



I LOOK UP TO THE MOUNTAINS

Statement on the Kaliwa Dam

Dear People of God,

*“I lift up my eyes to the mountains – where does my help come from?
My help comes from the Lord, the Maker of heaven and earth” (Psalm 121:1-2).*

It would be helpful to recall that the CBCP had been issuing pastoral letters on the environment, hoping that the local Churches would respond and act together. In 1988 your Bishops issued a historic pastoral letter –“What is Happening to our Beautiful Land?” Last year, a pastoral letter on the Climate Crisis was issued with the title, “An Urgent Call for Ecological Conversion, Hope in the Face of Climate Emergency”. In the local Church of the Prelature of Infanta, Bishop Bernardino C. Cortez issued on July 26, 2018 a pastoral letter related to the environment and indigenous peoples rights with the title “No to Kaliwa Dam, Yes to Alternative Sources of Water”.

The Church believes in Jesus who came that we may have life, and have it abundantly (cf. John 10:10). Because of this, the Church is not against development as long as it does not sacrifice the common good in the name of progress. The on-going Kaliwa Dam project of the government, in the guise of providing water to Metro Manila, is to our mind against inclusive development. Together with the majority of the Dumagat-Remontados indigenous communities of the Sierra Madre mountain range in the areas of Quezon and Rizal provinces, and the people of the towns of Real, Infanta, General Nakar and Tanay who will be affected by said project, we the Bishops of the Philippines join the Prelature of Infanta and the Diocese of Antipolo in opposing this project of Kaliwa Dam on the following grounds:

1. Almost 300 hectares of forest eco-systems in the Sierra Madre will be submerged in water, endangering 126 endemic and endangered species of plants and wildlife, thus destroying the biodiversity of that mountain range. Furthermore, the area that is affected by the dam has been declared as protected biodiversity area under the National Integrated Protected Area System (NIPAS) Act of 1992 and extended NIPAS of 2018 within Kaliwa Watershed Forest Reserve (Proclamation No. 573, June 22, 1968) and portion of this watershed declared as National Park and Wildlife Sanctuary (Proclamation 1636, April 18, 1977).
2. The peaceful Dumagat-Remontados indigenous peoples will be displaced by this project. Their way of life and culture are bound to the forests and rivers of the Sierra Madre. They are also the guardians of these mountains. They have a right to this forest as it is their ancestral domain as recognized by Indigenous People's Rights Act (IPRA) since they have lived in this area for centuries. They should not be sacrificed on the altar of development aggression, which would just benefit big businesses and Chinese investors.
3. The contract with the Chinese investors is onerous to the Filipino people because the contract is not transparent at all.¹ First, the project is debt-creating with a

¹The loan agreement despite being dated November 20, 2018 was only made publicly available several months after even as different groups have requested its full disclosure. The document was uploaded on the Department of Finance website only on March 18, 2019. See link: <https://www.dof.gov.ph/index.php/download/kaliwa-dam-project-loan-agreement/>

sovereign guarantee and the country's territory and properties as collateral.² The loan from China for this project will be paid by all Filipinos, not only those living in Metro Manila. There is even a provision that should any disagreement happen between the Chinese investors and the Philippine government, the case shall be settled in Chinese courts applying Chinese laws.³ Besides, the President had even publicly threatened judges who would issue any Temporary Restraining Order (TRO) on the project,⁴ thus blurring the independence of the judiciary.

4. Philippine laws are now being violated in the rush to start the project:
 - a. The access road to the dam that is now being built has no Environmental Compliance Certificate (ECC), no Free and Prior Informed Consent (FPIC), and no clearance from the Protected Area Management Bureau (PAMB) as required by Republic Act (RA) 11038, Section 11.
 - b. The Environmental Impact Statement (EIS) requirement is deficient⁵ and hence the issuance of the ECC from Environmental Management Bureau (EMB) is very suspect.
 - c. FPIC procedures are highly irregular⁶. Sadly, the National Commission on Indigenous Peoples (NCIP)-Provincial FPIC Team failed to protect and uphold the Human and Indigenous Rights of the Dumagat-Remontados.
5. There are other alternatives that are less destructive to nature and even less expensive to the government to provide water to Metro Manila, as listed in “No to Kaliwa Dam, Yes to Alternative Sources of Water”.
6. More than 100,000 people downstream will be adversely affected by possible flooding due to earthquakes and other effects of the dam, which is near to six (6) earthquake faults,⁷ and these were not adequately considered in the Environmental Impact Statement (EIS) presented.

We, therefore, call on the concerned government agencies and other proponents of the Kaliwa Dam project to stop the implementation unless proper review is done to correct its flawed procedures. For the sake of the common good, we strongly recommend that ecologically sustainable alternatives be carefully considered, as proposed by experts in responding to the challenges of the water crisis in Metro Manila, without destroying the precious culture and sustainable future of our Dumagat-Remontados tribes.

²Paragraph 8.1 Waiver of Immunity, Article 8, Preferential Buyer's Credit Loan Agreement on the New Centennial Water Source-Kaliwa Dam Project between Metropolitan Waterworks and Sewerage System (MWSS) as Borrower and The Export-Import Bank of China as Lender dated November 20, 2018

³Paragraphs 8.4 and 8.5, *ibid*.

⁴<https://www.philstar.com/headlines/2019/12/31/1980949/duterte-pushes-2-dams-metro-manila-warns-courts>

⁵As reviewed by EIA Expert Bing Guieb who testified at the Senate Hearings conducted by the Senate Committee on Indigenous Cultural Communities chaired by Senator Imee Marcos.

⁶Community leaders have reported irregularities which violate the NCIP Administrative Order No. 3 or the Revised FPIC Guidelines of 2012. The Second Community Assembly which comprises of the presentation of the proposed project by MWSS was not comprehensive, leaving out details as to its perceived disadvantages and adverse effects to the community. The NCIP failed to recognize the resolution of non-consent of communities in Tanay and majority vote of IPs, with 5 out of 6 clusters saying “No” in Gen. Nakar. Instead of respecting the community resolutions, the NCIP pushed for a fourth community assembly where a highly irregular voting process was conducted (Cf. letters to NCIP by 100 Agta-Dumagat, received December 27, 2019; and by Calzado, received January 17, 2020).

⁷As revealed by COA-MWSS at the Senate Hearings conducted by the Senate Committee on Indigenous Cultural Committee citing PhiVolcs data.

We invoke the God of Sacred Scriptures who said: “Defend the weak and the fatherless; uphold the cause of the poor and the oppressed. Rescue the weak and the needy; deliver them from the hand of the wicked” (Psalm 82:3-4). The coming celebration of 500 years of Christianity in the country would be meaningless if we remain deaf to the cry of our poor indigenous people and if we remain indifferent to the destruction of our forests and their biodiversity. Let us look up to the Mountains to see the life-situation of our indigenous brothers and sisters, and listen to their cry and to the call of our Lord Jesus. May God bless us.

For the Catholic Bishops’ Conference of the Philippines:


+ **ROMULO G. VALLES, D.D**
Archbishop of Davao
CBCP President
26 February 2020
Ash Wednesday