



ENVIRONMENTAL AND SOCIAL MANAGEMENT FRAMEWORK (ESMF)

VOLUME 2: IMPLEMENTATION GUIDELINES

For The
Indonesia Disaster Resilience Initiatives Project (IDRIP)

Prepared By

The National Disaster Management Agency (BNPB)
and The Indonesia Meteorological, Climatology and
Geophysics Agency (BMKG) **Republic of Indonesia**



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Terms and Abbreviations

AWP	Annual Working Plan (Rencana Kerja Tahunan)
Babinsa	<i>Bintara Bina Desa</i> (Grassroot' Armed Forces)
BASARNAS	<i>Badan Nasional Pencarian dan Pertolongan</i> (National Search and Rescue Agency)
BIG	<i>Badan Informasi Geospasial</i> (Geospatial Information Agency)
BMKG	<i>Badan Meteorologi, Klimatologi, dan Geofisika</i> (Meteorology, Climatology and Geophysics Agency)
BNPB	<i>Badan Nasional Penanggulangan Bencana</i> (National Disaster Management Authority)
BPBD	<i>Badan Penanggulangan Bencana Daerah</i> (subnational disaster management agency)
BPPT	<i>Badan Pengkajian dan Penerapan Teknologi</i> (Agency for the Assessment and Application of Technology)
CPMU	Central Project Management Unit
DESTANA	<i>Desa Tangguh Bencana</i> (Resilient Village program)
ESCOPE	Environmental and Social Code of Practice
ESCP	Environmental and Social Commitment Plan
ESF	Environmental and Social Framework
ESHS	Environmental, Social, Health, and Safety
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan (<i>Upaya Pengelolaan Lingkungan Upaya Pemantauan Lingkungan – UKL-UPL</i>)
ESS	Environmental and Social Standards
FGRM	Feedback and Grievance Redress Mechanism
GESI	Gender Equality and Social Inclusion
GIIP	Good International Industry Practice
GOI	Government of Indonesia
IDRIP	Indonesia Disaster Resilience Initiatives Project
IPP	Indigenous Peoples Plan
IPPF	Indigenous Peoples Policy Framework
KATANA	<i>Keluarga Tangguh Bencana</i> (Family Resilient program)
KIP	<i>Keterbukaan Informasi Publik</i> (Public Information Disclosure Law)
LARAP	Land Acquisition and Resettlement Action Plan
LARPF	Land acquisition and Resettlement Framework
LMP	Labor Management Procedure
MHEWS	Multi-Hazard Early Warning Systems
NJOP	<i>Nilai Jual Objek Pajak</i> (Taxable value of poverty)
PIU	Project Implementation Unit
PPID	<i>Pejabat Pengelola Informasi dan Dokumentasi</i> (Information and Documentation Management Unit)
RP	Resettlement Plan
RPF	Resettlement Policy Framework
SEA	Sexual Exploitation and Abuse

SEP Stakeholders Engagement Plan
TNI *Tentara Nasional Indonesia* (The Indonesian Armed Forces)
VAC Violence Against children
WBG World Bank Group

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INTRODUCTION

As a more systematic effort to national disaster preparedness, the Government of Indonesia has prepared to implement the Indonesia Disaster Resilience Initiative Project (IDRIP). The World Bank has agreed to support this initiative, which also aligns with the Bank's priority on disaster preparedness.

This Environmental and Social Management Framework (ESMF) has been prepared by the National Management Disaster Agency (BNPB) and the Meteorology, Climatology, and Geophysics Agency (BMKG) to guide the environmental and social screening, and subsequent assessments of project and subproject activities.

The ESMF is divided into two volumes:

Volume 1: Framework (Main ESMF Report); and

Volume 2: Implementation Guidelines (ESMF Annex – Assessment and Implementation Tools).

Volume 1 identifies and defines project typologies, assesses potential environmental and social impacts of the project/sub-projects, and establishes standards, procedures and methodologies to guide environmental and social screening, subsequent risk assessments, and the management of identified risks and impacts according to the mitigation hierarchy.

