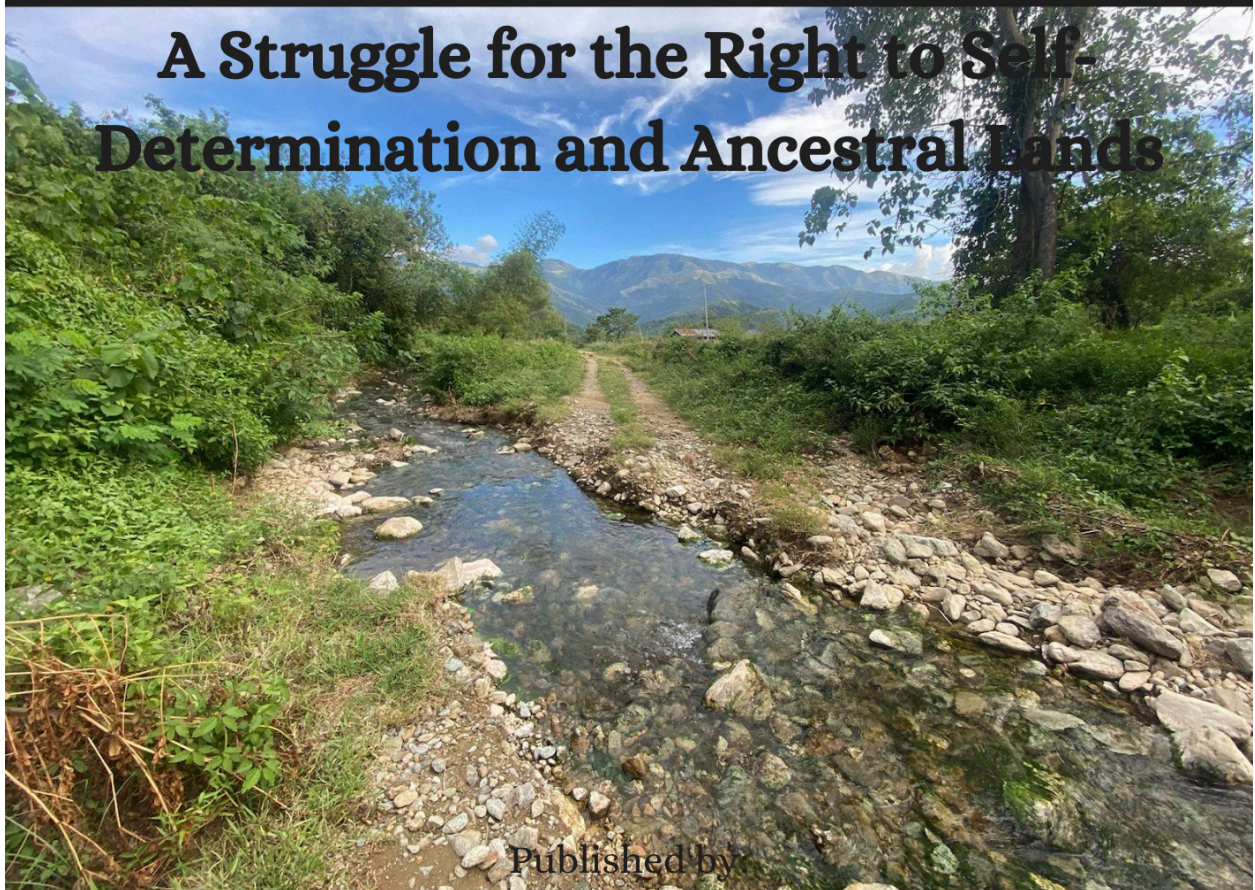
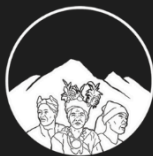


Destructive Dam Projects vs Indigenous Peoples:

A Struggle for the Right to Self-Determination and Ancestral Lands



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Destructive Dam Projects vs Indigenous Peoples: A Struggle for the Right to Self-Determination and Ancestral Lands



Rappler, 2022. Dam projects to swallow sacred grounds of Cordillera's river people

In the Philippines, the construction of mega dams and the plight of Indigenous Peoples have long been interconnected. It comes as no surprise, as throughout the decades, the construction of dams has almost always encroached on the ancestral domains of various indigenous communities.

