

**Report on the Workshop on JBIC Guidelines and IFI Campaign
in Indonesia and Philippines**

30 August 2007 (Indonesia)

11-12 September 2007 (Philippines)

**Philippines workshop was hosted by:
Kalikasan-People's Network for the Environment (Kalikasan-PNE)
Friends of the Earth Japan**

**Indonesian workshop was hosted by:
International NGO Forum on Indonesian Development (INFID)
Network for Indonesian Democracy, Japan (NINDJA)
Friends of the Earth Japan**

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1. Introduction

Japan Bank for International Cooperation (JBIC) was established in 1999 by the merging of two organizations, Export-Import Bank of Japan and Overseas Economic Cooperation Fund, and both functions of yen loan and private sector support were handed down to JBIC. Since then, JBIC has been the second largest financial institution after the World Bank.

JBIC made its own environmental and social guidelines named “JBIC Guidelines for Confirmation of Environmental and Social Considerations (hereafter, the Guidelines)” in April 2002 and it came into force on October 1, 2003. The Guidelines were common for both operations and relatively high standards among Export Credit Agencies by the pressure from civil society and others. Furthermore, JBIC established Objection Procedures where a request can be submitted by those who have suffered or are likely to suffer damage as a result of the Bank’s non-compliance with the Guidelines. After the Guidelines and Objection Procedures were established, workshops were held in the Philippines, Indonesia and Malaysia by Japanese NGOs to introduce the Guidelines and Objection Procedures for the local people and NGOs.

In May 2007, the Japanese government decided to reorganize and split two functions of JBIC and establish new agencies in October 2008. The provision of aid loans to developing countries through the ODA function of JBIC will be transferred to the Japan International Cooperation Agency (JICA), which currently has roles to provide “technical aid”, “grant aid” and to conduct studies such as feasibility studies and master plans. This means that after this reorganization the Japanese ODA will be implemented by one agency, JICA, except for a part of grant aid that relates to diplomacy. Meanwhile, the ECA function of JBIC and other official domestic financial institutions will be merged into a newly established governmental financial institution tentatively called Japan Finance Corporation (JFC). The ECA function of JBIC will be relatively independent from other functions of this new financial institution, and the name of JBIC will remain to be used

only for this section in JFC. The role of international finance is different from other domestic roles and the financial scale is also much bigger than domestic ones.

At the same time, it is likely that the Guidelines will be reviewed and revised. As of August and September 2007 when the workshops were held, JBIC was conducting own review for each functions and it is not known how revision process would be.

With these events as background, two workshops were held both in Indonesia and in the Philippines, by International NGO Forum on Indonesian Development (INFID), Network for Indonesian Democracy, Japan (NINDJA) and FoE Japan for Indonesia, and Kalikasan-People's Network for the Environment (Kalikasan-PNE) and FoE Japan for the Philippines. Recommendations to JBIC and Japanese government, as indicated in this paper later, were made by the participants of these workshops, namely affected people and NGOs.

2. Purposes of the Workshop

The purposes of the workshops are as below.

- To share the experiences of campaigning for JBIC and other IFIs, private banks funded projects.
- To contribute to improve the revised Guidelines by providing the inputs / opinions from local points of views.

3. Indonesian Workshop

3-1. Outlines

Date: August 30, 2007

Participated organizations and people: Perhimpunan Bantuan Hukum Indonesia (PBHI) Jakarta, affected people of Double-Double Track, Lembaga Bantuan Hukum (LBH) Semarang, affected people of Jatibarang Dam, FoE Indonesia (WALHI), Community Alliance For Pulp & Paper Advocacy (CAPP), Koalisi Anti Utang (KAU), Yayasan Tanah Merdeka (YTM), Pengurus Cabang Nahdlatul Ulama (PCNU) Jepara, Lembaga Tunas Rakyat Indonesia (LTRI), Network for Indonesian Democracy, Japan (NINDJA), International NGO Forum on Indonesian Development (INFID), FoE Japan.

Schedule:

- Presentation about recent general trend of IFIs and ECAs involvement in Indonesia and that of JBIC
- Presentation about JBIC Guidelines by FoE Japan: Its usage in people's campaign
- Sharing Experiences
- Discussion and making recommendations to JBIC

Experiences shared in the Workshop:

Water Resources and Flood Management Project for Semarang by LBH Semarang, Urgent Disaster Reduction Prevention Project for Mt. Bawakaraeng by LTRI and Bili-Bili Dam, Tanjung Jati B Coal Fired Power Plant Project by PCNU Jepara, Double-Double Track Railway (DDT) and its facility construction project from Manggarai Station (DKI Jakarta) to Cikarang (West Java) by PBHI Jakarta, and INCO's project at Sorowako by YTM.

3-2. Discussion

In the morning session, after the introduction of the JBIC's Guidelines and overview of ECAs and IFIs in Indonesia, five case studies were presented. These include the Integrated Water Resources and Flood Management Project for Semarang, Urgent Disaster Reduction Project for Bawakaraeng, Tanjung Jati B Coal Fired Power Plant (PLTU) Project, Double-Double Track Railway (DDT) and its facility construction project from Manggarai Station (DKI Jakarta) to Cikarang (West Java), and INCO's project at Sorowako. Each presentation includes basic project description, environmental and social impacts by the project, actions and activities by local people and NGOs to solve the problems and correspondence, if any, and attitude of project owner and lenders. Having question-time regarding these presentations, it was decided that three issues, namely human rights, environment, and transparency and accountability, would be discussed in the afternoon, as issues presented by the case studies can be classified into these three theme. These case studies of each project were attached at the end of this paper.

In the afternoon, participants were divided into two groups, Group one and Group two, in order to discuss the issues based on presentation on project in more detail and make recommendations to JBIC.

<Group1>

Group one discussed three issues, i.e. human rights, environment, and transparency and accountability, altogether as participants thought root of the issues were the same. Followings are the problem identified based on the presentation in the morning, which ranges from local issues to philosophical issues.

UNEQUAL HUMAN RIGHTS

- ? The people in the project locations have only one skill or occupation such as farming, cattle breeding or labor.
- ? Rights to decide things such as what is best for their life are unequal.
- ? There is no socialization on the projects from the government to the people who are possibly affected by the project.
- ? Peoples' power of the negotiation is weak.
- ? Very low compensation for the fertile land because the location of the land is too far from the main street.

JBIC AND INDONESIAN GOVERNMENT

- ? JBIC does not give the ownership to residents in actual level.
- ? There is no monitoring on law compliance by the creditor.
- ? Government never thinks the problems of unemployment.

- ? Government does not respect human rights.
- ? Government decides the resettlement by themselves.
- ? There is weak law enforcement in Indonesia and JBIC does not care about it.
- ? Unequal negotiation between creditors and the government of Indonesia.
- ? Both of them basically neglect the ability of the residents.
- ? Both of them make unnecessary projects for Indonesian people.

OTHERS

- ? Corruption (or the desire of doing corruption)
- ? There is little information of civil society on JBIC.
- ? There is no justice anytime for any people.
- ? Neo-liberal agenda intervenes economic policy.

Since some participants in Group 1 have been working on projects supported by JBIC, they have not advocated JBIC. Hence, discussion directly moves on to recommendation to JBIC etc to solve these issues above.

<Group 2>

In Group 2, problems were first identified separately according to the issues as below.

HUMAN RIGHTS

- ? The project does not respect human rights which make compensation as the last value that disrespects the right for living. Compensation given does not fulfill the people ' s right to live
- ? Unsuitable site of relocation
- ? Many activities in the beginning do not involve the public in decision making. For example, the people in Bili-Bili who were relocated to a new place that was not better than the former place.
- ? Providing unsuitable location to live.
- ? Excessively oriented toward physical construction/development such as in Bili-Bili and did not increase the living standard of the people surrounding the dam.
- ? People of the area surrounding Bili-Bili dam found it difficult to get water, and thus they had to pay for the water pipe.
- ? Realization of the project was not compliant to the initial objective, such as flood tackling but the realization was never materialized (Bili-Bili)
- ? The occurrence of direct impact in economy and social rights such as famine (Inco).
- ? Last but not least, the State ' s authority is one-sided in determination/decision making.

ENVIRONMENT

- ? Decreasing green belt dam causing flood around the DDT project area (DDT)
- ? Pollution, extinction of marine biota caused by the increase of water temperature, occurrence of radiation in the locations passed by extra-high voltage transmission line (SUTET), the decreasing function of the land for agriculture, the non-existence of animal protection.
- ? Landslides that caused the widening of river flow, sediment dredging causing high level of dust (Bili-Bili)

- ? Damaging the protected forest which will be used as the connecting line between Sarowako and Inco (INCO)
- ? Advocacy on environmental issues has never been carried out.

TRANSPARENCY AND ACCOUNTABILITY

- ? The set price of land was unsuitable, faked document occurred.
- ? The people did not get sufficient information, no participation.
- ? The people had never obtained information on the land compensation, never had sufficient information about the objectives of the project development (project ' s impacts) ? there never had been any socialization

Then, the cause of non-transparency and no accountability were discussed, whose causes also deeply relates to the problems of human rights and environment.

- ? The still commonly practiced of KKN or Kolusi/Colusion, Korupsi/Corruption and Nepotisme/Nepotism (not all of the price end up in the rightful people's hand)
- ? Government regulation for land compensation by setting the price solely in accordance to NJOP (taxable value of land and property) which does not offer any chance for negotiation with the people
- ? Non-existence of transparency regarding project implementation information
- ? The emerging land brokers who bought people's land and sold the land to the government. This happened because of the length of time the government fund takes and as a part of the bad bureaucracy of the government
- ? There was no socialization (only notification) and no public participation
- ? There was no information on the accountability of the financial expenditure when the project delayed
- ? There was no information after the project was completed.

3-3. Recommendations to JBIC

HUMAN RIGHTS

- JBIC should cancel the project that has human rights violation.
- JBIC should stop disbursement till human rights problems are solved.
- JBIC should stop the loan to Indonesia because it is disadvantageous for people.
- There should be clear parameter and indicator in the JBIC Guidelines (for compensation, currently it is only that it should be improved or at least restored compared to pre-project condition).
- All agreements with JBIC should clearly include Human Rights declaration based on Human Rights Declaration and Human rights protection regulation in the local country.
- There should be indicators for Human Rights values as JBIC evaluation in deciding the continuation of a project.
- Loan agreement should clearly attach human security for all JBIC projects.
- Information about the project should be delivered to public and JBIC should deliver the information about the project and its impact to the public in recipient countries in an open manner.
- JBIC is expected to formulate compensation mechanism that covered Human Rights protection on the victim.