How to use Volume 2 (Implementation Guideline)

Section 4 of the main ESMF report (Volume 1), describes the procedures and methodologies to guide environmental and social management across the sub-project cycle. Key steps are outlined in the Environmental and Social Management Process (Figure 1 in Vol. 1), include: negative list screening and environmental and social screening of the proposed project and sub-project activities (Steps 1 and 2); preparation of relevant environmental and social instruments (Step 3); approvals (Step 4); procurement (Step 5) and monitoring of environmental and social aspects during implementation (Step 5).

Several tools required to manage environmental and social risks are elaborated in this volume annexes.

This chapter will layout twelve sets of implementation guidelines to assess and implement ESMF, which includes: Environmental and Social Framework; Negative Lists; UKL-UPL; SOP for electronic waste management; Land Acquisition and Resettlement; Chance Find Procedure; Indigenous Policy Framework; Labor Management Procedure; Gender Action; and Public Consultation. The annexes also include a project strategy and Action Plan for SEA, and results of the public consultation on the ESMF.

Annex 1: Overview of Applicable World Bank’s Environmental and Social Standards

Environmental and Social Framework (ESF) is a general guideline to assess and manage environmental and social risks in the World Bank’s project-funded activities. There are ten (10) ESS, and the details could be seen as in table 1 below.

Table 1. The World Bank's Environmental and Social Standards (ESS)

Standard	Concerning	Highlights
ESS1	Assessment and Management of Environmental and Social Risks and Impacts	<ul style="list-style-type: none"> • Types of Environmental and Social risks and impacts that should be considered in the environmental and social assessment • To adopt mitigation hierarchy approach: anticipate and avoid risks and impacts, when avoidance is not possible, minimize or reduce risks and impacts to acceptable levels. Once risks and impacts have been minimized or reduced, mitigate, and where significant residual impacts remain, compensate for or offset them, where technically and financially feasible. • To improve and promote environmental and social performance that recognize and enhance the Government’s capacity. • Adoption of differentiated measures so that adverse impacts do not fall disproportionately on the disadvantaged or vulnerable and the are not disadvantaged in sharing development benefits and opportunities resulting from the project. • Clear definition of “project” and “Associated Facilities” and how the scope of application • The use and strengthening of the Government’s environmental and social framework for the assessment, development and implementation of World Bank financed projects where appropriate • A Common Approach, where the World Bank is jointly financing a project with other development partners • An Environmental and Social Commitment Plan (ESCP), developed in agreement with the World Bank, which sets out a summary of the material measures and actions for risk and impact mitigation and monitoring • Emphasis on non-discrimination and inclusion
ESS2	Labor and Working Conditions	<ul style="list-style-type: none"> • Promotion of safety and health at work in line with the World Bank Group’s Environmental, Health, and Safety Guidelines (EHSG), fair treatment, non-discrimination and equal opportunity of project workers • Protection of project workers, including vulnerable workers such as women, persons with disabilities, children (of working age, in accordance with the ESS 5) and migrant workers, contracted workers, community workers and primary supply workers, as appropriate.

		<ul style="list-style-type: none"> • Prevention of the use of all forms of forced labour and child labour. • Support for the principles of freedom of association and collective bargaining of project workers in a manner consistent with national law; • Provisions of accessible means to raise workplace concerns to project workers.
ESS3	Resource Efficiency and Pollution Prevention and Management	<ul style="list-style-type: none"> • Requires technically and financially feasible measures to improve efficient consumption of energy, water, and raw materials, and introduces specific requirements for water efficiency where a project has high water demand • Avoidance and minimization of adverse impact on human health and the environment by avoiding or minimizing pollution from project activities • Requires an estimate of gross greenhouse gas emissions resulting from project (unless minor), where technically and financially feasible • Requirements on management of wastes, chemical and hazardous materials, and contains provisions to address historical pollution • Requires management of pesticides, preferring integrated pest management (IPM) and integrated vector management (IVM), and where pesticides are necessary, minimizing risks to human health and the environment • The standard refers to national law and Good International Industry Practice, in the first instance the world Bank EHSGs
ESS4	Community Health and Safety	<ul style="list-style-type: none"> • Requirements related to infrastructure, taking into account safety and climate change, and applying the concept of universal access, where technically and financially feasible • Anticipation and avoidance of adverse impact on affected community's health and safety from project activities throughout the cycle, including the routines and non-routine activities. • Requirements on traffic and road safety, including road safety assessments and monitoring • Addresses risks arising from impacts on provisioning and regulating ecosystem services • Measures to avoid or minimize the risk of water-related, communicable, and non-communicable diseases • Requirements to assessment risks associated with security personnel, and review and report unlawful and abusive acts to relevant authorities
ESS5	Land Acquisition, Restrictions on Land Use and Involuntary Resettlement	<ul style="list-style-type: none"> • Applies to permanent or temporary physical and economic displacement resulting from different types of land acquisition and restrictions on access • Avoidance of involuntary resettlement to the extent possible, or when unavoidable, minimize involuntary resettlement by exploring project design • Avoidance of forced eviction

