

Press Release from Affected Community Members

Regarding

Regarding construction work of the Project “220 KV Marsyangdi Corridor Electricity Transmission Line” to halt with an immediate effect.

Date: May 03, 2022, Lamjung

In the present matter, the Project “220 KV Marsyangdi Corridor Electricity Transmission Line” has put the lives of we, the affected people at risk. It has deprived us from our homes, lands and our livelihood.

The Project, which if being undertaken forcefully and without a consultation with us, the land owners is likely to put us into physical as well as economic deprivation. Our fundamental rights to property and housing are curtailed.

As this project has violated fundamental rights of the citizens along with their economic and environmental rights and as the people are put under percussion, the European Investment Bank at present has stopped the budget of this Project. And, the Bank has also stated that it will make the budget available if only the citizens are convinced.

However, the Nepal Electricity Authority has not addressed the problems and demands of the affected whereas with the support of the police and administration, the act involving encroachment in private property is clear as a serious act against people.

In October 2018, the affected people had filed a complaint in the grievance handling agency of the Bank stating that the Project has violated our legal rights as well as the Policy regarding society and environment.

The complaint handling agency of that bank had advised to address this problem through the mechanism for arbitration/mediation. However, the Nepal Electricity Authority did not express a will to solve this problem by sitting in a dialogue with the affected people.

After that, in April 2021, such a mechanism to handle complaints investigated upon our complaint as well as published a conclusion report.

Major conclusions of the Report:

- The European Investment Bank and the Nepal Electricity Authority have not followed the Social and Environmental Standards of the European Investment Bank as well as international legal commitments.
- The European Investment Bank and the Nepal Electricity Authority have ignored the impacts likely to create among indigenous communities. Although the Project is likely to

impact indigenous community, the right to Free, Prior and Informed Consent (FPIC) is not implemented.

- During the public consultation events, only 1 percent of the population representing the community from the area impacted by the Project were present.
- Although Nepal Electricity Authority had started construction works without concluding required assessments related to environment, society and rehabilitation, the European Investment Bank made available the funds to Nepal Electricity Authority.

Recommendations of the Report:

- To halt the investment in the Marsyangdi Corridor Transmission Line until the issues involving violation of financial obligations are addressed.
- To fulfill the obligation to establish the Free, Prior and Informed Consent (FPIC) process with a clear timeline on obligation related to the Free, Prior and Informed Consent (FPIC).
- Transparency in reparation and compensation. To implement flexibility and transparent procedures while determining reparation and compensation.
- Factual impacts arising out of the restriction to use lands that fell within Right of Way (ROW) should be dealt separately. Adequate reparation and compensation should be provided while the reparation and compensation provided priorly should be analyzed. If adequate reparation and compensation were not provided, reformative measures should be adopted in order to provide adequate reparation and compensation.
- Within the scope of community engagement in the Reparation and Compensation Determination Committee, justified representation of the Project-affected communities should be ensured.
- Reforms should be introduced in matters of consultation with the communities, communication to the project-affected communities as well as their meaningful engagement. In addition to that, community engagement should be ensured during the Environmental and Social Impact Assessment as well as development and implementation of rehabilitation plans.
- Corrective Action Plan, Corrective Environmental and Social Action Plan should be updated and their implementation should be monitored.

But,

Recommendations of such a Report were not implemented. Instead, acts of intimidation and threatening were taken against the victims of Ward 1 and 2 of Dordi Rural Municipality.

We, the affected persons highly condemn the warning given to not obstruct the Project, battery against the victim Pabitra Thapa of Dordi Rural Municipality, 1 and with due harassment and intimidation imposed on May 1, 2022 against Pabitra Thapa along with Santosh Giri, Sanjip Thapa, and [a person under 18 years].

Hence, our demands are as follows:

- The acts of intimidation, threatening, harassment and detention of the affected communities by deploying police administration be stopped with an immediate effect.

- The concluding recommendation of the Report provided by the grievance handling agency of the European Investment Bank be thoroughly implemented.
- Based on the concluding recommendation of the Report, let the reparation and compensation be reevaluated and determined with our due engagement and hence made available.
- In the context where the European Investment Bank has called for a tripartite (affected community, European Investment bank and Nepal Electricity Authority) talks, let the problem be addressed through talks.
- Until the demands of the affected communities are addressed let all the project activities be halted with an immediate effect.

Note: If our demands were ignored and coerced, we would like to inform that a strong retaliation would be offered while the Nepal Electricity Authority itself shall be responsible for the consequences arising out of such activities.

On behalf of the affected community,

FPIC and Rights Forum

Chandra Bahadur Mishra (Signature)

Dordi Committee

Shiva Bahadur Adhikari

Rainas Municipality

Mohan Sharma Chiluwal

Banjhakhet

Tuk Bahadur Nepali (Signature)

Victims

Pabitra Thapa

Sanjip Thapa

[a person under 18 years]

Santosh Giri