- Whenever the project violates human rights, particularly Ecosoc (Economic, Social and Cultural) Rights¹, the project should be halted and JBIC should reimburse expenses spent.

COMPENSATION SYSTEM

- JBIC should make a mechanism to compensate for the victims and if the problem occurs financiers should compensate for the victims. Because JBIC is combined with JICA, the new JICA will be able to have this system.

TRANSPARENCY AND ACCOUNTABILITY

- JBIC should make efforts to listen to the people's needs and to tell information on the assistance openly and more clearly open dialogue within civil society.
- JBIC should require that there should be continuous project reporting from the beginning to the monitoring stage to the public
- Monitoring needs to be done after the project is in operation.
- JBIC should submit concrete reports (on success and failure) to the people for all projects
- JBIC or Japanese government should provide country strategy of ODA not only in English but also in Bahasa Indonesia.
- JBIC should disclose all the documents that are related to the project.
- All the information related to the project has to be translated into Indonesian language.
- Facilitate information exchange, dialogue and conflict resolution among people-JBIC regarding project's impact.

CIVIL SOCIETY

- JBIC should pay more attention to people's voice
- JBIC should have knowledge about the dynamics of local people
- Who should participate in public consultations e.g. directly and indirectly affected people, NGO and university, should be made clear
- JBIC report delivered to Japanese public should be reported to the local people (people affected by the project) in Bahasa Indonesia or at least English

GENERAL WORKSHOP RECOMMENDATIONS

- Japan should cancel the debt for an indebted country like Indonesia.
- Japan should give more grants to support Indonesian development, instead of providing yen loan.
- Japan should promote economic sovereignty in the debt received country.
- JBIC should build evaluation scheme in its financing strategy that is accessible for public in recipient countries, in order not to accumulate indebtedness
- JBIC should adopt and implement guidelines, which are more practical.
- Japanese government should support the activity of NGOs and communities in Indonesia.

¹ Economic Social and Cultural Rights is contained in the Universal Declaration of Human Rights and was developed to the International Covenant on Economic, Social and Cultural Rights (ICESCR), a multilateral treaty adopted by the United Nations General Assembly on December 16, 1966 (in force from January 3, 1976) together with the International Covenant on Civil and Political Rights (ICCPR).

- JBIC should think about people who need help.
- JBIC should take responsibility on land acquisition, not send the problem only to the Indonesian government.
- The agreement between JBIC and the Government of Indonesia regarding environmental and social considerations should be in Bahasa Indonesia and made publicly available, and in the occurrence of violation, the project should be cancelled.
- JBIC should require that all of the projects should be approved by the House of Representatives and be made in the form of legal regulation (Undang-Undang)
- The Embassy of Japan in Indonesia should participate in monitoring and taking the responsibility for the projects of JBIC and JICA in Indonesia.
- Developing more economy sovereignty toward debtor countries.

4. Philippines Workshop

4-1. Outlines

Date: 11-12 September 2007

Participated Organizations: Misamis Oriental Farmers Association (MOFA), Pambansang Lakas ng Kilusang Mamamalakaya ng Pilipinas (PAMALAKAYA- National Federation of Fisherfolk Organizations), Sagip Isla (Save the Island), Save the Valley Serve the People Movement as Peoples Organizations. Bayan-Central Luzon, Bayan-Pangasinan, Center for Environmental Concerns-Philippines (CEC-Phils), Environmental Legal Assistance Center (ELAC), Central Visayas Fisherfolk Development Center Inc. (FIDEC), Kalikasan-PNE, Kalipunan ng Katutubong Mamamayan ng Pilipinas (KAMP-the national federation of indigenous peoples organizations), KINABUHI-Central Visayas Network for Life and Environment, and Negros Center for Environment Protection (NCEP) as NGOs.

Schedule:

September 11, Day One

- Presentation 1: International Financing Institutions Role in Developmental Projects in Third World Countries by IBON Foundation
- Presentation 2: General Financial Trends on the Private Sector and Related Campaign by NGO Forum on ADB
- Sharing experiences: Rapu Rapu Mining Project by CEC, Laiban Dam Project by KAMP, Bohol Irrigation Project by KINABUHI, San Roque Dam by Bayan-Pangasinan

September 12, Day Two

- Sharing experiences: Mindanao Coal Fire Power Plant Project by MOFA, Coral Bay Nickel Project by ELAC
- JBIC Guidelines: Its usage in people's campaign by FoE Japan
- Workshop "What JBIC can do to solve the problems caused by development project"
- Presentation and make recommendations to JBIC

4-2. Discussion

First two presentations made by IBON Foundation and NGO Forum on ADB were to share and learn about the role, structure, financial scheme and trend of multilateral, bilateral and private financial institutions. Then 6 project cases were presented by People's Organizations (POs) or NGOs who have been working on each case. The presentations include the basic project description, environmental and social impacts by the project, actions and activities by local residents, POs and NGOs to solve the problems and correspondence and attitude of project owners and lenders.

After sharing experiences from cases, Question and Answer and discussion section was set. Participants found that they have some common problems and issues across the cases, so they picked up what are the common issues. The issues picked up were human rights violation, loss of livelihood, community dislocation, lack of consultation and social acceptability, involvement of affected people in decision making process, lack of monitoring, and environment damages.

Then the Environmental Guidelines and Objection Procedure of JBIC were presented by Friends of the Earth Japan. FoE Japan also explained about the JBIC's reorganization toward 2008 and guidelines' revision. It was new information for some of the participants and very useful and precious information for many of them. Especially, it seemed a big surprise that there have been no cases to apply for the objection procedure, because there are many problematic projects financed by JBIC they know.

For the final part of the workshop, the participants were divided into two groups to have detailed discussion for following topics.

- a. What kind of problems the local communities have been faced by development project?
- b. Why the local communities had these problems?
- c. How the local communities responded to these problems?
- d. What financial institutions who are involved in these projects can do? Especially making recommendation to JBIC not to cause these problems.

- a. What kind of problems the local communities have been faced?

Human Rights Violation

In the Philippines, human rights violation is so serious in various ways. For recent years, there are political killing cases at the project sites as well including Luzon, Visayas and Mindanao. Some of the local leaders of POs and NGOs who had been opposing the national development projects, some of which are funded by Japanese financial institutions, were killed. Aside from killings, local leaders and activists involve in these campaigns are being harassed by the local police or military. Leaders of the opposition are tagged as anti-development or front members of underground organizations or as terrorists. Furthermore, military forces are being deployed in the project sites and they establish military detachments in order to protect these projects. Private security forces as well as police and military are used to harass and dissuade communities to accept the project. It is a huge pressure to prevent the locals, POs and NGOs speaking out against the project. It was also pointed out that the proponents of

these so-called “development project” use the divide and rule tactic for the community to fight among themselves. Local culture particularly of those indigenous people were affected negatively as decadent practices such as drinking, gambling and prostitution are introduced during the construction and operation of the project.

Other types of human rights violations and harassments are the following:

- Filing of legal cases against the leaders and activists.
- Use of laws against the masses.
- Treachery and threats.
- Bribery and corruption.

Effects on Livelihood

The development projects changed communities' lives. The worst cases such as San Roque Multi-purpose Dam Project, the people lost their livelihood and dislocated from their workplace or source of food. There are many people in the Philippines particularly the indigenous peoples live in the forest and mountains. They depend so much to their local environment where they get their basic needs such as food, housing and medicine. As the “development project” negatively affects their communities and environment, it becomes harder for them to earn a living and further worsen their standard of living.

Dislocation

Dislocation caused destruction of culture, livelihood, family and community. In some cases, forced evictions were happened. At San Roque Dam Project site, houses of the local residents were set on fire to force the people to vacate their communities. Even those who accepted voluntary relocation they were not given enough support. In relocation sites, the people are complaining because they were not given alternative livelihood there. In addition, the project proponents failed to meet their promises to the affected people for compensation and livelihood restoration.

Public Information and Consultation and Social Acceptability

In many cases, there was lack of consultation to the affected people. The project owner just talked to the local officials and usually does not held consultation with the affected-communities. Sometimes, the proponents in connivance with local government units or officials will say that they have already conducted public consultation and got the approval of the affected communities for their project. Project proponents usually disregard the local system of decision making particularly among indigenous peoples. Regarding information provision, there are usually serious problems such as delaying or refusal to give information on the project, keeping or hiding the harmful effects of the project to the community.

Indigenous Peoples

There are some project cases which affected indigenous people. For these projects, the project proponents refuse to recognize the rights for ancestral lands and rights for self-determination of indigenous people even if there is a law for this. They sometimes use the government agencies like the National Commission on Indigenous Peoples (NCIP) to trick the local people to accept their project.

Environment

The people doubt that negative environmental impact is studied or assessed appropriately, because the actual impact on the environment is much bigger than the information published by proponents. Usually there are no provisions and actions done whenever there are negative effects on the environment. Pollution and siltation of rivers, destruction of forests, flooding, marine degradation are common environmental effects of these “development projects” but the proponents does nothing to prevent or mitigate these. Also it was pointed out that there are lack of rehabilitation plans and efforts conducted by the proponents.

Project Monitoring

The projects do not involve the affected community in the mechanism to monitor the projects. And the results of the project monitoring by the proponents are not communicated to the stakeholders particularly the local people. The proponents also usually ignore the scientific studies and fact finding investigations, which are forms of project monitoring, conducted by the opposition.

Others

There are violation of national laws, patrimony, policies, international treaties and agreements.

b. Why the local communities had these problems?

- ? The projects do not truly benefit the communities and the Filipino people as a whole.
- ? Failure of project owner and financier to comply and respect the Philippine laws and the rights of the people.
- ? Projects result to environmental degradation and devastation.
- ? National Government is biased in upholding the interests of foreign businesses and corporations.
- ? The projects increase the national debt of the country and increase the dependency of the government to foreign aid or loan.
- ? Lack of transparency of projects and programs being implemented in the ground.
- ? Liberalized policies on mining and natural resources.
- ? The development projects are in the framework of the globalization policies of the government which is oriented towards the extraction of the Philippine natural resources to produce a raw materials for export.
- ? Some of Philippine laws obviously cater the interests of multinational corporations.

c. How the local communities responded to these problems?

