

A.P.E. Project **(Assess. Protect. Evaluate.)**

**Humans Habitats Highways: The 3H Coalition Highlights Effective
Collaboration for Sustainable Linear Infrastructure**

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Introduction

Developing linear infrastructure that serves society's needs and reduces environmental impacts requires a diverse range of experts throughout the project cycle. The formation of collaborative entities can be critical in ensuring that environmental safeguards, such as route realignment or context-dependent mitigation measures, are adequately considered.

A four-year initiative by LEAP-Forever Sabah called *Coalition Humans Habitats Highways (3H)* is a shining example of how collaborative efforts can impact and positively shape development. 3H is a civil society coalition formed by ten organizations concerned about the negative impacts of highways on human health, the environment, and wildlife in Sabah and Malaysian Borneo. The coalition was formed to provide a unified voice for sustainable transportation policies and to advocate for solutions that balance the needs of communities, wildlife, and the environment. By engaging stakeholders across the landscape, the coalition was able to understand the breadth of development impacts. With stakeholder engagement, they were able to suggest improvements to infrastructure development processes to better serve communities and the environment in the heart of Borneo.

The coalition focuses heavily on the Pan Borneo Highway (PBH). This road network will connect major cities and towns across the island of Borneo, shared by Malaysia, Indonesia, and Brunei. The PBH project aims to improve transportation connectivity, boost economic growth, and promote regional tourism.

While many positive economic outcomes are expected from the construction of the PBH, the highway will also negatively impact some communities and the environment. On the one hand, improved connectivity is likely to boost economic growth, create job opportunities, and facilitate the transportation of goods and services. This could lead to increased prosperity and development in the region. However, the construction of the highway is likely to also affect traditional land use practices of local communities, as it may lead to the displacement of indigenous people, change their lands to an irreparable degree and cause the loss of their cultural heritage.

Construction of the PBH will also require extensive land clearing, destroying habitats and causing fragmentation of wildlife populations. In addition, the increased traffic along the highway will also lead to increased air, water and land pollution, noise, and roadkill and create barriers to wildlife movement.

The 3H Coalition produced a report, "[Findings Report on Humans, Habitats, Highways](#)," which focuses on the impact of highways on human health, the environment, and wildlife and makes key recommendations.

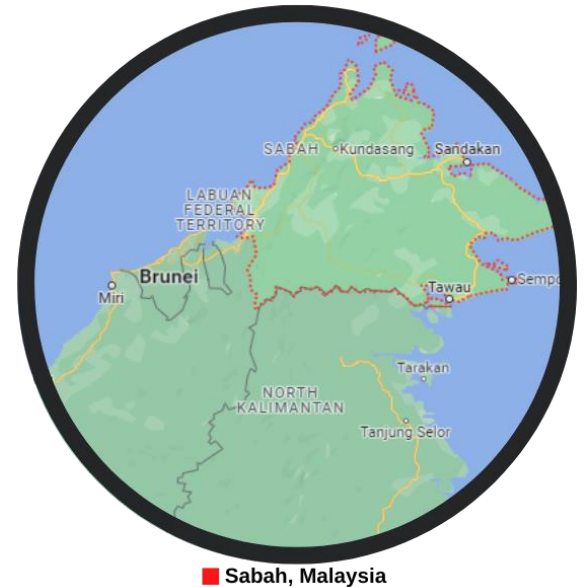


Figure 1. The state of Sabah, Malaysia, on the Island of Borneo

Recommendations

Improve Planning

There is a need for collaborative entities to help guide the planning process. Ensuring involvement from all constituencies, researchers, civil society, academia, engineering, and the government allows developers to achieve the highest benefits while avoiding the worst impacts. A joint committee could be formed under a relevant government agency to champion this effort and ensure a structure and a responsible party for upholding a collaborative effort. This requires full stakeholder consultation to find solutions for harmonizing development and environmental objectives. Planning should also include a good analysis of geospatial and biodiversity data. This information will be critical to helping identify alternative locations for project alignments.

Strengthening Sabah's EIA Process

The Environmental Impact Assessment (EIA) is a critical tool in assessing a linear infrastructure development project's impact on the environment and society. LI project funders should encourage, fund, and facilitate transparent EIA processes and the enforcement of resulting recommendations by mandating compliance with national legal frameworks and international best-practice. The coalition notes that mega projects often have unintended impacts across different scales and, therefore, suggests that EIAs are needed at the local project level and at all scales, including national, regional, and transboundary project levels. EIAs are often conducted later in the project development pipeline, reducing efficacy and transparency.

