Inclusive Dialogue between Stakeholders on Infrastructure Development in Sabah for the 12th Malaysia Plan

22 October 2019 | IDS Hall, Wisma Sedia, Kota Kinabalu | 08:30-17:00

Summary Report

Co-organised by
Institute for Development Studies (Sabah) and Coalition 3H

Table of Contents

> ***"The era of 'government knows all' is over…***
>
> ***There is an outcry from grassroots communities for transparency."***
>
> ***~ YB Assaffal @ Samsul Kamal P. Alian***
>
> Assistant Minister of Tourism, Culture and Environment / ADUN N. 49 Tungku
>
> Remarks at the inclusive dialogue on infrastructure in Sabah, 22 October 2019

Executive Summary

On 22 October 2019, the Institute for Development Studies (Sabah) and Coalition Humans Habitats Highways (3H) organised the Inclusive Dialogue between Stakeholders on Infrastructure Development in Sabah for the 12th Malaysia Plan bringing together participants from both the state public sector and civil society (including experts and academics). It was graced by guest of honour, YB Assaffal @ Samsul Kamal P. Alian (Assistant Minister of Tourism, Culture and Environment, who is also the State Assemblyman for N. 49 Tungku).

The purpose is to open a space for dialogue, sharing information, discussing planning and approval processes, airing mutual concerns and challenges, building understanding and exploring possible solutions.

Through the dialogue, civil society participants were able to share with government agencies data and information regarding potential damaging impacts of proposed projects, as well as to propose alternative solutions.

Participants came to the conclusion that there are weaknesses in the current infrastructure project approval process (especially the severely limited utility of the EIA process), and the need for wider engagement of civil society (who might have data and knowledge not available to the government agencies) at a much earlier stage (planning, not just during approval / implementation), and that the planning agencies (especially the State Economic Planning Unit, UPEN) could benefit from more open engagement with civil society.

Above all, it was clear that in the “New Malaysia” and “New Sabah”, there is a clamour for greater transparency by the government and engagement with the public. The participants are hopeful that this will usher in a new era of openness, democratic engagement and knowledge-based policy making.

1. Context and Rationale

Over the coming decade, Sabah will potentially see some of the most intensive expansion of physical infrastructure in the region, including highways, ports, dams and infrastructure for mining, tourism and other industries, all of which will have significant economic, social and environmental impacts.

In order to pave a sustainable path for Sabah's development, the decision-making and planning processes for such infrastructure projects would benefit from in-depth examination of both short- and long-term benefits and costs, and of relevant policies, laws and international commitments.

The 5-yearly Malaysia Plans often set the policy direction for infrastructure expansion. The government is currently preparing the 12th Malaysia Plan (RMke12) for the period of 2021-2025.

To make the planning process more inclusive, both the State and Federal governments have been conducting engagement sessions to gather feedback from the public and private sectors and civil society.

In the current context of ecological and climate breakdown, it is critical to ensure that the 12th Malaysia Plan is rooted in an ethos of equitable and sustainable use and restoration of our natural world and informed by the best available science and knowledge.

*In October 2019, Malaysia's Ministry of Economic Affairs released **"Shared Prosperity Vision 2030"**, which is expected to provide the overarching policy direction for RMke12. With the primary aim of providing a decent standard of living to all Malaysians by 2030, the objectives of the Shared Prosperity Vision are to: (a) restructure the economy for development for all; (b) address inequalities, including wealth and income disparities; and (c) build a united, prosperous and dignified nation.*

Box 1: Aim and objectives of Malaysian government's *"Shared Prosperity Vision 2030"*.

2. Dialogue Objectives

On 22 October 2019, the **Institute for Development Studies (Sabah)** and **Coalition Humans Habitats Highways (Coalition 3H [1])** co-organised the *"Inclusive Dialogue between Stakeholders on Infrastructure Development in Sabah for the 12th Malaysia Plan"*. This gathering aimed to bring all sectors – government, industry, academia, non-governmental organisations and the general public – together in the spirit of transparency for an open dialogue and discussion about key areas of infrastructure expansion in Sabah.

The objectives of the dialogue were to:

[1] Coalition 3H is an informal coalition of nine civil society and scientific research organisations, including: Borneo Futures, Borneo Sun Bean Conservation Centre, Danau Girang Field Centre, Forever Sabah, Jaringan Orang Asal SeMalaysia, Land Empowerment Animals People, Partners of Community Organisations in Sabah (PACOS Trust), Seratu Aatai, and WWF-Malaysia.

(a) Provide a platform for effective dialogue and understanding of current information and policies by key players; and

(b) Explore the establishment of an all-inclusive Joint Action Committee that reviews infrastructure projects in Sabah.

3. Summary of Proceedings

3.1. Presentation: "Overview of infrastructure projects of concern in Sabah"

On behalf of Coalition 3H, Ms. Cynthia Ong (Forever Sabah) and Dr. Robecca Jumin (WWF-Malaysia) provided an overview of several planned/proposed infrastructure projects that give rise to significant ecological and social concerns in Sabah, including the Papar Dam, Tanjung Aru Eco Development, Pan Borneo Highway (including specific Work Packages in Phase 1 and the proposed Phase 3), silica sand mining on Balambangan Island in the Tun Mustapha Park, Sukau Bridge in the Lower Kinabatangan and gold mining in Tawau. Other proposed projects on the horizon include Semporna Floating City, KK City Resort, and Kudat Port.

Although the local context for each project is unique, they engender similar substantive concerns, including **deforestation**, **fragmentation of habitats**, **erosion and pollution**, and **harm to local livelihoods**, as well as procedural concerns with how projects are **designed and approved** and how **impact assessments** are conducted. Coalition 3H has identified a number of **alternative options and recommendations** to maximise potential benefits and minimise potential risks. Overall, civil society and research organisations are keen to **contribute proactively** to decision-making and planning processes, including through the provision of best available science and knowledge, but so far this has proven difficult in the current system.

A **Q and A session** after the presentation covered risk factors; cost-benefit analyses; the importance of budgets not being cut; awarding of contracts for the Pan Borneo Highway before environmental impact assessments have been approved; who decides which project goes ahead – is it the respective ministries, the Environment Protection Department or the Chief Minister?; projects that the newly elected government promised would be cancelled now going ahead; and issues regarding the proposed new safari park and whether it would be better to upgrade the existing Lok Kawi Wildlife Park.

It was suggested by some in the audience that, in the spirit of a "New Malaysia" and "New Sabah", which champions transparency and accountability, the government could disclose to the public all agreements for infrastructure projects to be awarded. Such transparency would dispel any prejudice, accusation or speculation (e.g. of cronyism) towards the government's approval of various infrastructure projects. Further, it would also allow the public to help the government to monitor the implementation of these projects on the ground, to ensure that all the promises made by the developers or contractors would be

fully carried out. If infrastructure projects are designed to benefit and address the needs of the people, they would have the greatest incentives to see them fully implemented.

YB Assistant Minister appeared to welcome such a demand for **greater transparency and accountability**, though he did not directly endorse the suggestion to publish the agreements.

3.2. Panel session: "Policy and legal system for infrastructure development in Sabah"

Moderated by Mr. Chong Vun Then (Deputy CEO, IDS), this session featured remarks on the **policy and legal system** for infrastructure development in Sabah from the following panellists:

(a) ***Ms. Sheelasheena Damian*** (Policy Analyst Manager, WWF-Malaysia), who highlighted the **inclusion of environmental issues** in the 11th Malaysia Plan and identified key issues with the project planning and approval process in Malaysia, including **weaknesses** with the environmental **impact assessment** process;

(b) ***Mr. Edward Lingkapo*** (Deputy Director, JKR), who spoke about the Pan Borneo Highway construction which has been **on-going** for the last two years, and that JKR is the project implementer. He stated that the government has a policy to deliver and the **funds** have been allocated and the public can give **input** during the EIA process;

(c) ***Mr. Sukumaran Vanugopal*** (Chairperson, Sabah Law Society Environmental Law Sub-Committee), who spoke about the importance of addressing **environmental externalities** in industrial projects and conducting cost-benefit analyses at an **early stage** in project planning; and

(d) ***Ms. Holly Jonas*** (Legal Innovation Programme, Forever Sabah), who spoke about the 'ecosystem' of **multiple levels and types** of policies and laws and the **fragmentary and disconnected** nature of state-centric law, and the importance of **international commitments** and key principles of **environmental law** in guiding decisions on infrastructure expansion.