- ? Lobbying with Local government units and Philippine Congress
- ? Direct Actions
- ? Dialogues with local government officials, foreign financial institutions and project owners
- ? Petition Signing
- ? Network and alliance building
- ? International campaigns

- ? Creation of pool of experts
- ? Filing of criminal and civil cases

d. What are the recommendations to JBIC not to cause these problems?

See below.

4-3. Recommendations to JBIC

LAWS

- ? JBIC should comply with all of the local laws.
- ? Do not support a project if the project proponent has no social acceptability.
- ? Do not support mining projects in environmentally critical areas such as watershed area and forest.
- ? Withdraw support if there are human rights violations and militarization in the project site.
- ? Withdraw operation if the project violates any laws in the Philippines.

COMPENSATION, REHABILITATION and LIVELIHOOD

- ? Appropriate compensations must be provided to affected people.
- ? Ensure post-operation program for projects (e.g. decommissioning).
- ? The project must contribute to the improvement of the community situation (livelihood etc).
- ? Proponents & financiers to ensure the long term livelihood for those that will be physically and ecumenically dislocated by the project.
- ? Before the financiers approve a project, local community should be informed and accept the project.
- ? Information should be provided in local dialect and reached to the locals.

CONSULTATION

- ? JBIC should facilitate meetings between affected people and project proponent.
- ? Notify the Government/other sectors to contact the affected communities before a year project starts at least.
- ? Full information disclosure before the project starts preferably 1 yr at least.
- ? Suspend corporations who failed to disclose data on the projects.

OPERAITONS MONITORING

- ? Multi-sectoral Monitoring including affected peoples must be conducted from the beginning of the project.
- ? Community based monitoring is necessary and should be institutionalized.
- ? Monitoring should start at the compliance of document disclosure.
- ? Baseline data should be ensured even before the project will start and should pursue resource valuation and these data should not be limited to local officials.

RELOCATION

- ? If resettlement happens, relocation site should have same livelihood.
- ? If the project proponent introduces other livelihood, it should be completely free.
- ? Signed paper ?no understanding by local transparency.

- ? Ensure base line data for all aspects.
- ? Resource Valuation.

HUMAN RIGHTS

- ? No military is employed at project sites.
- ? Giving of guarantee that the military will not use force, threat and military in the entry and implementation of the project.
- ? A mechanism that will include the community to determine the actual amount and measure of the project's impact.

DECISION MAKING

- ? If there is opposition from the directly affected, the project must not push through.
- ? Disclose all relevant information about the project before its approval.
- ? Recognition of local organization as a decisive group on the project.
- ? Recognition of community rights to the information about the projects.
- ? Determine and assess the best use for the place before handing a decision on the certain project.

INDIGENOUS PEOPLE

- ? Respect the rights of the Indigenous People base on ILO 169.
- ? Recognize and respect the rights of the IP to self-determination and their rights to ancestral domain.
- ? Respect the IP decision base on their own traditional decision making even if the project was already approved by the government.

ENVIRONMENT

- ? Immediate stoppage of the existing projects in environmentally critical areas such as native forests, watershed.
- ? Financiers & proponents should put up fund for rehabilitation purposes with participation of affected people.
- ? Disapproval of projects that will contribute to climate change such as coal power plants and oil and natural gas exploration and production.
- ? Proponents and financial supporters will be held liable for the environmental degradation and destruction caused by the project implementation.

5. Conclusion

There were 40 people from 27 organizations participated in total in both workshops in the Philippines and Indonesia who have been struggling form the projects supported overseas financial institutions including JBIC. For both workshops, there was high attention from the participants on Japanese finance.

Looking at the recommendations raised, the recognition of the participants on the projects which they have been struggling with was that a) The rights of affected people and local people have not been respected enough by project sponsor, government and financial institutions. b) Livelihood of affected people was not restored in many cases. c) The

requirements of the Guidelines are not been implemented appropriately. d) Compensations are not appropriate. e) Participation in the process to make the project plans and resettlement plans is not conducted.

Local people, especially in Indonesia, demand more accountability and information disclosure on the project. Lack of information in the local language on the project in their country was one of the main concerns they have. Without enough information disclosure, local people cannot participate in the project in any way. Also, local people demand accountability of JBIC, as they see impacts, roles and responsibility of JBIC, as a financier, is very significant. We hope JBIC will disclose more information that is accessible to local people and will be more accountable to local people.

We believe that Environmental and Social Guidelines or Policies of financial institutions will be a useful tool to be able to contribute to solve or improve environmental and social impacts and issues if they are implemented appropriately by project owners and financial institutions. One of the most important for us is how the financial institutions such as JBIC could collect information, listen to the local people and review the projects impacts independently, not relying on project owners.

We request JBIC to listen to our voice in the process of revising the Guidelines, and improve the standards and its implementations.

CASES FROM INDONESIA

Integrated Water Resources and Flood Management Project for Semarang

<p>Project Name/ Nama Proyek</p>	<p>Integrated Water Resources and Flood Management Project for Semarang</p>
<p>Project location</p>	<p>Semarang, the capital of Central Java Province</p> 
<p>Project description/ Deskripsi Proyek</p>	<p>The Project is a part of the National Development Program of Flood Control Measures in the Strategic Area of the Government of Indonesia (GOI). In order to minimize flood damage and to increase stable water supply, the followings will be carried out:-</p> <ul style="list-style-type: none"> (a) Garang River Improvement Works (b) Urban Drainage System Improvement (c) Jatibarang Multipurpose Dam Construction (purposes are flood control, water

	supply, and hydropower) (d) Consultant services	
Proponents/ Pelaksana Proyek	Directorate General of Water Resources and Directorate General of Human Settlements, Ministry of Public Works	
Financiers/ Pihak Penyedia Dana	JBIC made 16,302 million-yen loan agreement with the Republic of Indonesia.	
Brief history of the project/ Sejarah singkat proyek	<ul style="list-style-type: none"> • 1992-93: Master Plan and Feasibility Study was conducted by JICA • 1997-2000: Detailed Design was conducted by JICA • 1999: The EIA was certified by the Minister of Public Works of the Republic of Indonesia • 2005: EIA review study report was prepared as the validity of EIA expired. • 2005: Special Assistance for Project Formation (SAPROF) study was conducted • 2006 年 3 月 : JBIC made loan agreement. 	
Current situation/ Situasi sekarang	Resettlement process is ongoing.	
Environmental impacts/ Dampak lingkungan	<ul style="list-style-type: none"> • Jatibarang Dam will cause environmental disturbance (water, air, noise and traffic) during construction period on community of project area • Garang River/West Flood Way Improvement will cause environmental disturbance (traffic, water, air, and noise) during construction stage on community of project area • Urban drainage project will cause water pollution during dredging and water leakage during transportation of dredged soil 	
Social impacts/ Dampak sosial	<ul style="list-style-type: none"> • Jatibarang Dam will impound arable land including fruit trees around 200 ha owned by 280 households that will lose income sources • Garang River/West Flood Way Improvement will cause relocation of existing residential houses (around 170) and vendors (around 500) along the river bank • Urban drainage project will cause relocation of residential houses (approximately 20) and fish smoke houses (approximately 70) 	
Process of the project implementation	EIA Disclosure/ Keterbukaan AMDAL	Yes
	Timing of EIA disclosure/ Waktu dibukanya AMDAL	Not known
	Quality of EIA/Kualitas AMDAL	Indirect impact was not examined.
	Implementation of measures written in the EIA/ Pelaksanaan Indikator yang tertulis di dalam AMDAL	Not known
	Consultation/Konsultasi	There have been several consultation, but negative impact and compensation policy were not often explained.

Tanjung Jati B Coal Fired Power Plant Project

Project Name/ Nama Proyek	Tanjung Jati B Coal Fired Power Plant (PLTU) Project
Project location and map (if available)/ Lokasi dan peta proyek (jika tersedia)	<p>Tuban, Kembang, Jepara, Central Java.</p> 
Project description/ Deskripsi Proyek	The PLTU Project produces 2 x 660 MW power electricity as additional supply for electricity needs in Java, Bali and West Nusa Tenggara (NTB).
Proponents/ Pelaksana Proyek	Sumitomo Wasa Mitra Joint Operation
Financiers/ Pihak Penyedia Dana	Japan Bank for International Cooperation (JBIC) with 13 Private Banks, fund the projects with loan fund amounting to 200 billion yen or approximately Rp 16 trillion. Sumitomo Mitsui Banking Cooperation is the agent bank.
Brief history of the project/ Sejarah singkat proyek	<ul style="list-style-type: none"> • The project was initialized by the occurrence of electricity contract of sale (based on old contract) in September 1994. Then the project commenced to be implemented in April 1997, but due to the monetary crisis in May 1998, the project was postponed temporarily. • Next, PLTU project's tender was held by PT Central Java Power (CJP). PT Central Java Power established in 2002, was 100% completely by an investment of Sumitomo Corporation. In March 2003, loan contract was signed and in July 2003 the project was implemented by Sumitomo Corporation until its completion by the end of 2005. There were many companies as subcontractors of Sumitomo Corporation, among which was Mitsui Engineering & Shipbuilding Co., Ltd. and Mitsubishi Heavy Industries, Ltd. from Japan. • SUTET transmission project of PLTU Tanjung Jati B, was carried out for approximately two years between 2004 until early 2006. By January 2006, SUTET network has already been flowed through by electricity from Tanjung Jati to Purwodadi. • PLTU Tanjung Jati B was commenced officially by the President, Mr. Susilo Bambang Yudhoyono in October 2006, after the completion of the entire PLTU installation and SUTET network.
Current situation/ Situasi sekarang	<ul style="list-style-type: none"> • The project has effectively been operated to meet the needs of Java-Bali-NTB's electricity need.