Those familiar with the valiant story of Macli-ing Dulag, leader of the Butbut tribe in Kalinga province who led the opposition to the Chico River Dam Project back in the 1970s, know how the concept of “development aggression” has always been a thorn in the side of Indigenous Peoples. For leading the fight against the Chico River Dam Project, Dulag was assassinated by state forces of then-President Ferdinand Marcos.



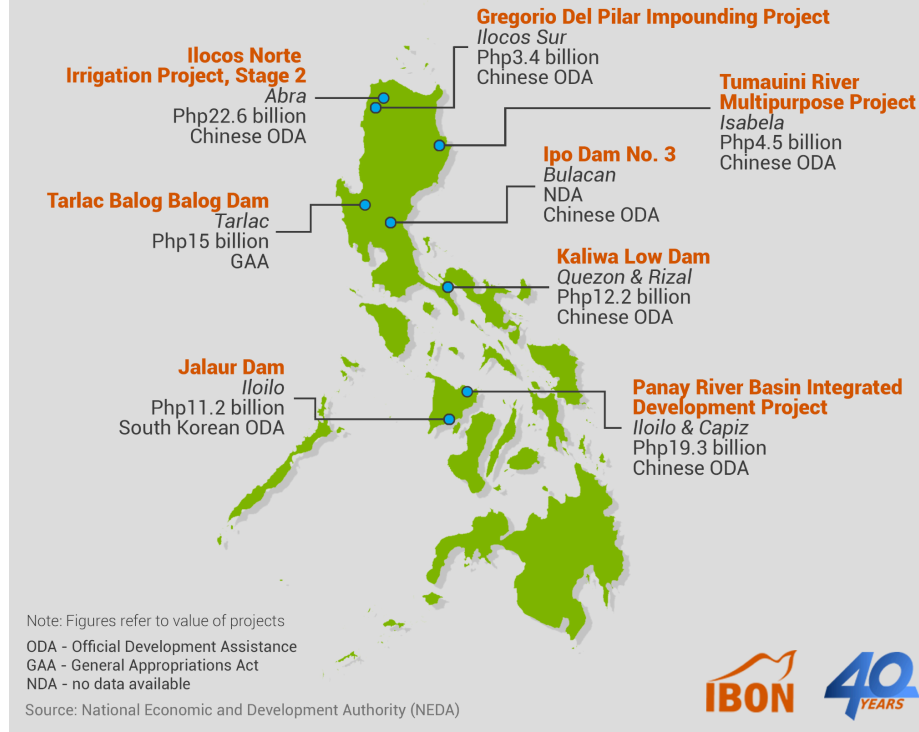
Inquirer, 2015. *MACLI-ING offered his life to protect the sacred lands of his people.* LIN NEUMANN, ASIA NEWS SERVICE, 1980

Fast-forward to 2023, and the situation has gone from bad to worse. Despite having 15 large dams already in operation across the country, the previous Duterte administration is pursuing 117 dam projects in the pipeline under its “Build, Build, Build” program. These mega-dam projects are scattered all over the archipelago and will inevitably affect numerous indigenous communities.

One of the most controversial mega-dam projects in the works is the Kaliwa Dam project, part of the New Centennial Water Source (NCWS) project of the Duterte administration. The administration has already secured a loan deal from China to foot about 85 percent or P11 billion out of the P12.2 billion cost of this mega-dam.

The Kaliwa Dam Project is part of the list included in Administrative Order No. (AO) 32 signed by President Rodrigo Duterte in August 2020. AO 32 seeks to expedite “the review and approval process of infrastructure flagship projects on water security.” Other projects listed in this AO include the Wawa Bulk Water Supply Project, the Chico River Pump Project, and the Panay River Basin Integrated Development Project, all of which touch on ancestral lands of Indigenous Peoples.

LARGE DAMS UNDER THE FLAGSHIP INFRASTRUCTURE PROJECTS OF THE DUTERTE ADMINISTRATION



IBON Foundation, 2018. *Infographic: Large Dams Under the Flagship Infrastructure Projects of the Duterte Administration.*

The Duterte administration is proud to say that the construction of the Kaliwa Dam will increase Metro Manila's water supply, reducing the capital's dependence on the Angat Dam Reservoir.

However, what's conveniently left in the rosy picture painted by the country's economic advisers is this: more than 100,000 individuals or 1,400 families of the Dumagat-Remontado Indigenous group will be severely affected by the Kaliwa Dam project, which will effectively force them out of their ancestral lands in the provinces of Quezon and Rizal.