During the **Q and A session** after the presentation, questions were raised on the current status of and approach to environmental impact assessments in Sabah; holding the government accountable for environmental violations of project proponents; communicating Sabah's environmental concerns and priorities to the federal government; reforming environmental laws to "democratise" its enforcement, by giving the general public and private individuals the legal standing to sue the polluters (for any violation of the law, permit / license conditions, breach of mitigation measures promised in the EIA report), which would help to greatly overcome the manpower shortage of the enforcement agencies; and the need for feasibility studies and strategic impact assessments before any funds are invested in a project.

Queries were raised about the role of EIAs which were answered by a representative from the Environment Protection Department, who clarified that EIAs are a planning tool implemented at project level, and that they can only highlight and advise on the mitigation aspects of a project, and that input from other government departments is crucial for its effectiveness. There have been cases however where if there is felt to be significant risk, a project's EIA can be rejected. EIAs are now accessible on the Environment Protection Department's website.

Other points raised included how to ensure any development is sustainable – filling up mangroves for example is not, and how to impress upon national agencies not to cut budgets; how to truly measure economic growth; looking at improving public transport as an alternative to building more roads; the fact that EIA consultants are paid by the project proponents and therefore independent consultants could be brought in to appraise the EIAs; questions over who enforces the mitigation measures, and allow civil society to take legal measures if projects are found to fail to comply. The Environment Protection Department stated that if a project starts work on the ground before the EIA is approved, the penalty is only RM100,000 and a stop work order is issued.

3.3. Breakout sessions on Pan Borneo Highway, Papar Dam and district- and local-level development planning

In the afternoon, 3 simultaneous Breakout Sessions were held to consider infrastructure cases in each of the following three contexts:

(a) The Pan Borneo Highway (including a presentation by Casey Ng, Forever Sabah);
(b) The Papar Dam (including a presentation in plenary by Prof. Felix Tongkul, UMS); and
(c) District- and local-level development planning in Tungku, Kadamaian and Kiulu.

The intention of these sessions was to **share information and studies**, engage in **open discussion** about the status, relevant policies, legalities, risks and benefits of the projects or processes to date, and propose **recommendations**. It was also for the purposes of modelling what an open dialogue amongst stakeholders could look like and potentially yield.

(a) The Pan Borneo Highway

To open the discussion of the **Breakout Session**, Mr. Casey Ng (Forever Sabah) provided details on Coalition 3H's engagement on the Pan Borneo Highway with government agencies, project proponents, rural communities and scientists, and its key findings.

In addition to the Highway itself, a number of other new roads are proposed under the Sabah Structure Plan 2033, which together raise a number of major **ecological and social concerns**. Certain stretches of the proposed Pan Borneo Highway would require **deforestation of sensitive mangroves or protected forests**, affecting a range of **protected, endemic and endangered species** of wildlife as well as other species that are crucial for the

cultures and livelihoods of coastal and rural communities. A new analysis of the Highway conservatively estimates that a 100-metre wide road would **affect 8,813 buildings and 6,750 houses**, which would likely create or further entrench **inequalities** between people with or without capital, formal education and social mobility.

Mr. Ng suggested that a number of interlinked **engineering, maintenance and social 'solutions'** may help prevent or mitigate these issues, as well as **minimise roadkill and poaching**, among others. These measures include elevated highways, tunnels, and realignment.

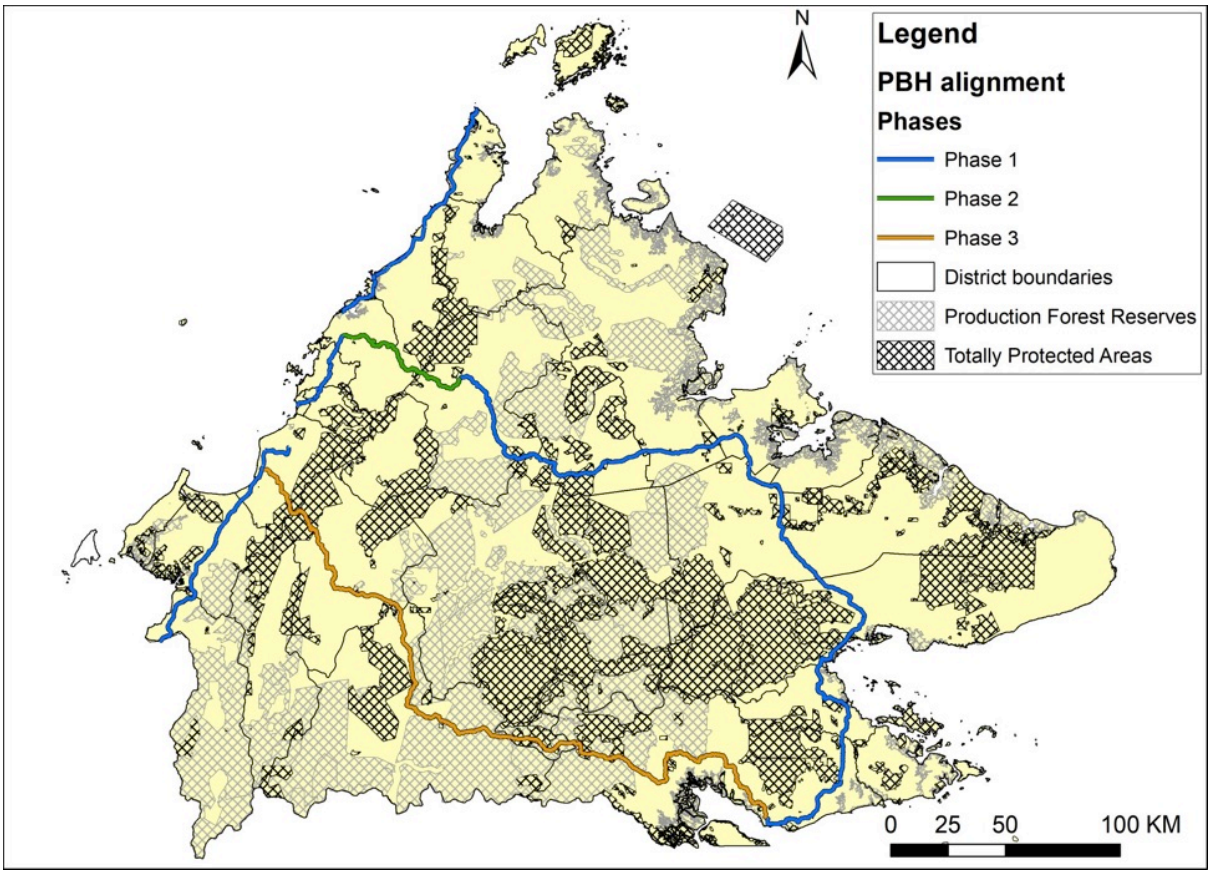

Figure 1: Proposed alignment of the Pan Borneo Highway

The ensuing discussions include the following:

TAWAI stretch of the Highway

An engineer pointed out that the realignment through Tawai FR was initiated by Sabah Forestry Department and the decision was made "from the top". The engineer asked, if any redesign were to be carried out, who would bear the costs of re-design? The Department would need to bring the question to the state government if it wants to review the alignment.

JKR representatives indicated that any concerns or objections should be raised at the planning stage. As an implementation agency, JKR is not in a position to make substantial changes, due to the amount of time and cost involved. The planning is more or less a top-down process, driven by UPEN with input from various government agencies.
Unfortunately, the government agencies involved might not be fully equipped with the appropriate information, for example in relation to biodiversity and areas with high conservation value. Often, such information is given to the agencies concerned (e.g. Wildlife Department) but is not properly transmitted or conveyed to the ultimate decision-making process (e.g. due to change of personnel or retirement).

An officer from the Public Works Department (JKR) pointed out that it is possible to review and re-design the Highway but it takes time, and would also affect how that stretch joins with other Work Packages. A value management assessment is needed for any overpasses. There are stakeholders in that area, and it connects eastern and western parts of Sabah, and with population growth, the Highway will bring job opportunities. He continued by adding that growth cannot be stopped, and the Highway would be important for people in poverty. Therefore, the road involves national security interests.

The Economic Planning Unit (UPEN), Forestry Department, Wildlife Department, Environmental Protection Department, District Officers and politicians have all been consulted, and a promise has been made by the government to build it. The same officer stressed that the government has to use the allocation, or Sabah would lag behind Peninsular Malaysia and Sarawak. It was noted that Sabah has amongst the lowest spending on road construction.

However, the officer is unable to confirm the commencement date for the construction of Phase 2 and 3 of the Highway, and if they could be included under the 12th or even 13th Malaysia Plan. The officer indicated that the government welcomes early engagement and input particularly regarding sensitive areas of biodiversity and conservation.