	<ul style="list-style-type: none"> • When there were several incidental cases such as air pollution from the coal dusts, atmospheric and sea water warming that affected the fishermen’s income and the impact of SUTET transmission, there has been public turmoil against PLTU project. • Currently, expansion project or PLTU Tanjungjati Expansion toward the east is being prepared with the capacity of 2 x 660 MW too.
<p>Environmental impacts/ Dampak lingkungan</p>	<ul style="list-style-type: none"> • There is concern by farmers in neighboring villages that atmospheric warming caused by pollution from the disposal smoke from the chimney of PLTU machine has affected decline of agricultural production. • Occurrence of air pollution caused by the dust from coal stock. The coal stock was placed in an open field sized five times a football field. When strong wind blew, the coal dust was scattered all over the residential area and was suspected of causing diseases related to Acute Respiratory Infection/ISPA (infeksi saluran pernafasan akut). • Occurrence of sea water warming caused by PLTU machine’s cooler circulation that affected the marine biota and decreased fishermen’s catch. • Impact of SUTET transmission causing the occurrence of electromagnetic wave to people whose house is located near SUTET particularly during rainy season.
<p>Social impacts/ Dampak sosial</p>	<ul style="list-style-type: none"> • Occurrence of social partiality and jealousy between “the inner environment” of PLTU Tanjung Jati B and “the outside/surrounding environment”, so there was a chance of several criminal acts. • Great insufficiency of work force absorption from areas surrounding the PLTU location made the existence of the project incapable of lifting the economy standard of the people from those areas. The community development fund which was rumored of being available also did not seem to be implemented accurately. Indemnity to the people of surrounding areas, so far still has been very charitable in nature. • The life condition of the farmers and fishermen in the area surrounding PLTU Tanjung Jati B was getting even worse because the natural condition tends to be less hospitable, while the PLTU Tanjung Jati B project side did not give sufficient concern. • There had been several tensions between the side of PLTU Tanjung Jati B project, PLN (Perusahaan Listrik Negara-state electricity company) as the organizer of electricity production of PLTU Tanjung Jati B and the community in the other side, which was the result of SUTET compensation’s transparency. Although it has relatively subsided, yet until now the compensation problem has not really been completely solved. Actually this has caused some horizontal conflicts among the members of the community, which both the PLTU Tanjung Jati B and PLN often ignore.

Process of the project implementation/Proses pelaksanaan proyek	EIA Disclosure/ Keterbukaan AMDAL	There has been no disclosure of AMDAL in the project. The regency's office of Environment, Mining and Energy/Dinas LHPE (Dinas Lingkungan Hidup, Pertambangan dan Energi) , did not keep the AMDAL of the PLTU Project, thus until now we have not been able to obtain it.
	Timing of EIA disclosure/ Waktu dibukanya AMDAL	Not disclosed
	Quality of EIA/Kualitas AMDAL	Not known
	Implementation of measures written in the EIA/ Pelaksanaan Indikator yang tertulis di dalam AMDAL	Not known
	Consultation/Konsultasi	Not known

Urgent Disaster Reduction Project for Mt. Bawakaraeng

Project Name/ Nama Proyek	The Urgent Disaster Reduction Project for Mt. Bawakaraeng
Project location	<p style="text-align: center;">Southern Sulawesi</p> 
Project description/ Deskripsi Proyek	By preventing sand erosion caused by major partial destruction of Bawakaraeng Mountain in March 2004, the project will reduce the mud flow damage to people.
Proponents/ Pelaksana Proyek	Directorate General of Water Resources, Ministry of Public Works
Financiers/ Pihak Penyedia Dana	JBIC
Brief history of the project/ Sejarah singkat proyek	<ul style="list-style-type: none"> ● Engineering Services for Bili-Bili Multipurpose Dam Project: 13 June 1984 JBIC made loan agreement with Government of Indonesia, amounting to 878 million yen.

	<ul style="list-style-type: none"> ● Bili-Bili Multipurpose Dam Project (1): 14 December 1990 JBIC made loan agreement with Government of Indonesia, amounting to 6662 million yen. ● Bili-Bili Multipurpose Dam Project (2): 8 October 1992 JBIC made loan agreement with Government of Indonesia, amounting to 20798 million yen. ● Bili-Bili Multipurpose Dam Project (3): 29 November 1994 JBIC made loan agreement with Government of Indonesia, amounting to 3488 million yen. ● March 31, 2005 JBIC made loan agreement with Government of Indonesia, amounting to 16436 million yen. 	
Current situation/ Situasi sekarang	Construction is in progress.	
Environmental impacts/ Dampak lingkungan	Since the place where the dredging mud is dumped is not appropriate, agricultural land is affected.	
Social impacts/ Dampak sosial	Decrease of agricultural land	
Process of the project implementation	EIA Disclosure/ Keterbukaan AMDAL	Disclosed in Japan, but not known in Indonesia.
	Timing of EIA disclosure/ Waktu dibukanya AMDAL	After screening
	Quality of EIA/Kualitas AMDAL	Not known
	Implementation of measures written in the EIA/ Pelaksanaan Indikator yang tertulis di dalam AMDAL	Not known
	Consultation/Konsultasi	Not Known

Double-Double Track Railway (DDT) and its facility construction project from Manggarai Station (DKI Jakarta) to Cikarang (West Java)

<p>Project Name>Nama Proyek</p>	<p>Double-Double Track Railway (DDT) and its facility construction project from Manggarai Station (DKI Jakarta) to Cikarang (West Java)</p>
<p>Project location and map (if available) /Lokasi dan peta proyek (jika tersedia)</p>	<p>For DKI (Metropolitan Special Region) Jakarta area, the construction of Double-Double Track (DDT) railway and its facility from Manggarai Station to Cakung covers an area of 10 HA.</p>  <p>The map shows the Indonesian archipelago with major islands labeled: SUMATRA, JAVA, and KALIMANTAN. The Java Sea and Indian Ocean are also labeled. A red box highlights the Jakarta area on the island of Java. Other cities shown include Bandung, Semarang, Solo (Surakarta), Surabaya, and Yogyakarta. A scale bar indicates 200 km and 120 miles.</p>
<p>Project description/ Diskripsi Proyek</p>	<p>Double-double Track (DDT) project has the following intentions:</p> <ul style="list-style-type: none"> • Increasing transportation capacity • Separating the operation of inter-city trains and commuter trains • Moving the main station from Gambir station to Manggarai Station • Extending commuter trains service from ending at Bekasi Station to Cikarang Station. <p>Supplies of 35 km length of Manggarai-Cikarang DDT Project covers five (5) areas:</p> <ul style="list-style-type: none"> • South Jakarta area • East Jakarta area • Bekasi municipality area • Bekasi regency area • Cikarang area <p>Supplies of the Manggarai – Cikarang DDT Construction Project (of 35 km length) refer to:</p> <ul style="list-style-type: none"> • Keppres No. 55/1993 Jo Perpres No.36/2005 jo. Perpres 65/2006 • The decree of DKI Jakarta’s governor • The decree of South and East Jakarta’s mayors. <p>DDT project is part of the mega project Mass Rapid Transit (MRT). It is expected to be the solution in mass transportation provision so it can reduce the traffic jam by the estimation of passengers in 2010 amounting to 280,000 people per day, while in 2020 the number of transportation users is estimated</p>

	to reach 339,000 per day.
Proponents/Pelaksana Proyek	Department of Transportation (Project Owner) DKI Jakarta Provincial Government Mayors of South and East Jakarta areas Directorate General for City Planning PT. Cipta Karya Camat (District Chief), Lurah(Village Chief), Dekel, RW/RT.
Financiers/Pihak Penyedia Dana	<ul style="list-style-type: none"> • JBIC Loan 41,034,000,000yen • State Budget (APBN) for the first stage Rp.281,000,000,000,- • JBIC's loan will be allocated for the construction of double-double track (Manggarai-Bekasi), the electrification of the railway (Bekasi-Cikarang), and construction of related facilities.
Brief history of the project/Sejarah singkat proyek	<p>In 2002 the central government and the Provincial Government of DKI Jakarta launched the plan to build Mass Rapid Transit (MRT) in Jakarta by elevated (over the ground) MRT construction system through making use of existing facilities to economize land acquisition.</p> <p>MRT is planned to be integrated with other transportation methods, such as monorail, busway, and the Jabotabek railway.</p> <p>JBIC was interested in giving assistance in funding the mass rapid transit (MRT) project by heavy rail system development. The central government is responsible in infrastructure building and providing the consultation service paid by loan fund. Whereas the provincial government of DKI Jakarta takes the role in facility provision and warehouse/site construction funded by loan fund, The provincial government of DKI Jakarta is also responsible for the land acquisition process and traffic management during the construction funded by Regional/Administrative Budget. The central government builds the infrastructure; its operation will be carried out by the Provincial Government of DKI through the consortium of BUMD (Province owned enterprises), BUMN (State owned enterprises) and the private sectors.</p> <p>Prior to MRT construction, the Department of Transportation also plans to building double-double track (four rail tracks) between Cikarang-Manggarai along with the increase of Jabotabek railway system and building double track between Serpong-Tanah Abang.</p> <p>Electrification of Bekasi – Cikarang lane with electric railways/kereta rel listrik (KRL) instead of using diesel powered train/ kereta rel diesel (KRD) is planned for revitalization of Jabotabek railway.</p>
Current situation /Situasi sekarang	The construction of double-double track rail lane (four rail track) from Manggarai (South Jakarta) – Cikarang (Bekasi) covering approximately 35 kilometer distance is still encountering an obstacle in the case of land acquisition in several places both in the area of DKI Jakarta and Bekasi. This is caused by lack of socialization process and transparency in addition to the involvement of (government and private) individuals seeking for their own

profit. As a result, the project fund which was initially budgeted as much as Rp 281 billion grew to Rp 734 billion relating to the people's land acquisition in DKI Jakarta, Bekasi Municipality, and Bekasi Regency. For the municipality of Bekasi, as wide as 117,586 square meters is needed.

The construction of double-double track first phase will be implemented covering three kilometers long from Manggarai to Jatinegara and will be continued as far as 15 kilometers from Jatinegara to Bekasi.

Existing problems:

Land acquisition:

- Involuntary eviction, unfair compensation value
- Data manipulation of people's land and property width
- Intimidation, tricking and brokering process experienced by the people
- Existence of corruption in the project's implementation (ex. Manipulation in the compensation)
- Unclear status of land's ownership. Facts and data showed that the people affected by DDT project had lived in the site for relatively long time, even way longer than the issuance of the certificate possessed by PT KAI (Indonesian railway company), i.e. of 1988.

