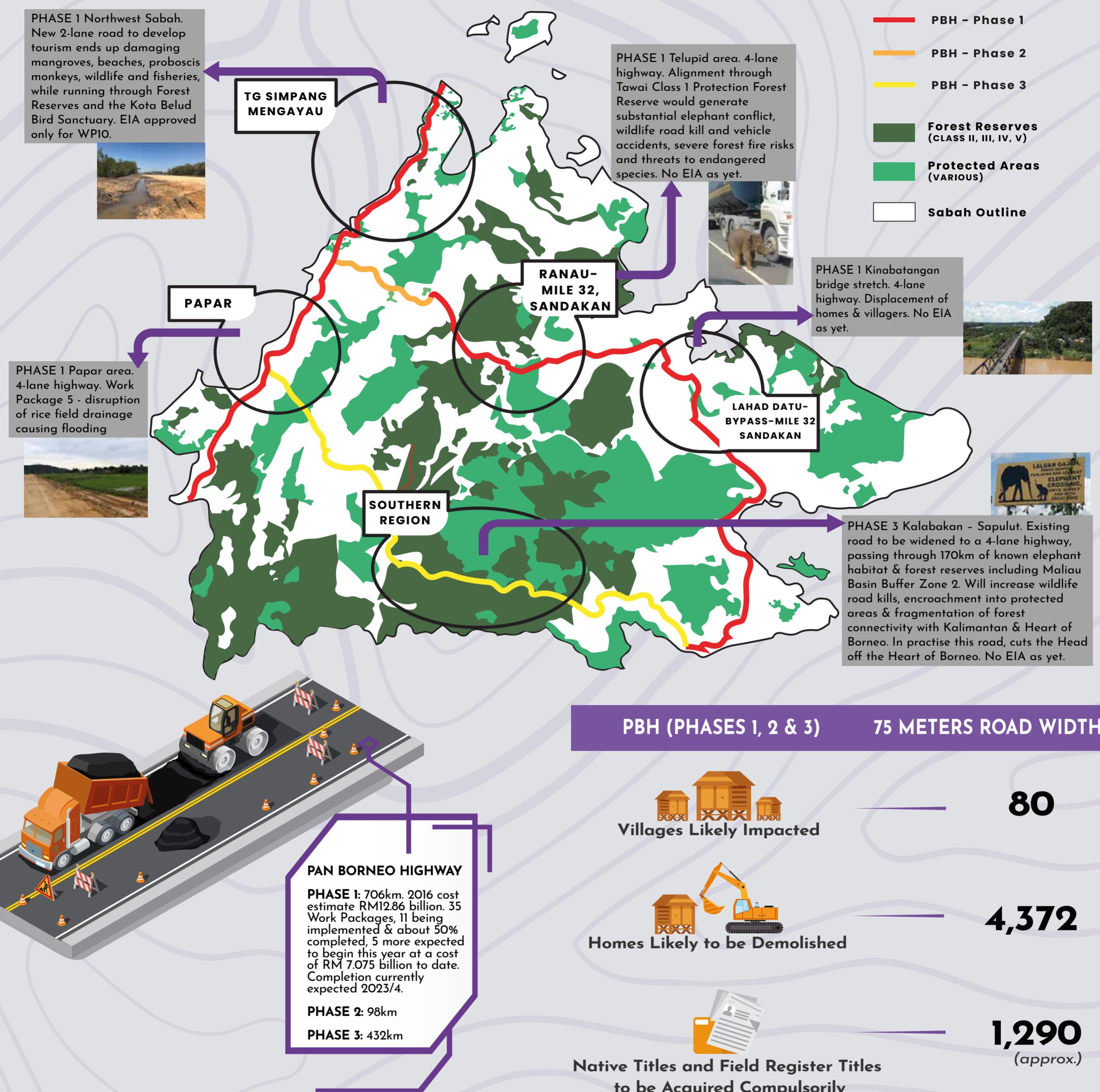


SOCIO-ECOLOGICALLY SENSITIVE & CRITICAL WILDLIFE STRETCHES OF THE PAN BORNEO HIGHWAY IN SABAH



OVERALL FINDINGS ON PLANNING ISSUES

Despite Sabah's sustainable development policies, including the Sabah Structure Plan 2033, actual roll-out of the PBH little integrates environment and development priorities

PBH routings were planned without studies to maximise benefits and minimise socio-economic and environmental costs, and without using the knowledge of Sabah's civil society organisations, local communities, private sector and researchers

Minimal planning means lack of joined up thinking. For example, sections of the PBH to develop tourism destroy the mangroves, water quality, fisheries, beaches and wild species upon which tourism is based

Lack of access to information about the PBH, including alignments and the Environmental Impact Assessment (EIA) documents, means the public only learn the details too late to make useful inputs

Availability of federal funding for construction has replaced planning based upon analysis of state needs, including for adequate maintenance budgets for infrastructure already built

FINDINGS ON THE ENVIRONMENTAL IMPACT ASSESSMENTS



Mega-Projects require whole-project Special Master EIAs, not just project package EIAs that look at local issues. The EPD has the power to impose this requirement under the 2002 Enactment

EIAs are deployed too late in the process when the only option becomes mitigation though it is often cheaper and more effective to have made a better initial plan and avoided risky areas

Social Impact Assessments are rarely combined with Environmental Impact Assessment; current local consultation does not access useful feedback from local communities or achieve FPIC

The Environment Protection Department (EPD) has insufficient staff and resources to monitor and enforce EIA provisions; with more transparency the public and civil society could help the EPD

EIA Terms of Reference sometimes inadequately address important issues like hydrological impacts

Where consultants undertaking EIAs negligently fail to identify potential impacts or suggest mitigating actions that are ineffective, they are not being held legally accountable

In practise, only Government can take action on breaches of environmental law in Sabah, and it rarely does so



FINDINGS AROUND SOCIAL IMPACTS

Current planning does not address the scale of displacement; HHH calculate that the current PBH alignment will impact 65-93 villages in Sabah requiring the destruction of 1,712-7,093 dwellings, and loss of 3,420-6,695 ha of community lands and livelihoods. Much lower impact options are readily available.

Compulsory acquisition and forced displacement are creating deep hurt by breaking families and communities apart and destroying livelihoods and memories; compensation is often late and inadequate; those without land title gain no compensation for their homes and agricultural investments even when they are long term residents and/or Native Customary Rights holders receiving state services

The PBH is designed to make long distance travel around Sabah quicker rather than to accelerate rural development. People along the route may lose vending opportunities because it is designed for high speeds, no stopping and limited road crossings

FINDINGS ON ENVIRONMENTAL IMPACTS



Current PBH routes unnecessarily cross mangroves, forest reserves and other protected areas and contradict Sabah's Species Action Plans, notably those for the Borneon Pygmy Elephant & Proboscis Monkey; this cuts across Sabah and Malaysia's biodiversity commitments and treaty obligations

The Kalabakan PBH Stretch would permanently "cut the head off the Heart of Borneo" by dividing Sabah's most biodiverse region from the rest of Borneo with massive long-term consequences

Sabah's natural assets are its greatest strength economically and culturally; lack of attention to environment in PBH planning creates long-term financial costs, such as damage to fisheries, risk of major fires and loss of tourism opportunities

Water management needs care. The PBH and associated hill cutting have increased flooding, siltation, water pollution, disruption of tidal flows in mangroves and even marine water quality (damaging coral reefs and sea grass); all of these with major hidden and unnecessary financial costs to Sabahans