WWF Malaysia representative stressed that civil society does want good development but want to avoid conflict areas, especially human elephant conflict. Such environmental costs should be taken into account during planning, because it would prove more expensive to mitigate later. Development must be sustainable. At the same time, maintenance is poor.

A representative from Danau Girang Field Centre (DGFC) indicated that the data regarding the distribution of elephant populations has been given to the relevant departments, but some officers expressed regret that the information does not reach decision-makers, who are keen to preserve wildlife. This is often due to the reassignment or retirement of officers. DGFC proposed that a council be set up to provide the information, because organisations such as WWF alone would not have all the data.

TABIN ROAD and SUKAU BRIDGE

Rhino and Forest Fund representative explained about the wildlife corridor to link Tabin Wildlife Refuge with the Ramsar site and Kulamba. After 8 years, his organisation has

acquired land and is restoring the forest. It is a key area for elephants (maybe 700), 1,000 orang utan, 150 banteng, the **last major population** in Sabah for hairy-nosed otter, storm stork etc. If this new connection is lost by a new road being constructed (to Tambisan), it could lead to the **extinction** of banteng in the area and an increase in **poaching and settlements** and local people losing their **identity**.

The concern is that, if the planned Phase 3 highway is implemented, it would **fragment** the greater Borneo Forest. This would have severe impact on the biodiversity of wildlife on the Borneo Island as a whole, because the animals would not be able to mate and have access to a wider gene pool of their species across the whole island. In short, it would lead to **genetic degeneration**, due to close-breeding. **Extinction** of endangered and rare species would only be a matter of time. We have already seen this in the recent case of the Sumatran Rhinoceros.

In addition to that, once a major road or bridge (such as in Sukau) is built through a wildlife conservation area or areas with high biodiversity value, it would lead to **further** human settlement and development, hence increasing **roadkill and poaching**. Parties with vested interest would use the **excuse** that since investment has **already** been made, it would be a "waste" not to develop further. In short, **once it starts, it would never stop**. There are certain areas which **simply cannot be developed** if Sabah is to be committed to preserve her natural biodiversity. For example, it might surprise many to learn that there are still areas in Sabah which are homes to extremely rare species, perhaps because of the total lack of human habitation.

An officer from the JKR pointed out that the proposed bridge is merely rumours at the moment. There have been many protests about the Tabin road, and JKR will instruct for that area to be avoided. DGFC rep said that the Sukau Bridge which was stopped is back on because a YB changed party and data needs to be shared again. The Sukau Bridge was stopped but local people are still demanding for it. Someone pointed out, however, that there is the option of upgrading existing roads.

An officer from the government is looking at the possibility of a viaduct across the Lower Kinabatangan Wildlife Sanctuary forest. A feasibility study will be done, and it is known that wildlife do not like tunnels. There is no plan to build a road in Tabin.

An officer from the Environmental Protection Department (EPD) said that it is important to seek and obtain feedback **early** in the planning process, and not later. There is a need to improve the process. Concerns need to be incorporated at an early stage, before the EIA stage. The wildlife data should be made available, and during the planning stage there is a need to take into account the costs of managing wildlife too. The government's current sectoral approach might have its limitations. The officer encouraged the civil society to provide the data on the bridge again to the Forestry Department and Wildlife Department, so that a high level committee could study its tangible and intangible benefits.

An officer from the EPD said that they are doing Regional Assessments, which seeks to minimise impacts. WWF Malaysia rep pointed out that the Regional Assessment is good on a

macro level but Sabah has to clearly inform the Federal Government what she wants, citing the Sabah Structural Plan, Species Action Plans, etc.

An officer from EPD pointed out that the Federal Government does not just disburse funds without planning. The data on wildlife needs to be accessible at a centralised place; a mechanism is needed to bring those data to higher authorities.

An officer from the JKR stressed that the JKR is only the implementing agency. The planning of infrastructure projects is initiated at the UPEN level and then presented to state Cabinet. NGOs should convey their data in a way which is not confrontational. They could make a courtesy call to UPEN with recommendations.

A 3H rep informed the group that UPEN had been invited to participate, and had agreed to participate, but pulled out at the 11th hour.

Questions were raised about the EIA for the Telupid-Tawai stretch of the Highway. It was pointed out that the final alignment is not yet decided. Further inputs will be sought.

When asked, an officer from JKR indicated that it might still be possible to give input about Phase 1 of the Highway, but the government would be exposed to law suits if existing contracts are stopped. For Phase 2, there are plans to build 7 tunnels, and to slow down the traffic with speed traps. However, problem also lies with insufficient enforcement, including on overloaded vehicles, which increases the cost of road maintenance.

The breakout group on the Pan Borneo Highway included around 29 people from government agencies, the private sector, academia and civil society organisations. The group prepared the following recommendations:

(i) Government must recognise that the protection of the natural environment is a **solemn duty**, which we all owe to our future generations, and must not be sacrificed for **short-term** economic or political gains.

(ii) The **planning** agencies (especially UPEN) should have a wider engagement with civil society at the **earliest phase** and not just at the implementation phase.

(iii) JKR should conduct a **feasibility study and cost-benefit analysis before subsequent phases of the Pan Borneo Highway** begin, with budget drawn from the 12th or 13th Malaysia Plan.

(iv) JKR should consider a complete **review** of the design and the possibility of **re-design**, including costing of the entire project **lifecycle** and proposed **mitigation** measures. The Highway and its cumulative impacts must be considered in its entirety, **not** in a **piecemeal** manner looking at each Work Package or Phase in isolation. Some issues cannot be compromised upon.

(v) Civil society and research organisations should submit best available **scientific data** and knowledge to all relevant **agencies**, including UPEN, and follow up with in-person meetings.

(vi) When it comes to the preservation of Sabah's natural environment, a **different paradigm** (i.e. not human-driven or largely based on economic imperatives) is required. Therefore, we hope that the government would take full account of the wealth of **scientific knowledge** in biodiversity, which civil society is ready and prepared to provide.

(vii) The proposed **Sukau Bridge** (and road south of the Kinabatangan river) should be **scrapped**.

(viii) There should **not** be a road to the north of Tabin Forest Reserve that would **cut Tabin off** from the Ramsar site and Kulamba Wildlife Reserve.

(b) The Papar Dam

During the morning Plenary Session, Prof. Felix Tongkul gave a presentation on the proposed Papar Dam project, concluding that it is **not the best solution** for future water supply in Sabah's West Coast. In short, **too much** would be sacrificed and there are **available alternatives**.

Prof. Tongkul outlined serious concerns if the Papar Dam is constructed, including disruption of the delicate balance of both the **upstream and downstream hydrological systems**, and significant losses to **natural and cultural heritage** and **ecological and economic resources** in the affected area.

A viable alternative to the Papar Dam is to identify **storage reservoirs**, which will **cost much less**, not leave behind to our future generations a **gigantic structure** (that has an estimated lifespan of **only 50 years**), are **less detrimental** to society and the environment which could be preserved and protected for **future needs**. Illustrating the health of the Papar River Water Catchment, Prof. Tongkul underscored that allowing it to continue to flow **without hindrance** would provide a continuous supply of water **for years** to come. He also proposed that **photovoltaic panels** could be built on top of the water storage reservoirs to produce **renewable energy**.

The afternoon **Breakout Session** on the Papar Dam project included around 24 people from government agencies, academia, the private sector and civil society organisations. In addition to the issues presented by Prof. Tongkul, the group raised several key concerns with the **lack of information** and **lack of transparency or accountability** around the proposed project, including concerning the exact location, the lack of a cost-benefit analysis, EIA report or free, prior and informed consent of potentially affected communities, and the questionable basis for the justification for the dam. Community members who will be

displaced for the Babagon Dam **warned** that **social impacts** were not given due attention and the government **has not** followed through with their promises made from 25 years ago.

Figure 2: Loss of natural and cultural heritage (such as in Kg. Tiku and Ulu Papar, pictured) is one of the major concerns and risks of the Papar Dam.

The group prepared the following **recommendations**:

(i) Jabatan Air (the project proponent) to be more **transparent and inclusive** in the planning process. They should conduct a **feasibility study** at the very beginning and definitely **prior to** conditional approval (e.g. identify technical feasibility of producing electricity and various options such as off-river storage and downstream reservoirs); conduct a **cost-benefit analysis** and comprehensive social and environmental impact assessments – all of which should be made public and subject to **public review** with the full available timeframe; and recommend the option with the **lowest negative impact**.