Occurrence of Human Rights violation :

- Violation on adequate housing rights
- Violation on the rights of the children for education
- Violation on the rights for employment
- Violation on the rights for security
- Violation on the rights for culture
- Violation on the rights for identity

Condition of several members of the community

- The community of Pisangan Timur & Baru are still in the process of legal truth finding by
 - a. Legal effort to appeal to Higher Court of DKI Jakarta on the verdict of State Court of East Jakarta No. 189/Pdt.G/2006/PN.Jkt.Tim relating to the amount of property compensation and compensation of land placement which verdict on grant the claim of ten (10) claimants.
 - b. For the case of Corruption crime act, the Judge of State Court of East Jakarta had given the verdict of 6 years imprisonment, Rp. 200 million fines, reimbursement of State loss amounting to Rp. 3.6 billion to the Project Leader and 5 years of imprisonment and compensation amounting as much as Rp. 200 million to the Treasurer of the Project.
- People at the DDT Project location that have not been evicted, such as in the areas of Manggarai, Pulo Gebang, Penggilingan, Cakung, Jatinegara and Bekasi also experience similar things as the DDT victims in Manggarai such as being terrorized, intimidated, pressured and forced to immediately take the compensation money.

	<ul style="list-style-type: none"> The people of Manggarai are waiting for the confirmation of the implementation of temporary stopping of the project construction, re-measurement of land and property, negotiation for land and property's price, as well as making the status of land's ownership clear. Demanding authentication of land for DDT project 	
Environmental impacts/Dampak lingkungan	<p>Substantially the project had no environmental impact, but the environmental impact occurred when the project construction was supplemented with its facilities construction, such as the loss of water absorption area, green belt area, and verdant trees at the road's sides.</p> <p>Moreover the DDT Project is related to the East Canal Flood/Banjir Kanal Timur (BKT) project, because the DDT project is on the ground of BKT's absorption area which will threaten the environmental conservation of the area surrounding the BKT.</p>	
Social impacts/ Dampak sosial	<ul style="list-style-type: none"> Forceful removal from its social relations that had been built for a long time The loss of social values that have been implanted for years The women (particularly mothers and children) are vulnerable to violence both psychologically and sexually. The loss of rights for identity (Identity Card/KTP, Household Card/KK, etc) School-age children lose the access to education (the access related to both the facilities and the infrastructure). The loss of livelihood/employment (particularly informal sector workers). The emergence of new poor society/groups. 	
Process of the project implementation/Proses pelaksanaan proyek	EIA Disclosure/Keterbukaan AMDAL	Not disclosed
	Timing of EIA disclosure/Waktu dibukanya AMDAL	Not known
	Quality of EIA/Kualitas AMDAL	Not known
	Implementation of measures written in the EIA/Pelaksanaan Indikator yang tertulis di dalam AMDAL	Not known
	Consultation/Konsultasi	<ul style="list-style-type: none"> PACIFIC CONSULTANTS INTERNATIONAL JAPAN RAILWAY TECHNICAL SERVICES JAPAN TRANSPORTATION CONSULTANT, INC. PT INTI ERA CIPTA PT IREC REKAYASA PT JAYA CM

Inco Mining in Sulawesi

Project Name/ Nama Proyek	Inco Mining in Sulawesi
Project location	Soroako, South Sulawesi 
Project description/ Deskripsi Proyek	Exploitation of nickel in Sorowako (South Sulawesi) and the Bahodopi Bloc(Bungku, Central Sulawesi). The area of the work contract of mining is as big as 6.6 million hectare and 220.000 hectare has been operated.
Proponents/ Pelaksana Proyek	Inco Ltd has 59 % of the PT Inco share while Sumitomo Metal Mining Co has 20% of the Pt. Inco share. Several other Japanese companies (Nissho Iwai Ltd; Tokyo Nickel of Company Ltd; Mitsui & Co Ltd) have 1 % from the sale of the Inco share and the rest of 20 % has been sold to the public.
Financiers/ Pihak Penyedia Dana	Export Development Canada (EDC), US EXIM, Export Finance and Insurance Corporation (EFIC), Export Credit Guarantee Department (ECGD), JEXIM and Guarantee Institute for Export Credits (GIEK) EDC Canada provided 200 million USD loan while North American Bank provided 115 million USD. JEXIM/JBIC provided 140 million USD loan.
Brief history of the project/ Sejarah singkat proyek	<ul style="list-style-type: none"> ● 1968 – 1973, feasibility study and explorations ● 1973 – 1978, the development of mining facilities and the factory ● 1978 – 1986, the commercial production started (the financial loss as big as 416 million USD) ● 1988 – 1991, Inco built Larona Hydroelectric Power Plant with the capacity of 165 MW ● In January 1996, modification and the expansion of the Work Contract ● 1996 – 1999, the expansion of the project and the Balambano Hydroelectric Power Plant development that has capacity of 93 MW ● In 2003, PT Inco built the area of a new mining in Petea (East Danau Matano). Petea had 5 million tons of mineral reserve which was proven with the quality of 1,81% nickel and 24 million tons of the mineral reserve which was expected with the quality of 1,78% nickel ● In 2004, PT Inco began the drilling activity in Bahodopi and Pomalaa, and the mining test of the ore in Petea; during 2004, PT Inco built the third dam in Karebbe, Sungai Larona, to increase the hydroelectric capacity from 275 MW to 365 MW.

<p>Current situation/ Situasi sekarang</p>	<p>The area of the Inco golf-course has continued to be reclaimed by the community of Karonsie Dongi that has still remain in the tent and their garden house; the transmigrant's community in Bung I has still continued to work on its paddy-field; PT. Inco has still continued to carry out his activity and often did not change his position to fill the right and the people's demand, there was no certain situation, including the nonexistence of the government's action to resolve this problem.</p> <p>Between the August 21th until 23rd, 2007, more than 2000 people from Pasitabe Coalition which is the coalition of local people (Padoe – Karunsie – Tambee) made a protest action against Inco in Wasoponda.</p>
<p>Environmental impacts/ Dampak lingkungan</p>	<ul style="list-style-type: none"> ● Air pollution; In and around the factory, flame and smoke is seen both day and night. Dust and smoke from the chimney pollutes the area up to 10 kilometers from the factory. Air pollution from PT Inco includes the smoke and soot from the reduction of burning (reduction kilns), sulphur that has the shape of solid and gas, ore dust from the drying machine, the usual mining operation of and the operation of smelter. The effect was seen clearly, scattered dust powder covers vegetation. When it rains, it is seen that dust with full of black soot and red dust is mixed in raindrops. Various dust kinds and the smoke could be formed as results of the soot mixture/the smoke, sulphur, and laterite dust from the dryer, the reduction of burning (reduction kilns), and the air from smelter chimney of the factory. Yellow dust in Matano shows that some sulphur with the shape of solid is not yet mixed. According to the resident, they felt the quality of air has been degraded, their house with the simple architectural structure has become dusty and their zinc roof has become easily covered with mold. The resident of Soroako, especially children has been suffered by flu and asthma. ● The exploitation of the Protected Forest; Inco will exploit the area of 173.520 hectares of forest that has the status of the protected forest region and has functions as the conservation area and the limited production forest. This forest region was the place of the heterogenous life of the endemic flora and fauna, such as: anoa, the Cuscus, the Sulawesi monkey, enggang bird and the crop eucalyptus, et cetera. This protected forest region was mined openly and has changed the function and the landscape of nature. There are many holes and the waste hill. At present, Inco is opening this forest region for the Karebbe hydro-electric power plant (PLTA) development project in the Laskap village, Malili subdistrict, East Luwu regency, that will produce 90 MW. In the area of the nickel concession in Pomalaa, around 75 percent or 15.000 hectares from 20.000 hectares of the Inco concession land was located in the Mendoke protected forest region. The rest was farm land and the settlement. This protected forest region was destructed around 80 hectares.
<p>Social impacts/ Dampak sosial</p>	<p>The community lost the livelihood and the source of their life, the shortage of access to sources of their life to make use of products of the forest, the lake and the river. The basic matter for the local community is to have lost the control and the power on the source of agriculture. Inco exploited without having the conference and consent with the local community, that is: the Sorowako community, Karonisie Dongi community, To Bung community ,</p>

the transmigrant's community in Onepute Jaya, and Pomalaa. The realisation of compensation and promises of facilities and the improvement of community's welfare have not yet been realised up to now. The forced resettlement of the inhabitants happened when the development of the dam for PLTA Lorena and expansion of the PT. Inco in Bungku Bahomotefe. The workers of Inco, regarding the wage and welfare of the workers, arbitrary dismissal, the rights on the safety of the work, the rights to organize themselves and practice demonstration. Beside that, the low level of recruitment from the local inhabitants which is contradictive to the Inco's promise to recruit the local community.

The violence and the violation of human rights; the community's actions to regain their rights and fought for justice and the rights for well-being is often confronted by the country's apparatus that involved the police and the military, as well as foreign security apparatus that was hired by Inco. The houses and garden of Karonsie Dongi people were burnt, the intimidation, crime, detention and imprisonment of the resident who demanded his right occurred.

Since the dispute resolution has not been clear and the government apparatus sides with the company, it will cause a bad impact on the people's mistrust against the government and people use the anarchic methods to restore their rights from Inco. This could be seen from protest action and demonstration of the community to stop the activity of the company.

The community often revealed INCO's name is international but their commitment is none. It was related to reality that was experienced by them very far from promise that was heard by them and the government oration that was heard through the media.

