murum

29. What opportunities were made available for the local community to get jobs in this project?

Unfortunately, there were very few opportunities made available to members from the directly affected communities in Murum. One of the key learnings for SEB and the State is that in all such future HEP developments, we need to write into the contracts a requirement for our contractors to ensure that a percentage of local people are offered jobs.

30. What measures or benefits, both short and long-term, will be taken by the government to ensure that people affected by the project will be well taken care of after the construction of the dam?

After the construction of the dam, it is important that the directly affected people are well-prepared to take care of themselves and be self-sufficient in order for them to maintain their desired well-being. With that preparation, the people will be in a good position to take advantage of the new opportunities which could be created after the construction of the dam, such as aquaculture, tourism and plantations.

31. What CSR initiatives has SEB carried out in Murum?

In addition to the community relations activities as per attached, SEB has carried out the following CSR activities in Murum:

Women's literacy programme in partnership with SAWF

Early in 2012, Sarawak Energy in partnership with the Society for Advancement of Women and Family in Sarawak commenced the The Murum Adult Literacy project which is aimed to build capacity of the community in particular empowering women to bring transformative improvement to the family and the wider community.

The purpose of this literacy program is to empower women through acquiring learning skills, reading, writing and arithmetic so that they can develop their potential and to effect transformation and assume responsibility in the development of their families and the communities who will be impacted by the resettlement.

To date, 30 Penan women have been trained as facilitators to carry out the programme in their villages and over 300 participants have attended the training.

Due to the programmes success, we have commenced the second phase of our partnership with SAWF. Stage 2 of the partnership with SAWF is to ensure continuous learning and development of the community. The following programmes with their objectives are proposed to be carried out from September 2012 to December 2013.

1. Literacy programme will simultaneously continue and be supervised as long as necessary within the same time frame. Both the quick and slow learners will be grouped according to the learning pace and be given special attention. Based on the assessment made by SAWF programme coordinator/trainer, additional lessons on numeracy will be provided to improve their basic arithmetic skill.
2. Training on Module 1 - Personal Development consists of five topics – Motivation, Vision, Values, Communication and Change. This 3-day course will be conducted in conjunction with the facilitator's refresher course and later to be conducted for all women in the communities with the help of the trained facilitators.
3. Training on Module 2 - Good Health Begins at Home – This will be conducted in conjunction with the facilitator's refresher course and later to be conducted for all women in the communities with the help of the trained facilitators.

It is proposed to be conducted in 2 days and the third day will be utilised for consultation and planning about their communal vegetable garden.

4. Monitor progress of the Women's activities especially their vegetables garden which has just started and to progressively guide them on how they can improve their livelihood through handicraft making. It may be possible to work together with the Agriculture Department and relevant agencies or individuals dealing with handicraft. The vegetable planting activity was the wish of the women conveyed through the newly formed Women's Committee and was initiated with the vegetable seeds provided by SAWF in July 2012. The four communities that have requested for support on this are : Long Malim, Long Wat, Long Singu and Long Wat community in Sg Asap.

Toilet and shower stall facility for displaced Murum Penan community in Sg Asap

The purpose of this project is to address the public health needs and to reduce the health risks of the community due to lack of sanitation, by providing this basic facility. SEB sponsored RM15,000 for the project by Peng Doh Belaga (Belaga Women Organisation) SEB also funded a project by Peng Doh Belaga (Belaga Women Organisation) to address the public health needs of the displaced Long Wat Penan community at a chicken farm at Sg Asap. Under this partnership, Peng Doh Belaga engaged the Penan in the construction of toilet and bath facility and to facilitate communal efforts for the cleaning and maintenance of the facility.

Beneficiary Group

About 83 Penan from Long Wat community who are affected by the Murum hydro electric dam will directly benefit from this project. This project is also a preventive measure to reduce disease risks for all the other communities in Sg Asap.

Other programs

- Construction of kindergarten at Long Wat, Murum
- Refurbish the kindergarten in Long Wat to fulfill the KEMAS's requirements.
- Uniforms & stationery sets for Murum Penan Students at SK Batu Keling, Sg Asap
- Donated iron windows grill to SIB Church at Uma Kelap, Sungai Asap
- Identity Card and Birth Certificate registration with Unit Khas Bergerak, JPN
- Community support - food assistance for the affected communities in Murum
- Organising the Annual Ritual Ceremony for Penan Sacred Rock (Batu Tungun) at Murum
- Provide assistance for the construction of kindergarten at Long Malim, Murum
- Soil investigation at Metalun and Tegulang, Murum
- Contribution for Christmas and Bungan's prayer to each settlement
- Donation for the deceased