(ii) Sabah needs to introduce **legislation for strategic environmental assessments** (e.g., a mega-project like PBH should be considered in its totality and cumulative impacts, not section by section), possibly under the mandate of the Environment Protection Department or Town and Regional Planning Department. At minimum and in the immediate short-term, **stronger social safeguards** (including free, prior and informed consent of indigenous peoples and communities) need to be incorporated into compulsory requirements for project planning and impact assessments.

(iii) Jabatan Air needs to do new and accurate **studies** on water demand and on non-revenue water and develop strategies to **reduce non-revenue water**. It was noted that the study that provides the justification for the Papar Dam is **very old and technically flawed**.

(iv) More broadly, **information** about the dam (as provided by Prof. Tongkul) and its status needs to be shared more widely with the public for **transparency and accountability**.

(c) District- and local-level development planning in Tungku, Kadamaian and Kiulu

Rather than focusing on a specific infrastructure project, this **Breakout Session** took a bottom-up perspective on overall development planning in Tungku, Kadamaian and Kiulu. Each locality is a different size and status under state administration.

This group included 17 people from government agencies, academia, tourism associations and civil society organisations. They discussed a number of issues and needs arising at the local and district levels, including community transport service, road connectivity, electricity, internet and training for MPKK (development plans). In order to address these concerns, it was agreed that **regional action plans**, **reference flow charts**, **guidelines** and **SOPs** need to be developed.

Figure 3: Flowchart on Tungku case developed by breakout group

The group prepared the following **recommendations**:

(i) At planning stage, it is best to first update on the **profile** of each village, with emphasis on respective districts' **priorities**, existing **infrastructures** (such as schools, clinics etc.) and **areas of strength** such as ecotourism potentials/ attractions, landscapes such as roads to be declared as "eco-tourism roads or pathways" / resources in the Village Development Plan Blueprint. The **transparency** of particulars in the Blueprint should be improved and made **accessible** online to be reviewed by the public. This step should be taken for consistent and long-term district development to take place. Nevertheless, only **updating** on existing infrastructures and villages' needs (such as opportunities for the younger generation to pursue higher level education) is **not sufficient**. Providing evidence of needs is essential, in order to justify villages' request for RMKe12 support. Overall, a **rebranding process** should to be implemented in respective districts in order to **grow** in the next 5 or more years to come. The group was **sceptical** of how the process could be done the right way, and who has the **authority** to make decisions besides the District Officers. It was suggested that a **land consultant** can be appointed to aid the process.

(ii) Establishment of Task Force which specializes in **inspection** of project **implementation**. **Transparency** of implementation process should be emphasized (providing important information such as the list of work force/ implementation role/ access to project updates). Therefore, an SOP should be developed for project **efficiency** and **avoid suspicion** about on-going processes.

(iii) Development should take account of **environment sensitivity** and **area importance** (biodiversity). Should there be any structural development, it is essential for the task force to refer to the Sabah Structure Plan **before** implementation.

3.4. Closing Session and Concluding Remarks

The Closing Session was facilitated by 3H / Forever Sabah, with inputs from the floor.

The emerging consensus amongst the participants is that **EIA** is the only "tool" and the last step which could 'save' the people and the environment, but it **might not be wise** to fully depend on the EIA process, given its restricted scope and weaknesses. At the moment, EIAs are **the only phase** in the approvals process where NGOs can provide inputs regarding proposed projects. However, by that stage, it is **already** closer to the **implementation** stage, **not** the earlier **planning** stage.

There is a need for **higher level** discussions which fully engage the public, and for relevant information (from non-governmental sources) to be conveyed to the policy makers.

Going forward, there are two main questions:

1. How do we ensure that the public's / participants' concerns would be **fully taken into account** by the RMke12 **planning process**?

   Specifically, if we were to make recommendations based on the thoughts gathered during the 3 Breakout Sessions, how do we convey them to the State Government (and thereafter, to the Federal Government)? Should it be conveyed to UPEN, the State Cabinet, or the State Assembly?

2. How to **facilitate information sharing** between the civil society and government agencies (specifically for infrastructure development planning)?

   Should a joint committee be established (involving e.g. some government agencies, some NGOs, private sector)? For NGOs who wish to share data with planning agencies for the benefit of decision-making processes, what would be the mechanism or platform?

   Perhaps the existing platform of Inter Agency Planning Group (IAPG) could be more open to allow wider participation of civil society. (UPEN is the lead agency?)

The facilitator applauded the fact that the YB Assistant Minister had stayed for **the entire day** of the dialogue, which demonstrates his **commitment** and contributed to the **success** of the meeting. There is a gap / opportunity here in Sabah, and a need to have more dialogue sessions so that people can come together, synergise and give input.

In closing, YB Assaffal recognised that there is an outcry from the grassroots communities for **greater transparency**. There is a need for feasibility studies to be done **before** projects are designed and before they get to the level of EIAs, to ensure that the projects truly

benefit the people on the ground. YB felt that this dialogue was a **good effort** and a good thing to do, and gave suggestions about improvement.

The YB made it clear that the State Government wants the **involvement of all parties and stakeholders**, and call for **further actions** from civil society. Finally, he stressed that **Co-existence** is the most important thing for our ecosystems.

4. Summary of Recommendations

- ***Key Issue 1:*** There is a demand and need for **greater transparency, access to information and public participation** in **higher-level** policy and planning processes in Sabah.

  Recommendation: The State Economic Planning Unit (UPEN) engages civil society participation in the Inter-Agency Planning Group (IAPG), including for RMke12. Alternatively, a joint committee is formed between government agencies and civil society groups to meet periodically to discuss infrastructure issues and share information.

- ***Key Issue 2:*** **Social and environmental impact assessments (SIAs and EIAs)** are important tools but are **not designed to sufficiently address** social and environmental concerns in proposed projects.

  Recommendation: Propose reforms to project planning and environmental protection processes to enable access to information and public participation at the early stages of proposed projects, and require feasibility studies and cost-benefit analyses (done holistically, taking into account all externalities and not just the construction costs) before projects are designed and subject to impact assessments.

- ***Key Issue 3:*** **Open dialogues** are **important** platforms for information sharing and public participation, yet are **rarely organised.**

  Recommendation: Organise more such dialogues for various government agencies, diverse rights-holders and stakeholders to come together, share ideas and information, synergise and prepare bottom-up inputs to government processes.

Annex I: Final Programme

INCLUSIVE DIALOGUE BETWEEN STAKEHOLDERS ON INFRASTRUCTURE DEVELOPMENT IN SABAH FOR THE 12th MALAYSIA PLAN (12MP)

8.30 a.m.	Registration of participants
9.00 a.m.	Arrival of Guest of Honour
9.10 a.m.	Welcome Remarks by Acting CEO of Institute for Development Studies (Sabah)
9.25 a.m	Speech by Guest of Honour YB Assaffal @ Samsul Kamal P. Alian *(Assistant Minister Of Tourism, Culture And Environment cum ADUN N 49 Tungku)*
9.40 a.m.	Refreshment/ Break
10.00 a.m.	**Presentation 1:** *Overview of Infrastructure Development projects of concern in Sabah by Coalition 3H*
10.30 a.m.	Q & A
10.40 a.m.	**Presentation 2:** *Title:* Papar Dam Case by Prof. Dr. Felix Tongkul
11.10 a.m.	**Panel Session** Title: Policy and legal system for infrastructure development in Sabah Moderator: Mr Chong Vun Then (Deputy CEO, IDS) Panel: 1. Mr Edward Lingkapo – (Deputy Director, JKR) 2. Mr Sukumaran Vanugopal – (Chairperson, Environment Law Sub Committee) 3. Ms Holly Jonas – (Legal Innovation Program, Forever Sabah) 4. Ms Sheelasheena Damian – (Policy Analyst Manager, WWF - Malaysia)
11.50 a.m.	Q & A
12.00 p.m.	Briefing for the afternoon break-out session
12.15 p.m.	Lunch
1.15 p.m.	**Break-Out Sessions** Group 1: The Pan Borneo Highway Case – Presentation by Casey Ng Group 2: Papar Dam Case Group 3: District level ground-up development planning (Tungku/ Kadamaian/ Kiulu)
3.15 p.m.	Presentation from Group 1
3.35 p.m.	Presentation from Group 2
3.55 p.m.	Presentation from Group 3
4.15 p.m.	Concluding discussion and closing remarks by Cynthia Ong (Coalition 3H)
5.00 p.m.	End of Program