Process of the project implementation	EIA Disclosure/ Keterbukaan AMDAL	We have not found the EIA
	Timing of EIA disclosure/ Waktu dibukanya AMDAL	Not known
	Quality of EIA/Kualitas AMDAL	Not known
	Implementation of measures written in the EIA/ Pelaksanaan Indikator yang tertulis di dalam AMDAL	Not known
	Consultation/Konsultasi	Not known

CASES FROM THE PHILIPPINES

Rapurapu Polymetallic Mining Project

Project Name	Rapurapu Polymetallic Mining Project
Project location and map (if available)	<p>Rapu-Rapu, Albay</p> 
Project description	<p>Commodity: Copper, Gold, Silver, Zinc Reserves: 5.9 Million MT 1.2% Cu; 2.5 g/t Au; 28 g/t Ag; 2.1% Zn. Production rate²: 10,000 MT for Cu; 14,000 MT for Ag 50,000 oz. for Au, 600,000 oz. for Ag. Mine Life: 7 years</p> <ul style="list-style-type: none"> •Involves the development and operation of the Ungay Deposit. –Ungay deposit is covered by 72-ha patented claims and 335-ha claims subject to two Mineral Production Sharing Agreement •Employs flotation technique to separately produce copper and zinc concentrates. •Uses Carbon-In-Leach (CIL) plant to treat the gold-bearing oxide ore and overflow solution from the zinc tailings thickener •Uses wire wool to electron the carbon that adsorbed gold, and smelted to produce gold and silver dore bars. <p>? Out of the islands’ total land area of 5,589 hectares, 80.27% or 4,486.4836 hectares devoted to forest and agricultural uses is covered by mining applications.</p>
Proponents	<p>Lafayette NL Australia, LG Collins and KORES of South Korea Shareholders of Layafette Mining Ltd (LML), topped by Lion Selection Group Limited and Australia and New Zealand Banking Group Limited.(ANZ) and Nominees Limited which each own 13% of LML shares, followed by AuSelect Limited (5%), JP Morgan Nominees Limited (3.9%) and Mr. Vijay Vijendra Sethu (3.2%)</p>
Financiers	<p>Bank syndicate: led by ABN AMRO (Netherlands), ANZ (Australia), Standard Bank (South Africa), Investec Bank (Mauritius Branch), FA International Limited, Standard Chartered First Bank (Korea) Limited</p>
Brief history of the	<ul style="list-style-type: none"> ● During World War II, the island of Rapu-Rapu experienced mining in Brgy. Sta.

² Tha data from the DENR-MGB reports

<p>project</p>	<p>Barbara by Japanese Imperial Army. Gold, Zinc & Copper were extracted. Some people were forced to work because of fear.</p> <ul style="list-style-type: none"> ● HIXBAR MINING Co. introduced an open pit and tunnel type to extract possible minerals. When the company left the area, out of four potable rivers, one is left for residents' use & other three are contaminated, workers fled the area for fear, and left a huge open pit & a barren land. ● In the mid-80's, Batan was mined for coal. Today, what used to be an agricultural land is now turned barren, unproductive, and lots and open pit. ● The Ungay Point had been subjected to explorations. BENGUET CONSOLIDATED, INC. (BCI) was the first mining company to explore the area ● TORONTO VENTURES, INC. (TVI) suddenly appeared in the same mining site to further explore the area. Without the benefit of public hearings & barangay consultations, the company conducted series of testing and road openings. ● Came SFINIX, believed to be a Canadian firm, who conducted feasibility studies and made further road openings. This company did not stay long in the area. ● 2005, LAFAYETTE (PHILS) Co. joined the scenario. This company conducted series of closed door meetings with the different government line agencies, explorations development and hired EASTWEST Drillings Co. and Dames & Moore (for Env. Impact Assessment). This time, the Company is serious and highly financed.
<p>Current situation</p>	<p>Continuous fishkills due to the mining tailings spills were found on October 11, 2006, October 31, 2006, July 20, 2007, First week of October 2007, October 26 to 29, 2007.</p>
<p>Environmental impacts</p>	<ul style="list-style-type: none"> ● The continuous Acid Mine Drainage or AMD and its accompanying liberation of toxic heavy metals ● Pollution and depletion of water resources ● Biodiversity loss ● Open pit mining hazards <p>THE OCTOBER 11 AND 31, 2005 MINE TAILINGS SPILLS</p> <ul style="list-style-type: none"> ● Mine Tailings spills were due to malfunction of the pump ● Mine Tailings spills has reached the Albay Gulf since October 11, 2005 ● Lafayette Philippines Inc (LPI) intentionally discharged mine wastes (not rainwater) on October 31, 2005, causing the fish kills in Brgy. Binosawan ● the Lafayette project does not appear to measure up to standards of responsible mining ● DENR failed to monitor the Rapurapu operations and consequently failed to immediately detect the violations that would indicate the possibility of environmental accidents ● the sharing of benefits from the exploitation of Rapurapu island has clearly been grossly unfavorable to the Philippine government ● Lafayette violated 10/29 ECC conditionalities
<p>Social impacts</p>	<ul style="list-style-type: none"> ● Health Hazards <p>THE OCTOBER 11 AND 31, 2005 MINE TAILINGS SPILLS</p> <ul style="list-style-type: none"> •The spills caused the fish kill incidents •The AMD system used is inapplicable to the island •100 people w/in 20 km radius of the mine suffered skin disease •Lafayette violated 10/29 ECC conditionalities

	•MGB failed to impose remediation measures after the incidents	
Process of the project implementation	EIA Disclosure	Not known
	Timing of EIA disclosure	Not known
	Quality of EIA	Not known
	Implementation of measures written in the EIA	Lafayette violated 10/29 ECC conditionalities.
	Consultation	Not known

San Roque Multi-purpose Project

Project Name	San Roque Multi-purpose Project	
Project location and map (if available)	<p data-bbox="475 353 874 421">San Nicolas and San Manuel in Pangasinan, and Itogon in Benguet</p> <div style="display: flex; justify-content: space-around; align-items: center;">   </div> <p data-bbox="1034 887 1257 913" style="text-align: center;">(Map) The Agno Basin</p>	
Project description	<p data-bbox="475 929 1458 1081">The San Roque Multipurpose Project is one of the largest dam projects in Asia. The dam was constructed on the Agno River in the northern Philippines for four main objectives: electricity generation (345 megawatt capacity), irrigation of 87,000 hectares of land, flood control, and water quality improvements.</p>	
Proponents	<p data-bbox="475 1090 1458 1317">The project has been implemented with the partnership of San Roque Power Corporation (SRPC) and the Philippine government's National Power Corporation (NPC). The SRPC is comprised of Marubeni (owned 42.45 percent of the stocks of the company), Kansai Electric (7.5 percent) and Sithe Energies (50.05 percent)³. In the Power Purchase Agreement (PPA) between the SRPC and the NPC, the SRPC generates power for 25 years and the NPC pays a fixed amount monthly to SRPC.</p>	
Financiers	<p data-bbox="475 1326 1458 1435">The total cost of the project was \$1.19 billion. JBIC and private banks provided \$500 million in loans to the SRPC, and JBIC alone provided \$400 million in loans to the NPC.</p>	
Brief history of the project	<p data-bbox="475 1444 667 1471">September 1985</p> <p data-bbox="475 1518 539 1545">1996</p> <p data-bbox="475 1559 770 1585">April 1997 March 1998</p> <p data-bbox="475 1599 651 1626">February 1998</p> <p data-bbox="475 1639 675 1666">October 27 1998</p> <p data-bbox="475 1713 651 1740">February 1999</p> <p data-bbox="475 1787 619 1814">March 1999</p>	<p data-bbox="802 1444 1458 1509">JICA submitted the final report of supplemental feasibility studies</p> <p data-bbox="802 1518 1409 1545">Indigenous peoples started anti-San Roque campaign</p> <p data-bbox="802 1559 1458 1624">Marubeni, Sithe Energies (U.S.) and Thai company successfully contracted</p> <p data-bbox="802 1639 1353 1666">Kansai Electric joined, instead of Thai company</p> <p data-bbox="802 1680 1121 1706">Construction of dam started</p> <p data-bbox="802 1720 1458 1785">JEXIM and group of Japanese private banks made a loan of \$500 million</p> <p data-bbox="802 1798 1458 1863">Social and environmental studies was made again due to its insufficiency</p>

³ Marubeni has partially owned the stocks of Sithe Energy since 1996. In November 2003, Marubeni obtained the 100 percent of stocks of Sithe Asia which is a subsidiary of Sithe Energy and has got involved in San Roque Multipurpose Project.

	September 22 1999 March 2001 August 2002 May 2003	Number of households needed resettlement increased from 3 to 61 JEXIM made a loan of \$400 with NPC Affected people around / downstream of dam launched organization and anti-dam campaign Impoundment of reservoir started Commercial operation started
Current situation	The financing for the dam construction and the power component has been disbursed entirely (as of January 2005), even though many outstanding environmental and social problems have not been resolved. The Philippines government is also requesting a JBIC loan for the irrigation component currently known as the Agno River Integrated Irrigation Project (some \$140 million), which has not yet been implemented.	
Environmental impacts		
Social impacts	<p><i>Siltation and destruction of the Ibaloi's land and culture</i></p> <p>Now that the dam has been built, sediment will be accumulating behind the reservoir. This will raise the level of the river bed and flood adjacent low-lying lands. This flooding will affect up to 20,000 villagers of the Ibaloi, an indigenous people who depend on the Agno River basin upstream of the dam. The sediment will eventually bury the Ibaloi's ancestral lands, including their homes, rice terraces, orchards, pasture lands, gardens and burial grounds. These impacts, acknowledged by project proponents, cannot be mitigated or avoided and will deprive the Ibaloi of their communities and their indigenous culture.</p> <p><i>No proper compensation for resettlement and economical dislocation</i></p> <p>As more than 4,000 hectares of land were expropriated by the San Roque Multipurpose Project, 2,500 families were also forced to give up their agricultural land to make way for the project, including some 750 families' resettlement, and more than 3,000 gold-panners lost their livelihoods. Most of these people were tenant subsistence farmers who met their basic needs from gold-panning, farming, gardening, charcoal making and animal raising. These farmers had no choice but to agree to be relocated since the NPC had explained that this was the national project and no choice were given to them. They were made to sign forms in English indicating their agreement to be relocated with compensation, even though most of them did not understand English.</p> <p><i>Increased risk in flooding downstream</i></p> <p>Farmers downstream of the San Roque Dam have experienced flooding every time the two existing dams along the Agno River, Ambuklao and Binga, release water during the rainy season. The flooding has destroyed thousands of hectares of rice fields, fishponds and homes. The operation of the San Roque Dam, with its bragged flood control component, put downstream communities at greater risk, especially during extreme flood events, when there is even more water backed up behind dams that need to be released quickly.</p>	
Process of the project	EIA Disclosure	Yes

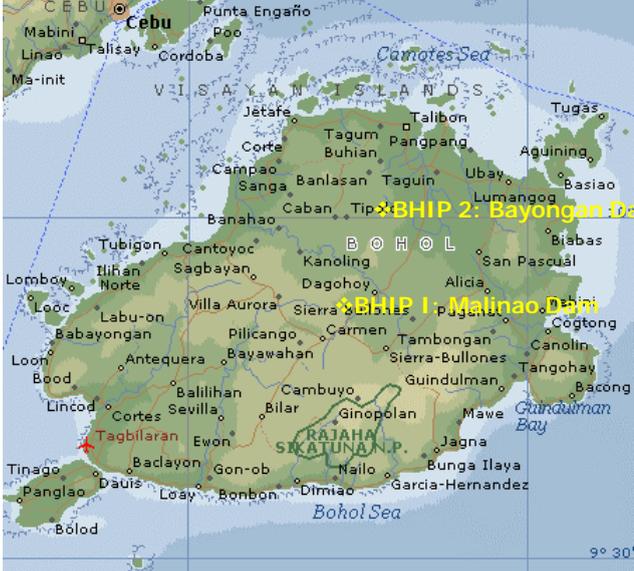
implementation	Timing of EIA disclosure	After the construction was started upon the request from the concerned NGO group.
	Quality of EIA	Only English available
	Implementation of measures written in the EIA	Failure to fulfill commitments on compensation and livelihood programs etc. written in Resettlement Action Plan
	Consultation	No proper consultation with affected communities before the construction started.