The Indigenous community has already campaigned on this issue back in 2009, and many of the Dumagat-Remontado have already rejected the project. Yet, it still received an environmental compliance certificate from the Department of Environment and Natural Resources to the chagrin of environmental and Indigenous Peoples' advocates. To add

insult to injury, in many instances, President Duterte warned that he would use the full powers under AO 32 to jumpstart the project, in an obvious attempt to curry favors from Chinese investors.

Several other mega dam projects are in the pipeline – some of the notable projects include the Jalaar Mega Dam Project in Iloilo, phase 2 of which is underway and is expected to displace 17,000 Tumandok individuals and affect 16 Indigenous communities; and the Upper Tabuk Dam and the Karayan dam in Cordillera, both of which will be built on ancestral lands and will effectively affect several Cordillera tribes including the Naneng, Minanga, and other tribes.

Despite facing bribes, militarization, and collusion with local officials, many Indigenous Peoples are not giving up the fight for their ancestral lands, especially as the nation recently saw how devastating dams could be for whole communities. Many think of the huge disaster brought about by the Magat Dam in Cagayan Valley in the aftermath of Typhoon Vamco back in November 2020. In less than 12 hours, Magat Dam discharged over 70 billion gallons of water, submerging most of the adjacent towns and cities.

For Indigenous Peoples of the Philippines, they would rather traverse the hard road of opposition, rather than let their communities, their families, and their cultures be submerged – not just by floodwater, but by corporate, political, and foreign interests (Tucay, M. 2021. *Eternal damnation: Rights & welfare of Indigenous Peoples sacrificed for megadams in the Philippines*)

The table below shows the particular information and statuses of dam projects in the Indigenous Peoples' communities in the country:

* N/A - Information not available

* Pre-development stage - in the process of planning, completing requirements and approval

* Development stage - under construction

* MWSS - Metropolitan Waterworks and Sewerage System

* DOE - Department of Energy

* NIA - National Irrigation Administration

Project name	Covered areas	Budget	Proponent/s	Status	Capacity
Southern Tagalog					
New Centennial Water Source Kaliwa Dam Project	Tanay Rizal-Gen.Nakar Quezon Conveyance tunnel from Teresa to Morong Rizal	P12.2 billion	MWSS/ China Energy Engineering Corporation	Target operation by mid-2026	600 MLD
Dambo Pumped Storage Hydroelectric Power Project	Pangil, Laguna	N/A	DOE/ Belisama Hydropower Corporation	Development	800 Megawatts (MW)

Pakil Pumped Storage Hydroelectric Power Project	Pakil, Laguna	N/A	DOE/ Ahunan Power Inc.	Development	1400 MW
Central Luzon					
Balog-Balog Multipurpose Dam Project	San Jose Tarlac	The remaining P6 billion will be used to finish the project from the P13.37 billion total funds.	NIA/ Guangxi Hydroelectric Construction Bureau/ A.M. Oreta & Co., Inc. Financed by JBIC/ WB	90% of the construction has already been done	43.5 MW
Aya Hydroelectric Power Project	Pantabangan, Nueva Ecija	N/A	DOE/ First Gen Hydro Power Corporation	Pre-development	120 MW
Pantabangan (Pump Storage) Hydroelectric	Pantabangan, Nueva Ecija	N/A	DOE/ First Gen Hydro Power Corporation	Development	600 MW

c Power Project					
Dingalan Pumped-Storage Hydroelectric Power Project	Dingalan, Nueva Ecija	N/A	DOE/ Strategic Power Development Corp.	Pre-development	500 MW
Bulsa Pumped Storage Hydroelectric Power Project	San Jose, Tarlac	N/A	DOE/ Strategic Power Devt. Corp	Pre-development	100 MW
Mapanuepe Site 1 Hydroelectric Power Project	Castillejos & San Marcelino, Zambales	N/A	DOE/ Mapanuepe Hydro Power Corporation	Pre-development	500 MW
Cordillera					
San Roque Lower East Pumped-Storage Hydroelectric Power Project	Itogon, Benguet	N/A	DOE/ Strategic Power Development Corp. (Owned by SMC Global Power Holdings Corp.	Pre-Development	400 MW
San Roque Upper East Pumped Storage Hydroelectric				Development stage	600 MW