Annex II: List of Participants

	Timestamp	Name	Email	Organization
1	10/22/2019 8:12:54	Abdul latip amit	AbdLatip.Amit@sabah.gov.my	Dept. Of Agric..sabah
2	10/22/2019 8:56:30	Adam golokin	atieqahsuffian@rocketmail.com	Uppm Kiulu
3	10/22/2019 7:40:35	Ag mohd Zawawi Yazzray B Ag Yaasin	MohdZawawi.AgYaasin@sabah.gov.	Pejabat Daerah Telupid
4	10/22/2019 7:57:46	Ahmad Naim Bin Uddang	ahmad.naim@jetama.com.my	Jetama Sdn Bhd
5	10/22/2019 7:52:28	Ahmadarffan Bin Mohammad	ahmad81arffan.aa@gmail.com	Jabatan Pertanian Lahad Datu
6	10/22/2019 9:00:37	Alan Wong	alan.wong@sabah.gov.my	Jkr sabah/T&P
7	10/22/2019 8:21:30	Ale is aloi	apawman87@gmail.com	Traverse tours Sdn bhd
8	10/22/2019 8:48:17	Allyssa Avery Sikawah	alyavry90@gmail.com	IDS
9	10/22/2019 8:05:01	Anthony F. Makajil	tangkob.afm@gmail.com	Majlis Daerah Penampang
10	10/22/2019 12:12:39	Anthony Kiob	akiob5@gmail.com	IDS
11	10/22/2019 7:44:50	Atieqah Suffian	atieqahsuffian@rocketmail.com	Ids
12	10/22/2019 8:55:57	Audry Abel Paulus	audabel@gmail.com	IDS
13	10/22/2019 8:27:40	Azman Said	azman.said@sabah.gov.my	Forestry Department
14	10/22/2019 7:48:46	Benedict Ebet	benidict.ebet@sabah.gov.my	Pegawai Pertanian Lahad Datu
15	10/22/2019 8:37:35	Benoit Goossens	goossensbr@cardiff.ac.uk	Danau Girang Field Centre
16	10/22/2019 8:43:38	BRENDA CHARMINE JOID	brendacharmine21@gmail.com	UITM
17	10/22/2019 8:06:51	Carlyle Lajimin	carlyelajimin@gmail.com	KPLB Sabah
18	10/22/2019 8:03:05	Casey Ng	casey@foreversabah.org	Forever Sabah
19	10/22/2019 8:04:02	Cecilia Amid	cecilia@kkip.com.my	K.K.I.P. Sdn Bhd
20	10/22/2019 7:47:43	Celesta Lobinjang	celesta.lobinjang@sabah.gov.my	Pejabat daerah telupid
21	10/22/2019 8:26:33	CHEN KOK ON	justlocateme@yahoo.com	Forever Sabah
22	10/22/2019 7:40:22	Cheryl joanne chan	cheryl@leapspiral.org	Leap
23	10/22/2019 8:39:53	Choe Ning Hsin	nancyho@sabah.gov.my	iDS
24	10/22/2019 7:55:25	Chong Tan Chun	tanchun.chong@sabah.gov.my	Jabatan Pertanian Sabah
25	10/22/2019 8:53:20	Chong vun then	chongvunthen@gmail.com	Ids
26	10/22/2019 8:47:33	Corrina Mansa	corrinamj.ids@gmail.com	IDS
27	10/22/2019 9:03:48	Daisy Aloysius	daisy.aloysius@sabah.gov.my	Jabatan Perlindungan Alam Sekitar
28	10/22/2019 8:26:01	Dato Ir. John Chee, JP	jstchee@gmail.com	IEM Sabah
29	10/22/2019 8:45:43	Dg Sharmine bt Mohd Usno @ Datu Jacky	jandieydee@gmail.com	University teknologi Mara Sabah
30	10/22/2019 8:16:25	Dk Nadhirah Ak Jalaluddin	dknadhirah.ucsf.malaysia@gmail.cor	University college sabah foundation
31	10/22/2019 7:41:46	Dr Julian Paul Sidin	jps5353@gmail.com	IDS
32	10/22/2019 8:15:58	Dr samina khan yusuf zai	saminakhan.ucsfmalaysia@gmail.co	University college sabah foundation
33	10/22/2019 8:22:16	Duncan	duncanwhzheng@gmail.com	Private/ JTA PLanners SDN BHD
34	10/22/2019 8:14:47	Edward Lingkapo	Edward.Lingkapo@sabah.gov.my	JKR Sabah
35	10/22/2019 8:44:04	Ennie jemial	enniejg@gmail.com	Uitm kk
36	10/22/2019 8:50:15	Ernawaty suhaili	ema@poic.com.my	POIC Sabah Sdn Bhd
37	10/22/2019 8:33:59	Evertius enroe soudi	enroe@foreversabah.org	Forever sabah
38	10/22/2019 8:00:56	Faridah suffian	fariedah79@gmail.com	IDS
39	10/22/2019 14:55:32	Fong Ming San	jhuoh_sb@yahoo.com	TAS
40	10/22/2019 7:55:31	Francis Luan	francis.luan7@gmail.com	IDS
41	10/22/2019 8:29:53	Freddy Ekol	frenznana@yahoo.com	Council Penampang
42	10/22/2019 8:08:12	Glenn Isaiah stanley	glennisaiahstanley@yahoo.com	Sesb
43	10/22/2019 7:59:48	Gloria Ganang	muring86@gmail.com	Bornean Sun Bear Conservation Centre
44	10/22/2019 7:49:12	Grazilla Yahya	Fadzil.Yahta@sabah.gov.my	Sabah Forestry Department

45	10/22/2019 8:42:21	Haijon gunggut	haijon2@yahoo.com	Uitm sabah
46	10/22/2019 8:53:38	Hamzah tangki	hamzahtangki@gmail.com	Yayasan sabah
47	10/22/2019 8:41:45	Hazlyn liaw	Hazlyn.Liaw@sabah.gov.my	Environment protection department
48	10/22/2019 8:36:45	Hilda bisol	evalida47@gmail.com	Counselor Penampang
49	10/22/2019 8:41:43	Holly jonas	holly@foreversabah.org	Forever Sabah
50	10/22/2019 9:17:54	Ir Adrian Norbert Lee	adrian.lee@sabah.gov.my	JKR Sabah
51	10/22/2019 8:14:49	Ir. Yapp Vun Khun	vunkhun.yapp@sabah.gov.my	JKR Sabah
52	10/22/2019 8:27:46	Irvin Adam Kamsee	irvinadam92@gmail.com	Jabatan Air Negeri Sabah Daerah Tuaran
53	10/22/2019 8:22:11	Irving Thien (Ar.)	pamsabah@gmail.com	PAM Sabah Chapter
54	10/22/2019 8:30:33	James Kenson	jklangat54@gmail.com	Penampang District Council
55	10/22/2019 8:19:52	Janet goh	janet.g@borneospatialplanning.com.r	Borneo spatial planning s/b
56	10/22/2019 8:38:37	Janih Bangud	janih_bangud@yahoo.com.my	Jabatan Air Negeri Sabah(Tuaran)
57	10/22/2019 8:39:17	Jared Abdul Rahman	jared@foreversabah.org	Forever Sabah
58	10/22/2019 12:36:53	Jared Abdul Rahman	jared@foreversabah.org	Forever Sabah
59	10/22/2019 8:45:31	Jason william yong	wlljasonyong@yahoo.com	Ids
60	10/22/2019 9:29:38	Jita Simin	jsgimin@gmail.com	IDS Sabah
61	10/22/2019 8:19:44	Jokli@jackly likinsim	jjorlie_83@yahoo.com.my	Save Papar River
62	10/22/2019 8:16:24	Julian Liew Chi Keng	jckliew@hotmail.com	Corporate Dynamics Sdn Bhd
63	10/22/2019 8:03:46	Juliana pauline james ringgingon	ringgingon@gmail.com	IDS
64	10/22/2019 9:32:52	Justinus Guntabid	gjustinus@gmail.co	Sabah Parks
65	10/22/2019 8:12:05	Kee Keow Chong	keekc@hapseng.com	Hap Seng Plantations Holdings Berhad
66	10/22/2019 10:41:29	Ken Chung	damien838@gmail.com	PBT
67	10/22/2019 8:08:33	Ken wilson	ken@leapspiral.org	Forever Sabah/Leap
68	10/22/2019 7:51:02	Lakeming Manggi@Manggih	lakepvr35158@gmail.com	Jabatan Pertanian Tuaran
69	10/22/2019 7:52:27	M Suhaini Bin Kuning	suhaimi16179@gmail.com	Pejabat Pertanian Lahad Datu
70	10/22/2019 8:32:05	Mahadir sultan	mahadir.s@gmail.com	UPPM N.49 TUNGKU
71	10/22/2019 7:43:16	Marianne Kiob	annekiob@gmail.com	Institute for Development Studies Sabah
72	10/22/2019 8:13:38	Mary Juney George	marykinsuat@gmail.com	Advisory Board DBKK / Councillor MDPG
73	10/22/2019 8:06:26	Maryati Binti Abdullah Lakim	maryati.abdlakim@sabah.gov.my	Jabatan Hidupan Liar
74	10/22/2019 8:33:03	Masmidah Arsah	masmidah@gmail.com	IDS
75	10/22/2019 9:24:07	Mejin Maginggow	outreachborneo@gmail.com	Kiulu Tourism Association
76	10/22/2019 8:48:03	Melissa Joseph	melissa@doe.gov.my	Department of Environment Sabah
77	10/22/2019 9:05:05	Michael Peter Goviind	goviindmp@gmail.com	IDS
78	10/22/2019 8:18:23	Miklin Ationg	mahandoi2014@gmail.com	DID Sabah
79	10/22/2019 8:43:43	MOHD ASRI BIN JISMIH	asri197@live.com	UNIVERSITI TEKNOLOGI MARA
80	10/22/2019 8:25:38	Mohd Jasli Dingle	mohdjaslidingle@gmail.com	Jabatan Pertanian Sabah
81	10/22/2019 8:43:13	Mohd Saffizzul Bin Abd Wahap	MOHDsaffizzul_2012@yahoo.com	UiTM
82	10/22/2019 8:43:54	Mohd Shafiq Bin Hasat @ Arshad	shafiqarshad123@yahoo.com	UiTM
83	10/22/2019 8:19:41	Nelson Raymond	crockerange@gmail.com	TAKaD
84	10/22/2019 7:44:30	Noel Seanundu Kely Jitilon	noel@foreversabah.org	Forever Sabah
85	10/22/2019 8:43:29	Noor Atikah Diana Adamin	ikadianaa20@gmail.con	UiTM Sabah
86	10/22/2019 8:21:29	Norita Yapi	noritsyapi@gmail.com	Kiulu Tourism Association
87	10/22/2019 12:13:44	Nur Aslina Mustapa	nana.aslina@gmail.com	IDS
88	10/22/2019 8:44:03	NUR HAYYUN SALSABILAH BINTI SUHAIMI	hayyun97@gmail.com	UITM KAMPUS SABAH
89	10/22/2019 8:43:12	NURBAHIRAH BINTI BADARUDDIN	nurbahirah16@gmail.com	UiTM