Oil Exploration in the Tañon Strait

Project Name	Oil Exploration in the Tañon Strait
Project location and map (if available)	<p>Tañon strait, the body of water that separates the Islands of Cebu and Negros</p> 
Project description	<p>Service Contract (SC) 46 Department of Energy of the Philippines (DOE) sent out data that Tañon Strait will yield 1 billion barrel of crude oil → Service Contract (SC) 46 was signed 21 December 2004 between DOE and proponents</p>
Proponents	<p>Japan Petroleum Exploration Co. Ltd (JAPEX) (65%) KURPEC (Kuwait State-owned Company) (35%)</p>
Financiers	None (as of September 2007)
Brief history of the project	<ul style="list-style-type: none"> • Geophysical Survey and Exploration Contracts (GSEC) 102 signed on 13 June 2002 • JAPEX conducted Geological and Satellite Surveys • Oil and Gas Sampling in Tañon Strait • SC 46 signed on 21 December 2004 • JAPEX acquired 750 line-km of 2D Seismic data in May 2005 • JAPEX proposed to drill one exploration well in 2007
Current situation	Based on the data from the DOE and JAPEX the project is on the drilling level
Environmental impacts	<ul style="list-style-type: none"> - Tañon Strait is declared as a protected seascape through Presidential Proclamation 1234 because of the abundance of marine life such as dolphins, whales and others found in its waters. - Effects of Seismic survey to marine life in 2005
Social impacts	<ul style="list-style-type: none"> - Tañon Strait is categorized as part of the 10 major fish production area in the archipelago. - An Environmental Investigative Mission (EIM) was made September 9 – 11 in 2006 along the fishing communities of Toledo City, municipality of Pinamungajan and Aloguinsan to determine the extent of effect made by the Seismic survey in 2005. According to the data gathered, 3 huge foreign owned sea vessel conducted the survey from May 2005 and that there were no prior consultation to fishermen's organization and local government units made. According to respondents from fishing communities, notices were given only during the actual exploration where most of them are out fishing. Most of them mentioned also that the presence of the ships made them conclude that there is an exploration. The EIM has found the following impacts;

	1. Reduction of Fish Catch 2. NUMBER OF GANGO DESTROYED. 3. Fishkill 4. HEALTH EFFECTS	
Process of the project implementation	EIA Disclosure	Yes (Only IEE was prepared by the proponents)
	Timing of EIA disclosure	After ECC was issued upon the request from the concerned local NGO.
	Quality of EIA	Only English available
	Implementation of measures written in the EIA	---
	Consultation	2 nd scooping consultation was conducted in the shoreline Barangays of Pinamungahan. But there have been no reaction from the proponents to the concerns of the local people and DENR has granted the ECC without the stakeholders consent.

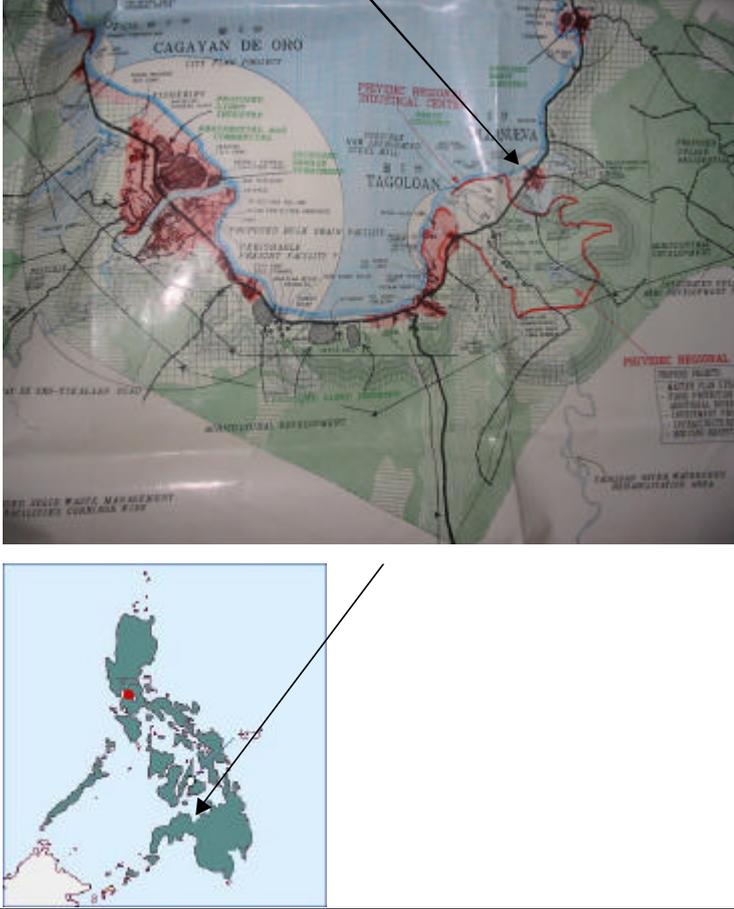
Bohol Irrigation Project (BHIP)

Project Name	Bohol Irrigation Project (BHIP)
Project location and map (if available)	 <p style="text-align: center;">Bohol, the Philippines</p>
Project description	<p>Construct dams to realize the following purposes:</p> <ul style="list-style-type: none"> • to establish irrigation of these farmlands in Ubay, Pilar and neighboring municipalities; • to increase the agricultural productivity and income of inhabitants in and around the project area; • to improve the farmers' living standard; • to increase employment opportunity in the area; • to contribute to the development of the rural socio-economic conditions; • to provide a stable rice supply to the Visayan region; and • to become the rice granary of the Visayan region <p><u>DAM #1: THE MALINAO DAM PROJECT (BHIP I)</u></p> <p>Project Costs: P 1.4 Billion Loan To irrigated 4,960 hectares, or serve 3,000 farmer-beneficiaries</p> <p>Dam height: 20.4M Dam length: 846M Reservoir Capacity: 5.9 MCM Water surface area: 143 hectares Non-gated bath tub type of spillway</p> <p><u>Dam #2: The BAYONGAN DAM PROJECT (BHIP II)</u></p> <p>Project Costs: P 2.84 Billion Loan (23rd Yen Loan Package) 85% or P 1.767 B from OECF/JBIC 15% or P 311.96 M from Philippine government as counterpart To irrigate 5,300 hectares of agricultural land</p>

	<p>4,149 for Bayongan dam beneficiaries 1,150 for Capayas dam beneficiaries “SURPLUS WATER” from Phase I or Malinao Dam and RAIN WATER Dam type: fill type Dam height: 35.50 m. Dam length: 855 m. Dam volume (emb): 1.1 MCM Spillway type: chute</p>
Proponents	<p><u>DAM #1:THE MALINAO DAM PROJECT (BHIP I)</u> National Irrigation Administrations (NIA) <u>Dam #2:The BAYONGAN DAM PROJECT (BHIP II)</u> National Irrigation Administrations (NIA)</p>
Financiers	OECF (for dam #1) / JBIC(for dam #2)
Brief history of the project	<p><u>DAM #1:THE MALINAO DAM PROJECT (BHIP I)</u> The dam started its operation in 1996.</p> <p><u>Dam #2:The BAYONGAN DAM PROJECT (BHIP II)</u> The construction phase has just finished in October 2007.</p>
Current situation	
Environmental impacts	
Social impacts	<p><u>DAM #1:THE MALINAO DAM PROJECT (BHIP I)</u></p> <ol style="list-style-type: none"> Poor Irrigation Performance <ul style="list-style-type: none"> Wahig and Pamacsalan Rivers can only irrigate the capacity of 17 days worth of water (source: Australian Center for International Agricultural Research report, 2006) During dry season, when water is mostly needed, the dam will also dry up Burden of Expensive Irrigation Service Fee <p>Members of the Irrigators Associations (IAs) have to pay the Irrigation Service Fee (ISF) of 150 kgs./ha/cropping 300 kgs./ha/year for two croppings. (equivalent to P1,500/hectare/harvest or P3,000/ hectare/year)</p> <p>← the same harvest as they had before the dam (for the ricelands)</p> Problems on the Land Conversion <p>2,953 hectares were covered under land conversion (May 1996-April 1998)</p> <ul style="list-style-type: none"> 1,363 landowners signed a contract for land conversion; total contract amount reached to P119,879,732.20; Landowners have to pay their contract amount within 10 years, otherwise they will lost their land titles; The dam failed to irrigate about 1,000 hectares. Landowners lost their income of the converted lands, and have to pay Irrigation Service Fee <p><u>Dam #2:The BAYONGAN DAM PROJECT</u></p> <ol style="list-style-type: none"> Problems on land acquisition

	<ul style="list-style-type: none"> • Submerged area: 486 hectares • Families directly affected: 448 families • Landowners were paid less value of the agricultural land they owned which can not buy for an equally productive land they lost • Relocation scheme only includes elementary school buildings, barangay hall, barangay market and basketball court. • Housing scheme was granted after a long struggle, and was divided into two batches, accommodating only 35 houses during the first batch which started August 2007 yet <p>2. Dam workers issues</p> <ul style="list-style-type: none"> • Problems in priority hiring; • Threats in the job tenure; • Harassments among leaders; • Militarization <p>3. CORRUPTION and other controversies...</p> <ul style="list-style-type: none"> • Malversation of funds against top executives (2 luxury vehicles for the Governor and the Congressman of 2nd District • Over-priced (budget requested to finish Bayongan is equal to another big dam) 	
Process of the project implementation	EIA Disclosure	No (There was no efforts to obtain the EIS by local residents and NGOs, because they didn't know such system of EIS.)
	Timing of EIA disclosure	--- Yes (at the office of DENR)
	Quality of EIA	--- Only English available.
	Implementation of measures written in the EIA	---
	Consultation	---