Power Project			Note: Awarded contract as of June 2023		
San Roque West Pumped Storage Hydroelectric Power Project				Development stage	400 MW
Kabayan 2 Hydroelectric Power Project	Kabayan, Benguet	N/A	DOE/ Aboitiz Power Corp	Development stage	52 MW
Kapangan Hydroelectric Power Project	Kapangan & Kibungan, Benguet	N/A	DOE/ Cordillera Hydro Electric Power Corp.	Development stage	60 MW
Kibungan Pumped-Storage Hydroelectric Power Project	Kibungan, Benguet	N/A	DOE/ Coheco Badeo Corp	Development stage	500 MW
Mabaca 2 Hydroelectric Power Project	Balbalan, Kalinga	N/A	DOE/ JBD Water Power (JWPI) Inc. (previously JBD Management and Consulting	Pre-development stage	45 MW

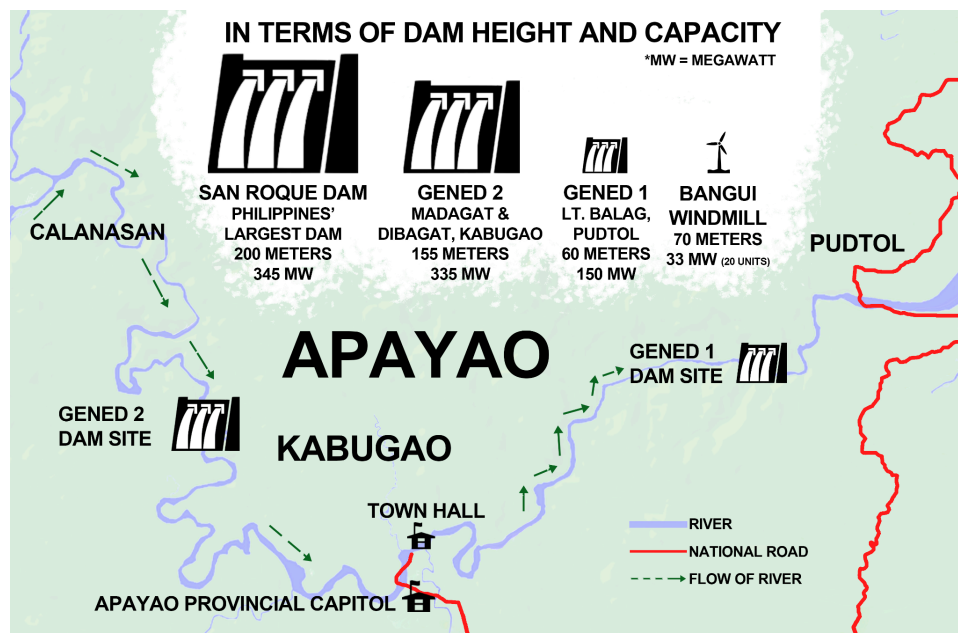
			Services, Inc.)		
Saltan D River Hydropower project	Balbalan Kalinga Affected Ancestral Domains: Salegseg, Dao-angan, Poswoy		DOE/ JWPI Water Power Inc. Owned by Australian James Bennett Davies	Target operation by 2025	49MW
Buaya Hydroelectric Power Project (formerly Mabaca HPP)	Balbalan & Pinukpuk, Kalinga	N/A	DOE/ JBD Water Power (JWPI) Inc. (previously JBD Management and Consulting Services, Inc.)	Pre-development	40MW
Saltan River Site E Hydroelectric Power Project	Balbalan & Pinukpuk, Kalinga	N/A	DOE/ JBD Water Power (JWPI) Inc. (previously JBD Management and Consulting Services, Inc.)	Pre-development	45 MW
Lower Pasil Hydroelectric Power Project	Pasil, Kalinga	N/A	DOE/ Markham	Pre-development	30 MW