90	10/22/2019 9:26:26	Patrick Thie Ting Yau	patrickyau86@gmail.com	Jururancang AMS
91	10/22/2019 8:24:07	Pepe Röpnack	info@rhinoandforestfund.org	Rhino and Forest Fund
92	10/22/2019 12:11:29	Puteri Liyanna Samsuddin	puteriliyanna@rocketmail.com	IDS
93	10/22/2019 9:30:26	Rachel Natalie Michael	rachelnataliemichael@gmail.com	Jabatan Tanah dan Ukur
94	10/22/2019 8:55:46	Rayner bin ebi	raynerebi@yahoo.com	UPPM KIULU
95	10/22/2019 9:25:33	Richard J Munang	rjm.sedia@gmail.com	SEDIA
96	10/22/2019 10:35:30	Richard T Koh	richard@ids.org.my	IDS (Sabah)
97	10/22/2019 8:35:09	Ricky lim	elite54@hotmail.com	Timber Association Sabah
98	10/22/2019 8:07:00	Rizoh Bin Bosorang	rizohbosorang@gmail.com	UPPM N7 Kadamaian
99	10/22/2019 8:24:18	Robert Risch	info@rhinoandforestfund.org	Rhino and Forest Fund
100	10/22/2019 7:56:59	Rodiah	joas@gmail.com	JOAS
101	10/22/2019 8:56:56	Rosalia binti kihob	atieqahsuffian@rocketmial.com	Uppm kiulu
102	10/22/2019 9:03:49	Roslan junaidi	Roslan.MohdJunaidi@sabah.gov.my	Sabah forestry department
103	10/22/2019 7:50:51	Rosli bin Ag Said	rosli.agsaid@sabah.gov.my	Jabatan Pertanian Sabah
104	10/22/2019 8:19:41	Royaini Matusin	royaini.matusin@gmail.com	IDS (Sabah)
105	10/22/2019 7:56:54	Sabrina mansur	sabrna.mansur@sabah.gov.my	Pejabat daerah tuaran
106	10/22/2019 8:44:43	Safira	safira9728@gmail.com	UiTM
107	10/22/2019 8:08:33	Samsuddin Bin Baba	samsuddinbaba06@gmail.com	Forever Sabah
108	10/22/2019 8:39:15	Sarah Wasli	sarah@foreversabah.org	Forever Sabah
109	10/22/2019 8:04:59	Sharlyna grace sebastian	sharly.grace@gmail.com	Ids
110	10/22/2019 8:07:39	Sheelasheena Damian	sdamian@wwf.org.my	WWF Malaysia
111	10/22/2019 8:43:30	Sonia binti Ab Kalam	sonia.kalam@gmail.com	UiTM Sabah
112	10/22/2019 8:36:16	Sophia SenYee Hong	sophia.ids@gmail.com	IDS
113	10/22/2019 14:35:32	Steve Egbert Jay	Pungits@hotmail.com	IDS
114	10/22/2019 8:32:18	Suhaila Binti Abdullah	suzie8583@gmail.com	Uppm Tungku
115	10/22/2019 7:57:08	Suzane jimmy	joasmalaysia@gmail.com	Jaringan Orang Asal Semalaysia
116	10/22/2019 9:30:47	Sylvia Chin	sylvia.chin@sabah.gov.my	Jabatan Tanah dan Ukur
117	10/22/2019 7:45:52	Sylvia Yorath	sylvia@leapspiral.org	LEAP Spiral
118	10/22/2019 8:48:23	Tan Hui Shim	hstan@wwf.org.my	WWF
119	10/22/2019 8:02:36	Tauin Lontou	tauinlontou6996@gmail.com	Kiulu Tourism Association
120	10/22/2019 7:42:22	Thomas yussop	thomas.yusop@yahoo.com	Sabah Parks
121	10/22/2019 8:31:49	TPr Alijus @Mohd Ali Bin Sipil	ahsipil@gmail.com	Jururancang AMS/ Town Planner KK
122	10/22/2019 8:29:13	Vanessa Jipiu	vjipiu@wwf.org.my	WWF MY
123	10/22/2019 8:02:04	Veronica otigil	veroneotigil@gmail.com	IDS Sabah
124	10/22/2019 8:30:38	Viola Matuyang	viola@kkip.com.my	KKIP Sdn Bhd
125	10/22/2019 8:02:16	Vivian Ong	vivian@foreversabah.org	Forever sabah
126	10/22/2019 9:06:30	Wallinton Lansangan	wallinton.Lansangan@sabah.gov.my	Jabatan Pengairan Dan Saliran Tuaran
127	10/22/2019 8:37:03	Winnie Jimis	winjimis@yahoo.com	Community-Led Environmental Awareness for our River (CLEAR)
128	10/22/2019 8:19:56	Vitalis Moduying	vitalis.moduying@sabah.gov.my	Jabatan Perlindungan Alam Sekitar
129	10/22/2019 12:10:38	Benny Ng	bennyng@shareda.com	Shareda
130	10/22/2019 12:10:45	Winnie joannes	kuai_iddos@yahoo.com.my	Takad
131	10/22/2019 8:17:25	Winnie Long	winnie@leapspiral.org	Leap
132	10/22/2019 8:00:09	Wong chek yi	audrey.bsbcc@gmail.com	Bornean sun bear conservation centre sdn bhd

	Manual Registration			
133	YB Assaffal @ Samsul Kamal B. Alian			Assistant Minister to the Minister of Tourism, Culture and Environment
134	Rebecca Jumin	rjumin@wwf.org.my		WWF-Malaysia
135	Mejin Maginggow		60168193285	Kiulu Tourism Association
136	Yap Pak Leong		60198806869	EMPA
137	Sukumaran Vanugopal (Panelist)			SLA- Environment Law Sub Committee
138	Prof Dr. Felix Tongkul (Presenter)			UMS
139	Casey Ng (Presenter)			3H
140	Cynthia Ong			3H

Annex III: Guest of Honor YB Assafal's speech

KEYNOTE ADDRESS BY
THE ASSISTANT MINISTER OF TOURISM, CULTURE AND ENVIRONMENT
YB ASSAFAL ALIAN
ADUN OF N 49 TUNGKU
AT THE INCLUSIVE DIALOGUE BETWEEN STAKEHOLDERS ON INFRASTRUCTURE DEVELOPMENT IN SABAH FOR THE 12TH MALAYSIA PLAN (12MP)
Organised by the Institute for Development Studies (Sabah)
In collaboration with 3H
Tuesday, 22nd October 2019 @ 8.00 a.m. at IDS Hall, Wisma SEDIA,
Kota Kinabalu, Sabah

Yang Berusaha Mr. Anthony Kiob, Acting Chief Executive Officer, IDS

Yang Berbahagia Tan Sri-Tan Sri / Datuk Seri-Datuk Seri / Datuk-Datuk / Datin-Datin / Ladies & Gentlemen

Ladies and gentlemen,

1.0 Introduction

It is my great pleasure to be with you here today. It is also my great honour to speak to you in this Inclusive Dialogue Between Stakeholders on Infrastructure Development in Sabah for the 12th Malaysia Plan (12MP). I welcome the efforts made by the Institute for Development Studies (Sabah) and the 3H to organise this important engagement session to tap views as well as to cooperate closely with the various stakeholders; the community, policymakers, non-governmental organisations, academics, and the private sector in creating a more conducive environment to foster a shared prosperity in Sabah.