The coalition proposes changes to project planning and environmental protection processes to improve access to information and public participation during the initial stages of proposed projects. Additionally, they suggest that feasibility studies and cost-benefit analyses be conducted before the projects are designed and subject to impact assessments. It is important to note that these analyses should be holistic and consider all external factors, not just the construction costs. The coalition also suggests better inclusion of social aspects in assessments, including consultation with local communities and ensuring adherence to Free Prior and Informed Consent (FPIC).

Sabah Structure Plan 2033

The Sabah Structure Plan 2033 has clear recommendations for development, stating that there should be no development or loss of biodiversity in environmentally sensitive areas. The Coalition notes that this verbiage is at odds with proposed and current projects, posing the question, why can these projects proceed? Sabah's Action Plans and other environmental policies should be considered in approvals of infrastructure development projects and no longer approve major roads and other infrastructure in protected areas and endangered species' hotspots.

Examples of verbiage from the plan include:

For “existing and future Protected Areas”, there shall be “No development... shall be permitted except for eco-tourism, research and education”; for “All other forests and wetlands outside of [Protected Areas] and [Priority Conservation Areas]”, there shall be “No development” and “No net loss of biodiversity in forest conservation landscapes.” (Proposal EV3-1)

“Where a highway cuts through the forest connectivity particularly if it is a national highway or strategic road, an overpass or underpass type of design shall be constructed to minimise the ecological impacts.” “Highways and roads cutting through forest are regarded as one of the leading causes of dissecting forest connectivity. Being a State renowned for its rich forest resources, it is important for the State to consider implementing road technologies that can minimise the environment impact by highways and roads.” (EV2-7)

“Environmentally Sensitive Areas (ESA) shall be identified and integrated into the District and Local Plans for better long-term management of the environment and natural resources.” (Paragraph 14.3.3)

Environment as an Asset

The coalition highlights the importance of viewing the environment not as an inevitable “cost” to development but one of Sabah’s most significant economic and cultural assets. Planning for major development should prioritize stakeholder engagement to co-design development projects around the environment. The most significant impacts of development can be avoided by siting development projects in alternate locations that avoid damaging critical habitats and safeguarding endangered species such as the Bornean orangutan and proboscis monkeys. Where infrastructure projects have already been introduced into these sensitive ecosystems, mitigation measures should be implemented to reduce the adverse effects, such as installing arboreal crossing structures and restoring forests.

Investing in environmental protection will serve the state of Sabah for far longer than any singular infrastructure development project. Therefore, rather than aiming for the most cost-effective solution in the short term, developers should look at the broader scope and conduct informed cost-benefit analyses to see the actual cost of routing infrastructure through critical wildlife habitats.

Public Engagement

If a concerned private citizen believes the authorities have failed to act on a perceived breach of environmental law, they should be able to enforce them through public litigation. However, Malaysia’s rule of standing (*locus standi*) can often hinder private citizens from pursuing legal action. The *locus standi* rule is a legal principle that determines who can bring a lawsuit or take legal action. In plain language, a person or group must have sufficient interest or stake in a case to bring it to court. The idea is that only people directly affected or harmed by a particular issue should be able to bring a legal challenge to it. This principle is used to prevent frivolous or unnecessary lawsuits and to ensure that the court system is used fairly and efficiently. However, this rule requires a claimant to provide ‘real and sufficient interest,’ which is too subjective and may undermine the ability of Sabah’s civil society to bring concerns over the environmental impacts of linear infrastructure forward

to the court system. The 3H coalition examined prior court judgments on the rule of *locus standi* and suggest that the rule impedes rather than promotes the rule of law. The coalition suggests that the justification for the rule be re-examined and alternative options for controlling frivolous litigation be considered. During the two online roundtable sessions, panelists from the government, civil society, the legal fraternity, EIA consultants, the private sector, and academia remarked that public engagement needed to be broadened in the enforcement of environmental law.

Conclusion

The 3H Coalition is a successful example of collaboration and advocacy for sustainable transportation policies and solutions that balance the needs of communities, wildlife, and the environment. Developing, facilitating, and funding landscape-level and multi-stakeholder coalitions is critical to breaking down silos and ensuring effective coordination during all stages of LI development. Facilitating dialogues between the decision-makers and other stakeholders offers an opportunity to take a proactive conservation approach. Such groups also bring a higher degree of accountability and transparency.

Resources

Additional resources from the 3H coalition can be found here: humanshabitatshighways.org/resource