			Resource Corp		
Calanan Hydroelectric Power Project	Tabuk, Kalinga	N/A	DOE/ Violago Gold Development Corporation	Pre-development	60 MW
Chico Hydroelectric Power Project	Tabuk, Kalinga	N/A	DOE/ San Lorenzo Ruiz Builders & Developers Group, Inc.	Development	150 MW
Chico River Hydroelectric Power Project	Tabuk, Kalinga	N/A	DOE/ Karayan Hydropower Corporation	Development	52 MW
Dalimuno Hydroelectric Power Project	Tabuk, Kalinga	N/A	DOE/ Violago Gold Development Corporation	Pre-development	58 MW
Impacts of the Dam Projects in the Communities					
Alimit Hydroelectric Power Project	Lagawe, Ifugao	N/A	DOE/ SN Development Power Corp.	Pre-development	120 MW
<p>The repercussions of dam projects are enormous enough to destroy the environment and its inhabitants' lives. These have negative impacts on the affected people's economic, civil, and political rights, right to health, and particularly, the Indigenous and ancestral land rights of IPs.</p> <p>The following are the mega-dam projects which have massive negative impacts on IP communities:</p> <p>GENED-1 Hydroelectric Power Plant (Gened Dams)</p>					
Alimit-Pump Storage Hydroelectric Power Project	Lagawe, Mayoyao, Ifugao	N/A	DOE/ SN Power Corp	Pre-development	250 MW
Gened 1 Hydroelectric Power Project	Kabugao, Apayao	P19.8 billion	DOE/ Pan Pacific (San Miguel)	Development	150 MW

Threats to Isnag villages, which might potentially cause flooding downstream and affect Apayao's ecology.

- Several barangays would be submerged by the proposed dam along the Apayao-Abulug River, displacing over 4,600 people and damaging wildlife in a crucial area.

- There is a risk to the food, water, livelihood, and culture of the Indigenous Isnag people living in the dam's impact area, which is home to 105 plant species, 51 bird species, and 11 amphibian and reptile species.
- The right to Free, Prior, and Informed Consent (FPIC) was violated when the National Commission on Indigenous People (NCIP) accepted the project's Certificate of Precondition despite the Isnag people's rejection in 2019 and 2021.
- Tensions increase as Pan Pacific seeks to build three more dams, and Isnag resistance encounters obstacles with the NCIP, military presence, and red-tagging, raising questions about the process's suitability for protecting Indigenous rights.¹



Philippine Center for Investigative Journalism, 2022. A map of Kabugao and the site of the proposed mega-dams.

Jalaur River Multi-Purpose Project (JRMPP) Phase II Dam, Iloilo, Philippines

- Even though the proposed dam project has a 6.6 MW production capacity and a relatively modest irrigated area, it is referred to as a "mega-dam" due to its huge ramifications for the environment, society, and economy.
- Allegations of corruption and private interests obscuring regional development have prompted criticism and protests against the project, which is a collaboration between the governments of the Philippines and Korea and the Korean

¹ [GENED-1 Hydroelectric Power Plant in Apayao-Abulug River, Cordillera Region, The Philippines](#)

Export-Import Bank. The project is being led by Senator Franklin Drilon, and it will cost 11.212 billion Philippine Pesos or around USD 250 million. In December 2011, a Memorandum of Understanding was signed.

- Due to the Disbursement Acceleration Program's (DAP) declaration of unconstitutionality, the project's financing, which was partially funded by the program, has given rise to legal concerns. The Newington Company is one of the contractors working on the dam, and it is being built in connection with allegations of bribery to procure the free prior informed consent (FPIC) of Indigenous communities affected. In addition to the economic and social difficulties, the dam's environmental effects have generated strong resistance. Concerns include flooding of biodiverse areas and the formation of a sizable artificial lake, as well as the absence of assessments for natural disasters like earthquakes and floods, possible dam failure, and catastrophic flooding of cities downstream.²
- On December 30, during an operation conducted by the Philippine military and police in several Tumandok communities in Tapaz, Capiz, and Calinog, Iloilo, nine Indigenous Tumandok were killed and sixteen more — six (6) of which were women—were taken into custody. Due to their resistance to the dam project, the state forces conducted the operation in the name of peace process.³



Rappler, 2023. Delay could raise cost of Iloilo Jalaur River megadam by P4B – NIA

²[Jalaur River Multi-Purpose Project \(JRMPP\) Phase II Dam, Iloilo, Philippines](#)

³ Some of the 16 arrested were charged with violating either R.A. 10591, known as the “Comprehensive Firearms and Ammunition Regulation Act,” or R.A. 9516, an act amending the provisions of P.D. 1866, known as “Codifying the laws on illegal/unlawful possession, manufacture, dealing in, acquisition or disposition, of firearms, ammunition or explosives or instruments used in the manufacture of firearms, ammunition or explosives, and imposing stiffer penalties for certain violations thereof and for relevant purposes.” Others were charged with violating both.