Ladies and gentlemen,

2.0 Infrastructure as an important growth engine for Sabah

Against the backdrop of the fragile global economy, infrastructure development has become an increasingly important growth engine that can stimulate demand, create jobs, increase productivity and promote inclusive growth. Efficient transport and logistics are indeed crucial for our economic growth. They generate and foster growth. First-rate infrastructure forms the backbone of any developed economy in the world. As a matter of fact, infrastructure is the lifeline of the economy. Adequate infrastructure enables all economic activities to be executed efficiently, smoothly in time and can position the economy on a high growth path.

3.0 Vision and Infrastructure Foresight for Sabah

Infrastructure is defined as the network of power, telecom, ports, airports, roads, civil aviation, railways, and road transportation The roads are currently the means by which the movement of people and goods from one place to another is ensured. People move out of their houses every day to reach their places of work, trade or business daily. They use roads and vehicles available to them. They not only generate income from working but also fulfil the needs of others and it also determines where we live. For cities to thrive, people need to

move about efficiently and safely, and ultimately this requires investments in quality and accessible public transport and transportation options that reduce our carbon footprints and air pollution.

Ladies and gentlemen,

4.0 Sustainable Infrastructure Development for All

I admire leaders who have the vision and foresight to undertake significant projects that were needed to take Sabah to a better future. Our leaders did not just tackle the current issues at hand; they also had one eye on the future, making changes to secure a better life for the current and next generation. The population in Sabah recorded a massive increase in just over a decade; therefore the need for developing the infrastructure in Sabah is more critical than ever. However, it should be carried out in a sustainable manner that is less hazardous and vulnerable to perturbation to such population. The design, building and operation of infrastructure projects should minimise threats to the environment on which we all depend and to the welfare of communities who may be negatively affected by the construction. Much new infrastructure in Sabah is being constructed for mass tourism. This needs to be done in a way smart enough not to destroy the very environment that attracts these visitors as well as the forests and waters upon which we Sabahans depend.

5.0 Right Approach of Infrastructure Development

The whole cycle of infrastructure development must promote more effective and efficient use of financial sources. The right approach should also consider aspects such as carbon footprints, impacts on wildlife migration and connectivity, social cohesion and viability of projects. Nevertheless, the recent infrastructure development process seems to prove otherwise. The disconnection between the stakeholders in the decision-making process created infrastructure development that is less sustainable and more hazardous to the environment.

Ladies and gentlemen

6.0 New Approach of Looking at Infrastructure Development

I believe that an effective and efficient infrastructure development plan should be based on a holistic sustainable infrastructure development framework that considers the infrastructure, economic, environmental and social aspects in addition to the stakeholder's needs and preferences.

The Shared Prosperity Vision for RMke12 provides guiding parameters for a new approach to infrastructure. For example, it needs key enabling factors such as good governance, including transparency and accountability, and protection and conservation of natural resources. It is an opportunity to build new sectors and jobs in renewable energy and the green economy, for example, through the use of greener construction materials and practices. In infrastructure projects, we also need to ensure equality for certain groups such as Indigenous peoples, women, senior citizens and children to ensure no one is left behind.

We can see a fine example of sustainable infrastructure development in the city of Seoul, South Korea. A four-lane elevated highway was built atop of the Cheonggyecheon river near the capital city in the late 1970s. The highway carried nearly 1.5 million vehicles a day, but its location and its safety began to raised question in the 1990s.

After much debate and discussion with all the relevant stakeholders, the city chose to tear down the highway and replace it with a pedestrian park. The city has also put greater emphasis on public transportation, and this has resulted in the reduced number of vehicles entering the area and bringing down traffic accident rates greatly. This drastic decision by Seoul won them the Sustainable Transport Award in 2006 from the Institute for

Transportation and Development Policy, an advocate for high quality transport systems and policy solutions that make cities more liveable and sustainable.

Ladies and gentlemen

7.0 Core Impediments to Infrastructure Development Investments in Sabah

We acknowledge that infrastructure development is offering us great potential in Sabah but to do this requires overcoming the core impediments and risks to infrastructure investments in all aspects especially in terms of macroeconomic and political risks, technical risks, environmental and climate risks and policy risks. To overcome these impediments and achieve sustainable infrastructure development, we require stakeholders with the relevant capabilities, knowledge and capital to come together to share and use the best available information for informed and equitable decision-making and planning processes. While there is no one-size-fits-all solution as each area in Sabah has its own unique circumstances and needs, there are some useful lessons that can be shared across different areas.

8.0 Improving Local Capabilities

Government and the private sector can build up their technical expertise and knowledge on project preparation and financing through collaboration with these various stakeholders. In this regard, the various stakeholders can play a valuable role in improving local capabilities and helping governments to build a conducive business climate with robust regulatory and legal frameworks and create more awareness within the society.

I believe that we also should aim for such success in Sabah. Today's event is the best platform and opportunity to discuss all the things that I have mentioned earlier. I hope all of you here can and will contribute your inputs, findings or ideas that eventually will bring us to the intended direction. This is truly an opportunity for us to bring together the relevant partners to share related lessons and exchange experiences with successful approaches to infrastructure projects. We also have the pleasure of having representatives from three groups from the ground i.e. the sub-district of Tungku, Lahad Datu, Kadamaian in Kota Belud and Kiulu to share with us the investment landscape and opportunities in infrastructure development in their areas and its significance to the overall development of the affected areas.

We have also an interesting panel discussion on the policy and legal system for infrastructure development in Sabah. I wish the Inclusive Dialogue success and I see there is great potential to explore better approaches and creating synergy between all sectors to play a significant role in stimulating a more holistic and transparent infrastructure development in Sabah. On this note, I have the pleasure to declare the Inclusive Dialogue Between Stakeholders in Infrastructure Development in Sabah for the 12th Malaysia Plan (12MP) officially open.

Thank you very much.

The end.

Annex IV: Media Reports

dailyexpress

YOUR LOCAL VOICE | THURSDAY, OCTOBER 24, 2019

Take charge of Sabah's growth ourselves: Minister

(From left) Kiob, Assaffal and co-organiser Cynthia during the dialogue.

David Thien

KOTA KINABALU: Sabahans should play an active role in the State's development without relying too much on others, including the Federal Government.

"The Sabah Government does not belong to the Chief Minister. Sabah does not belong to the Ministers only," said State Assistant Tourism, Culture and Environment Minister Assaffal Alian.

He urged NGOs to voice out their concerns as the State Government is open to constructive suggestions, ideas and criticisms.

"The days when only one person or leader knows what's best is over," Assaffal said at the dialogue between stakeholders on Infrastructure Development in Sabah for the 12th Malaysia Plan organised by Institute of Development Studies (Sabah) in collaboration with Coalition 3H Tuesday.

Acting IDS Chief Executive Officer Anthony Kiob in his address said the objectives are to provide a platform for effective dialogue and understanding of current information and policies from key players; and to explore the establishment of an all-inclusive Joint Action Committee that reviews infrastructure projects in Sabah.

"Infrastructure development has become an increasingly important growth engine that can stimulate demand, create jobs, increase productivity and promote inclusive growth.

"Efficient transport and logistics are crucial for our economic growth.

"Infrastructure is the lifeline of the economy. Adequate infrastructure enables all economic activities to be executed efficiently, smoothly in time and positioned the economy on a high note.

"It generates and fosters growth. First-rate infrastructure forms the backbone of any developed economy in the world," said Assaffal.

He defined infrastructure as the network of power, telecom, ports, airports, roads, civil aviation and railways.