Mindanao Coal-fired Power Plant Project

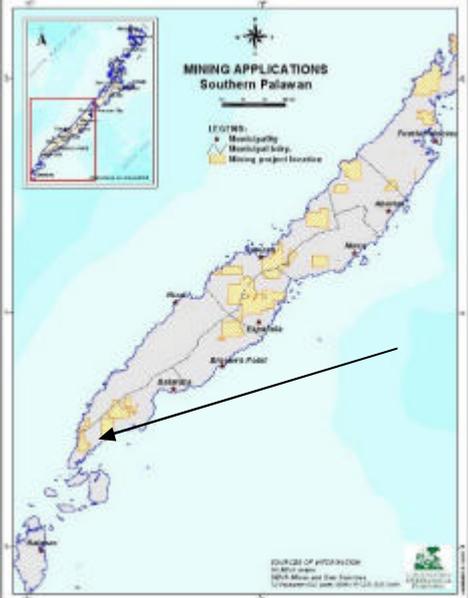
Project Name	Mindanao Coal-fired Power Plant Project	
Project location and map (if available)	<p data-bbox="432 344 1460 434">Villanueva, Misamis Oriental (25 kilometers outside Cagayan de Oro City)</p> 	
Project description	<p data-bbox="432 1352 1460 1473">The 210 Megawatts Mindanao Coal Fired Power Plant is one of the Independent Power Producer (IPP) project, aimed at settling the allegedly imminent power shortage in 2006 in Mindanao. The project cost was \$300 million.</p> <p data-bbox="432 1509 1460 1662">This was constructed in the Municipality of Villanueva, Misamis Oriental. While it is located inside some 3,000ha Phividec Industrial Estate- Misamis Oriental (PIE-MO), there are many people whose means of living have been agriculture and fishing in the PIE-MO.</p>	
Proponents	<p data-bbox="432 1662 1460 1818">This is owned by the Steag State Power Inc. (SPI), a joint venture of Filipino company and the Steag Ag of Germany that supplied the technology and technical expertise in building the plant. The Japanese consortium of Sojitsu and Kawasaki Heavy Industries won the order for boilers, turbines, etc.</p>	
Financiers	JBIC and KfW	
Brief history of the project	<p data-bbox="432 1863 695 1908">1995</p> <p data-bbox="432 1935 695 1973">1997</p>	<p data-bbox="695 1863 1460 1935">State Investment and Trust, Inc. (SITI) announced the plan of Mindanao Coal-fired power plant</p> <p data-bbox="695 1935 1460 1973">National Economic Development Authority (NEDA) approved</p>

	<p>June 1998</p> <p>January 2002</p> <p>November 2002</p> <p>December 1 2003</p> <p>January 2004</p> <p>November 2006</p>	<p>the project</p> <p>State Power Development Corp. (SPDC)⁴ sined the Power Purchase Agreement (PPA) with NPC (To be effective in March 2001)</p> <p>Implementer submitted the Environmental Impact Statement (EIS) to the DENR</p> <p>Environmental Compliance Certificate (ECC) was issued to the project</p> <p>JBIC and KfW signed the loan agreement to the project</p> <p>Groundbreaking ceremony at the project site</p> <p>Started the commercial operation</p>
Current situation	The project was pushed through as scheduled and the SPI have started its commercial operation in 2006.	
Environmental impacts	<p>? Health hazards and environmental damage</p> <p>The local people are concernd about health hazards caused by the air pollution over their long live spans due to the plant emissions, such as Total Suspended Particles (TSP), nitrogen oxide (NOx) and sulfur dioxide (SO2). Another concern was high possibility that the power plant would also contribute to hazardous environmental damage due to high levels of mercury and other heavy metals (arsenic, chromium, and lead) in the effluents.</p> <p>The local groups are also concerned about the high amount of discharges of thermal effluents from the power plant into Macajalar Bay, which contains a fish sanctuary (the Agutayan Reefs). According to local groups, more than 3,000 households actually depend on the fishery in the Macajalar Bay for their livelihood and the fishery will be adversely affected by the discharge of thermal effluents.</p> <p>? Viable alternatives</p> <p>The local NGOs groups stressed that the planned coal-fired plant is not the most sustainable energy option for the region. The local groups have pointed out those alternatives that are economically and ecologically more sound, such as renewable energy sources and the rehabilitation of existing hydroelectric power plants. The proposal, however, were neither discussed in the Environmental Impact Statement (EIS) nor during consultations, and were not incorporated into the project plan.</p>	
Social impacts	<p>? Involuntary resettlement</p> <p>Some 130 householeds, most of whom are the landless farmers in the PIE-MO, were relocated from the plant site.</p>	
Process of the project implementation	EIA Disclosure	No to the local NGOs and POs
	Timing of EIA disclosure	Only JBIC disclosed it in its office in Tokyo, Japan
	Quality of EIA	No response to the concerns from local NGOs and POs Only English available.

⁴ Joint venture of SITI and STEAG Ag of Germany

	Implementation of measures written in the EIA	---
	Consultation	<p>the EIS defined them as the affected people who reside in an area within a 2-km radius from the stack and a distance of 6 km along the coastline starting at the mouth of Tagoloan River. Although the local groups pointed out that it is necessary to investigate the effects of the coal-fired plant on the environment, agricultural products, fishery and the people in a wider range than is considered in the EIS, they were defined as outsiders or non-affected people who don't have any rights to participate in the planning process of the project.</p>

The Rio Tuba Nickel Mining Project and the Hydrometallurgical Processing Plant (HPP)

Project Name	The Rio Tuba Nickel Mining Project and the Hydrometallurgical Processing Plant (HPP) in Rio Tuba
Project location and map (if available)	<p>Rio Tuba, Bataraza, Palawan</p>  <p>The map, titled 'MINING APPLICATIONS Southern Palawan', shows the island of Palawan with various municipalities. A legend indicates that yellow squares represent 'Mining project location'. An arrow points to a yellow square in the northern part of the island, specifically in Bataraza, which is the location of the Rio Tuba project. The map also shows municipal seats with black dots and includes a scale bar and a north arrow.</p>
Project description	<p>The Nickel Mining Project of RNMC</p> <p>The Rio Tuba Nickel Mining Corporation (RTNMC) has a mining claim of 5,265 hectares of which 353 hectares are currently being operated. This pioneering mining company in Bataraza started when the nickel deposit in Rio Tuba was discovered in 1967. On September 18, 1970, the company entered into a Mining Lease Contract with the Republic of the Philippines as lessor, covering 126 hectares of public land or 110 Lode Mining claims of nickel, iron and other minerals located in Rio Tuba.</p> <p>Background of HPP</p> <ul style="list-style-type: none"> - The HPP facility was established to process “low-grade nickel ore” stored in the dumpsite. - listed as one of the 23 priority projects of the national government. - The Mines and Geosciences Bureau (MGB) highlights its significance through the investment that is derived from the project estimated to be US\$180 Million, the projected revenues amounting to US\$ 318M and the 536 jobs that it will provide.
Proponents	<p>Coral Bay Nickel Corporation</p> <ul style="list-style-type: none"> - Capital: US\$1 million at the start up and will gradually be increased up to approximately US\$50 million as the construction progresses. - Stockholders and their stockholding ratio: - Sumitomo Metal Mining Co., Ltd. 54% - Mitsui & Co., Ltd. 18% - Sojitsu Corporation 18%

	- Rio Tuba Nickel Mining Corporation 10%	
Financiers	JBIC	
Brief history of the project	<ul style="list-style-type: none"> - In 1996, an EIA was conducted for the conversion of RTNMC's 110 Nickel Mining Claims into a Mineral Production Sharing Agreement (MPSA), as well as for its continued operations. Despite significant opposition raised by the local communities, the DENR granted the company its Environmental Compliance Certificate (ECC) for the MPSA in 1997 - Two years after the approval of RTNMC's MPSA in 1998, HPP was proposed in 2000. - On July 1, 2002, Sumitomo Metal Mining Co., Ltd. Mitsui & Co., Ltd.), Nissho Iwai Corporation and Rio Tuba Nickel Mining Corporation incorporated a joint-venture company for the project, the Coral Bay Nickel Mining Corporation (CBNC) - Following the incorporation of CBNC, the Environmental Compliance Certificate for the project was issued on July 10, 2002 	
Current situation	CBNC started its operation of HPP in April 2005.	
Environmental impacts	<ul style="list-style-type: none"> - Deforestation and loss of wildlife habitat for ecologically important flora and faunal species in the mined out areas and the Gotok limestone quarrying area - Decrease in quantity and quality of water supply - Adverse impact on the irrigation system and decrease in agricultural production - Erosion and flashfloods - Threats to coastal resources brought by erosion and effluents - Water and air pollution - Health impacts such as skin lesions <p>Mining households in Rio Tuba said that they were economically worse off in 2001 than 5 to 10 years ago (increasing poverty through the years; source: PCSDS paper)</p> <p>Environmental problems caused by mining remain significant (PCSDS paper) due to, among others, weak monitoring and enforcement</p> <p>Much remains to be done to improve the environmental conditions in the mining areas (PCSDS paper)</p> <p>Tailing ponds of RTN in Rio Tuba, Bataraza</p>	
Social impacts	Health impacts such as skin lesions	
Process of the project implementation	EIA Disclosure	Yes
	Timing of EIA disclosure	Before the construction stage

	Quality of EIA	<ul style="list-style-type: none"> - Failed to address the issues raised during the scoping session - Failed to give sufficient information on the project - Ignored significant environmental impacts of the proposed project - Failed to consider alternative actions that would have substantially less impact on the environment
	Implementation of measures written in the EIA	<p>---</p>
	Consultation	<p>Only the tribal chieftains signed the petition which was prepared for them by the proponent's associate/contact. There were no community meetings called for before such petition was made. Some residents were made to sign attendance sheets which were passed off as endorsement or consent to the proposed project</p>