Kaliwa Dam – New Centennial Water Source Project (NCWS)

- Katribu Kalipunan ng Katutubong Mamamayan ng Pilipinas was informed in January 2022 that a Memorandum of Agreement (MOA) had been signed within a week following a validation procedure involving 116 Dumagat elders who were chosen by the NCIP. Several Dumagat-Remontado tribe members were unable to participate because of this incident. Despite the area being under COVID-19 Alert Level 3, the National Commission on Indigenous Peoples nonetheless organized an event without the impacted communities' full and effective engagement in exercising their right to participate in FPIC processes.⁴ The House Committee on Indigenous Cultural Communities and Indigenous Peoples issued a Cease and Desist Order, stating that "FPICs in both Rizal and Quezon were not consummated" and that "continuing operations with regard thereto is tantamount to a violation of existing laws, in particular R.A. 8371, wherein our ICCs/IPs' rights are enshrined."⁵
- In 2020, after giving the Chinese contractor for the project a Notice to Proceed (NTP), the Commission on Audit (COA) flagged the Metropolitan Waterworks and Sewerage System (MWSS) even though it was still pending compliance with environmental regulations. The COA pointed out that the names of the acknowledged tribal leaders or elders who may attest to the signees' validity were missing from the submitted documents.⁶
- At least 5,000 Indigenous Dumagat-Remontado would have their ancestral lands affected by the project. It will devastate the biodiversity and habitat of 126 species across 300 hectares of Sierra Madre, and put 100,000 people at risk of severe flooding downstream. Moreover, failure to pay the loan will result in the country's resources being ceded, in addition to a huge 10.37 billion peso loan. The National Economic Development Authority (NEDA) had warned that because of the high sedimentation rate, the Kaliwa Dam could have a "short dam lifespan." NEDA emphasized that the project's rate of return (i.e., 18%-20%) was "just above the government's passing rate of 15% economic evaluation" and "did not account for environmental and ecological expenses, as well as social and heritage costs." The

⁴ Jocson, L. M. J. (2022, February 3). Indigenous peoples seek to overturn Kaliwa Dam deal.

⁵ Mangaoang, Allen Jesse. Chairperson, House Committee on ICCs/IPs in a letter to the Board of Trustees of MWSS. Mitra Building, House of Representatives, constitution hills, Quezon city. June 14, 2021.

⁶ CNN Philippines (2020, September 11). COA flags ₱12-billion Kaliwa Dam project for absence of environmental compliance, consent from IPs.

World Bank (WB) foresaw the NEDA study in advance, stating that the average cost of the Kaliwa Dam was at P9.28 per cubic meter, making it "the most expensive per unit among the Nine" Metro Manila Water Projects. It cited evidence as early as 2012 that the Kaliwa Dam "may be unfavorable for consumers."⁷



ABS-CBN News, 2019. Dumagat tribe rejects China-funded Kaliwa Dam.

For the Indigenous Peoples, “development” as defined by the State and corporations is almost always in reality development aggression, where the implementation of projects for so-called development violate their rights. Manipulation, deceit, and fraud in the conduct of FPIC processes trample on their right to self-determination. The encroachment of these corporations and government agencies in their ancestral domains violate their rights to land. The loss of their sacred sites as an effect of dam constructions may also mean the eventual loss of their culture. Centuries of their stewardship to the rivers, forests, and biodiversity are deemed futile by forces and authorities, as they blatantly disregard the IPs’ role in keeping the nation rich in its resources. The devastating effects of dams on the environment infringe on their economic rights. Harassment, militarization, and other ways to sow fear violate their

⁷ Panaghiusa Philippine Network (2022, February 22). *“Statement on the Railroading of the Destructive Kaliwa Dam Project in Rizal and Quezon, Philippines.”*

civil rights. Lastly, silencing resistance and opposition through extrajudicial killings and massacres of Indigenous Peoples is a violation to their right to life itself.

Development aggression in ancestral domains is direct aggression on the Indigenous Peoples, but where there is aggression, there is struggle.

As the government maintains the difficulty for IPs to obtain titles to their lands and ancestral domains, and as corporations exploit this, the Indigenous Peoples will remember Macliing Dulag's words: "Such arrogance to say that you own the land, when you are owned by it! How can you own that which outlives you? Only the people own the land because only the people live forever." These people, the generations of IPs, continue the struggle and resistance in order to keep their lands, communities, families, and cultures alive.



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