"Road transportation remains one of the most important types of infrastructure in Sabah. Roads are the means by which the movement of people and goods from one place to another is ensured.

"People move out of their houses every day to reach their places of work, trade or business daily.

"They use roads and vehicles available to them. They not only generate income from working but also fulfil the needs of needs of others and it also determines where we live."

In his speech, Anthony Kiob said: "Infrastructure has been identified as the key to the success of Sustainable Development Goals (SDG).

"Infrastructure is covered under SDG Nine (SDG9), which is, 'build resilience infrastructure, promote inclusive and sustainable industrialisation and foster innovation'.

"Infrastructure development can place enormous pressures on natural resources and ecosystems.

"The choices that we make about the types and the place of instructure and how it is planned, designed, constructed, operated and maintained have significant impacts on both society and the environment.

"Inclusive infrastructure will be the theme for the coming Workshop by the United Nations (UN) Environment and UN Office for Projects Services (UNOPS) in Geneva, next month.

"Infrastructure systems are drivers of economic growth, and enable access to basic services and economic opportunities to improve livelihood and well-being.

"Transportation and telecommunication systems can enhance social inclusion through improved connectivity to healthcare, schools, jobs and other services, while access to water is contingent to food production, human health and wellbeing.

"Infrastructure development is also the foundation for the development, essential for eradicating poverty, and key to realization of all human rights and fundamental freedom," Anthony Kiob said, adding that the dialogue is timely and relevant as the Sabah government is now preparing the 12th Malaysia Plan and participants can contribute inputs by providing solutions, recommendations and directives where possible.

"The 12th Malaysia Plan will be aligned with the shared prosperity initiative encompassing three dimensions of economic empowerment, environmental sustainability and social re-engineering," he said.

Among the strategies under the the 12th Malaysia Plan for Sabah include the implementation of the existing and new high impact projects as a catalyst for the State's development.

Reservoir better than building dam, says Sabah expert

Published on: Friday, October 25, 2019
By: FMT

http://www.dailyexpress.com.my/news/142197/reservoir-better-than-building-dam-says-sabah-expert/

KOTA KINABALU: Sabah has no need to borrow billions of ringgit to build a dam when a direct water intake reservoir is a cheaper and more practical solution, a geologist said.

Felix Tongkul said the cost will only be a fraction of the RM3 billion price tag to build a dam in Papar and that it will not destroy the biodiversity surrounding its area.

"It will only cost the government perhaps tens of millions. We can do direct intake of water

and store it in a reservoir on higher ground. But, of course, if the government wants a new concept, they can do it on low ground.

"Take the Telibong water intake project, for instance. It's a good concept done by the Water Department. They take water from the Tuaran River and transport it there. It's a simple technology which we don't need to import," he said in a presentation on the proposed Papar Dam here on Tuesday.

Tongkul was one of the presenters at the "Inclusive Dialogue between Stakeholders on Infrastructure Development in Sabah for the 12th Malaysia Plan" organised by the Sabah Institute for Development Studies.

A proposed dam project at Kaiduan, Papar, 36km from Kota Kinabalu, was initially shelved in 2015 after opposition from Sabah indigenous and environmental groups.

But the project has been resurrected under the present Warisan-led government to ensure ample water supply for the growing population in Sabah's west coast areas over the next 30 years.

The project was initially identified as the Kaiduan Dam but renamed the Papar Dam hydroelectric project by the present Sabah government and will cost an estimated RM3 billion to build.

Its proposed location is in Mondoringin in a remote location in Ulu Papar, the state's largest water catchment area, that spans across the Penampang and Papar districts.

Sabah Infrastructure Development Minister Peter Anthony recently said the state government may borrow from Putrajaya to build the dam or consider a private-public venture to raise the funds.

Tongkul said a reservoir will not affect the natural biodiversity and heritage in Ulu Papar and will keep the natural flow of the Papar River.

He said that if the flow of water in the river is impeded by a dam, it will not only disrupt the natural balance of the area, causing the loss of natural heritage and destruction of crops, but will result in soil erosion, a biologically dead river, and salt water intrusion.

Ultimately, he said, a dam can cause induced micro earthquakes as a result of extra water pressure, which will not only be harmful to plants but also to the nearby population.

"Base on my assessment, there are too much natural resources and heritage to sacrifice if we build a dam. Why do we need to sacrifice all these?

"I'm not against a dam in general, but it is not the right place or location because you can put it somewhere else.

"There is no need to build a dam in Ulu Papar given that the amount of rainfall in the area is

among the highest in the state with over 3,000mm a year," he said.

Tongkul said dams are best built in areas where rainfall is lowest, such as in Kudat district in the northern region of Sabah.

Furthermore, dams have shelf life, with the most up to 50 years, he said, adding that the worst thing the government can do is to build more dams when another round of water supply shortage happens.

Tongkul said the government can also generate electricity near reservoirs such as building photovoltaic facilities to harness solar power to produce electricity as opposed to hydroelectric dams.

Pan Borneo a blow to jumbos' survival

Published on: Friday, October 25, 2019
By: Neil Chan
http://www.dailyexpress.com.my/news/142194/pan-borneo-a-blow-to-jumbos-survival/

KOTA KINABALU: The Pan Borneo Highway cutting through various parts of Northern Borneo have the potential to severely affect wildlife habitats, including Borneon elephants.

According to Cynthia Ong, Board Chair & Chief Executive Facilitator of NGO, Leap Spiral, most of the projects either did not have an Environmental Impact Assessment (EIA) reports or yet to be approved.

She said for example the Pan Borneo Highway Phase 1 which covers Ranau-Telupid-Sandakan (M32), the EIA report was not approved yet

"The issues and concerns here is the loss of connectivity for habitat and wildlife and elephant migration as the route will bisect Tawai Class 1 Protection Forest Reserve (FR) which is part of Heart of Borneo and Ulu Sapa Payau Class VI Virgin FR.

There is expected to be an increase in human-elephant conflicts, destruction of crops and potential loss of road workers' lives. Additionally an increase in Forest Reserve encroachment and poaching is also to be expected.

Speaking about the social and economic cost, she also pointed out that the route bypassing Telupid town will also negatively impact the livelihood of locals.

She said to mitigate this negative aspect, one of the recommendations is to realign the route to avoid the Tawai and Ulu Sapa Payau FRs and stick to expanding and improving the existing main road.

"Alternatively, another proposal is to have a new eco-friendly (route) alignment to the north

of the Labuk River and also implement traffic speed reduction measures to mitigate wildlife being killed in road accidents.

Borneon elephants roaming in Kinabatangan.

She said this as part of her presentation entitled "Infrastructure Development Projects of Concern in Sabah" by Coalition 3H to participants at the "Inclusive Dialogue between Stakeholders on Infrastructure Development in Sabah for the 12th Malaysia Plan" at the IDS Hall Wisma Sedia, Tuesday.

Likewise, she said the same also applies to the Pan Borneo Highway Phase 3 from Kalabakan to Sapulut which cuts through parts of Maliau Basin which does not have any EIA report.

"The proposed route bisects several Forest Reserves and also the Maliau Basin Buffer Zone 2 which are all wildlife rich areas, including 170km of known elephant habitats.

"This will lead to the fragmentation of the northern Heart of Borneo, including ecological connectivity with northern Kalimantan, and increased loss of connectivity between key protected areas.

She said enlarging the existing two-lane road to four-lane would increase the number of wildlife road accidents and also involve potential loss of workers' lives during its construction. Likewise, increased accessibility will also lead to an increase in Forest Reserve encroachment and increase wildlife poaching is to be expected.

She said the recommendation for the Phase 3 route was to maintain the road as existing two-lane with passing points and improved maintenance.

"If it is to be enlarged to four lanes, then the road should be constructed to include over and under passes for wildlife to cross and involve speed reduction measures as well."

She said the plans for a new bridge over Kinabatangan River and new road south of the river would also reduce the connectivity of elephants, orang utans and other wildlife species and serve to fragment the Lower Kinabatangan Wildlife Sanctuary even more.

"The project will also lead to an increase in forest habitat encroachment and the resultant increase in poaching activities is expected."

She said their proposal was to cancel the new Sukau bridge as it would only benefit plantations. The traffic on Jeroco road is much higher than the proposed road south of the Sukau bridge.

The recommendations is to instead utilise the funds for the bridge to be repaired and maintain the existing 23km of sealed road in Jeroco and build 47km of sealed road that will improve access for villagers of Sri Ganda, Tidong, Tundun Bohangin, Litang and Dagat, and the plantation workforce, and also help facilitate tourism in the Ramsar Site.