The Asia-Pacific Journal: Japan Focus
In-depth critical analysis of the forces shaping the Asia-Pacific...and the world.

Sumatran Villagers Sue Japan Over ODA Dam

by Amanda Suutari

Before Tanjung Pau village disappeared under the reservoir of Kotopanjang Dam, the ethnic Minangkabau who lived in that remote corner of central Sumatra, Indonesia, once held an elaborate ceremony for 2-month-old babies. "It was called Turun Mandi," villager Iswadi Abdulla Salim explains. "Everyone would come to see the family bathe the baby in the Mahat River. This was supposed to give protection and allowed the baby to be brought into public for the first time."

Today the village -- and river ceremonies like this -- are gone, flooded six years ago by a dam project funded with Official Development Assistance from Japan. Now, though, the villagers are fighting back. Last September, in the first legal challenge to Japanese ODA, some 3,861 displaced residents filed a lawsuit with Tokyo District Court against the Ministry of Foreign Affairs, the Japan Bank of International Cooperation (JBIC), Japan International Cooperation Agency (JICA), and Tokyo Electric Power Services Corporation (TEPSCO). Claiming that the $251 million project forcibly displaced about 20,000 people and devastated their subsistence economy, culture and environment, the plaintiffs -- who now number some 8,400 -- are demanding 5 million yen each in damages, the removal of the dam and restoration of the ecosystem.

While the lawsuit itself is unprecedented, Japanese ODA has long been a target for criticism. With projects favoring costly infrastructure that yields contracts for Japanese companies, nongovernmental organizations monitoring Japanese activities abroad have blasted it as little more than a guise for Japanese businesses to enter emerging Asian markets -- particularly in the field of hydropower.

Joan Carling of the NGO network Rivers Watch East and Southeast Asia, explains: "Since opposition to more dams in Japan is ever-increasing, dam-building companies must look for other markets outside Japan to sustain their operations and profitability."

Kotopanjang Dam flooded a 120-sq.-km area of the Minangkabau's fields, forests and villages in the provinces of Riau and Western Sumatra. This indigenous group had lived for generations along the fertile basins of the Mahat and Kampar Kanan rivers, fishing and growing fruit and rice for subsistence and harvesting rubber.

However, even though they were evicted from their villages to make way for the dam in the early 1990s, they claim that no one consulted them about the project, relocation or compensation.

Asseem of Koto Tuo village charges that local government officials and the military harassed and intimidated villagers into accepting the plan. "We were having a meeting at my house when military and local government officials came and surrounded us," he says. "When I went outside and asked them what they were doing, the head of the military threatened to arrest me."

The next day, Asseem says he was invited to the local government office, where he was offered 30 million rupiah (around $3,500) to abandon his opposition to the project. While the Indonesian government prepared new villages and cash settlements, villagers contend that the money they were offered was inadequate, and that living conditions dropped drastically in the new villages because of chronic water shortages, poor soil and rubber plantations that were not ready for harvest.

"In the dry season now there is conflict among us over water," says Anis, of Koto Tuo village. "Before, we were self-sufficient," adds Romanila, another villager. "We could grow rice, chilis and coconuts, but now we are dependent on money -- and there aren't any jobs." As a result, some of the displaced villagers have begun selling off land to buy medicine or send their children to school, and many are illegally logging the nearby forests, insisting there is no other source of income.

"Conditions have pushed people to do anything to survive, and this is why illegal logging is happening," says clan leader Abdullah Salim of Tanjung Pau. Also listed among the plaintiffs are the endangered Sumatran elephant and tiger, the Malay tapir, species of monkeys and other animals. Environmentalists fear that the reservoir, logging, and construction of new villages has cut into important remaining habitat and migration routes of already threatened species, some of which may now be on the verge of extinction.

The court will decide next month whether or not to accept the claim of the non-human plaintiffs. For their part, the defendants aren't saying much. Spokespeople from the Ministry of Foreign Affairs, as well as JBIC, JICA

and TEPSCO, are refusing to comment about the case while it is pending.

In a written statement, however, MOFA insists the claim is illegitimate and should be taken up in Jakarta, since Japanese agencies had made recommendations to protect the villagers and environment.

But Aviva Imhof of International Rivers Network, an NGO monitoring dams around the world, says, "It is simply unacceptable for JBIC to provide hundreds of millions of dollars in funding -- and then to walk away and deny responsibility for their impacts."

Other ODA-funded projects like the San Roque Dam in the Philippines, the Lam Takong Pumped Storage Project in Thailand and the Balachung #2 hydropower plant in Myanmar, have faced opposition over issues of forced displacement, ecological destruction and widespread corruption.

In response to voices urging a rethink, MOFA released a plan for ODA reforms in 2002 aimed at boosting transparency, improving operations and increasing NGO involvement. Correspondingly, JBIC has introduced environmental guidelines which will begin to go into effect this year.

While Hatae Hozue of Friends of the Earth Japan cautiously welcomed this move, he also points out that the new JBIC requirements don't include projects like Kotopanjang or San Roque. If it is really serious, he says, JBIC should "[commit itself] sincerely to these past projects."

Tokyo District Court is scheduled to deliver its judgment in January. However, according to Rony Iskandar of Taratak, an Indonesian NGO that has worked extensively with the plaintiffs, the case has already politicized a people once resigned to the repressive and corrupt policies of Suharto-era Indonesia. "Now they have the courage to demand their rights from the government in a way that would have been unthinkable a few years ago," he says.

Even if the court rules in the plaintiffs' favor, though, compensation may never bring back the Minangkabau's communal lifestyle governed by reverence for their ancestral land, rivers and forests. Clan leader Abdullah Salim explains, "We have a saying, 'Allam takambang jadi guru' -- it means 'all of nature is our teacher.' " As the dam's fallout continues to erode the natural bounty of his homeland, it isn't clear what will remain to teach the next generation.

[This article originally appeared in the Japan Times, August 14, 2004.

For more information about the Kotopanjang lawsuit and schedule, see the Web site of the Supporting Committee of the Victims of Kotopanjang Dam. Amanda Suutari welcomes reader comments at suutaria@hotmail.com.]

Created by Datamomentum