	<ul style="list-style-type: none"> • Provisions of timely compensation for loss of assets at replacement costs, assistance to displaced persons in their efforts to improve, or at least restore their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher • Efforts to improve living conditions of poor and vulnerable persons who are physically displaced through provisions of adequate housing, access to services and facilities and security of tenure. • Resettlement as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant. • Provisions of appropriate disclosure of information, meaningful consultation and informed participation of those affected;
<p>ESS6 Biodiversity Conservation and Sustainable Management of Living Natural Resources</p>	<ul style="list-style-type: none"> • Definitions and requirements for modified habitats, natural habitats and critical habitats • Requirements for projects affecting areas that are legally protected, designated for protection or regionally/internationally recognized to be of high biodiversity value • Protection and conservation of biodiversity habitats and promote sustainable management of living natural resources, including primary production and harvesting, distinguishing between small-scale and commercial activities • Provisions for avoiding introduction of and managing the impacts of, invasive alien species • Provisions relating to animal husbandry practices in large-scale commercial farming • Requirements relating to primary suppliers, where a project is purchasing natural resource commodities, including food, timber and fibre.
<p>ESS7 Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities</p>	<ul style="list-style-type: none"> • Applies when Indigenous people are present or have a collective attachment to the land, whether they are affected positively or negatively and regardless of economic, political or social vulnerability • Efforts to ensure that project respect human rights, dignity, aspirations, culture, identity, and natural resource-based livelihoods of Indigenous Peoples • Avoidance of adverse impact of projects on Indigenous peoples, when avoidance is not possible, efforts to minimize, mitigate and/or compensate for such impacts must be in place. • Promotion of sustainable development benefits and opportunities for Indigenous Peoples in a manner that is accessible, culturally appropriate and inclusive; • On-going relationship based on meaningful consultation with Indigenous Peoples throughout the project's life cycle;

		<ul style="list-style-type: none"> • Free, Prior and Informed Consent (FPIC) for three circumstances resulting in adverse impacts on Indigenous Peoples (i.e. adverse impacts on land and natural resources, relocation of Indigenous Peoples, and significant impacts to cultural heritage); • Recognition, respect and preservation of culture, knowledge and practices of Indigenous Peoples and provisions of an opportunity to adapt to changing conditions in a manner and in a timeframe acceptable to Indigenous Peoples.
ESS8	Cultural Heritage	<ul style="list-style-type: none"> • Covers both tangible and intangible cultural heritage; Tangible cultural heritage may be located in urban or rural settings, be above or below land or under water, and includes natural features and landscapes; intangible cultural heritage includes practices, representations, expressions, knowledge, and skills • Protection of cultural heritage from adverse impact of project activities and efforts to support its preservation; • Recognition of cultural heritage as an integral aspect of sustainable development; • Promotion of meaningful consultations regarding cultural heritage; • Promotion of fair and equitable sharing of benefits from the use of cultural heritage;
ESS9	Financial Intermediaries/FI	<ul style="list-style-type: none"> • Not relevant to the project
ESS10	Stakeholder Engagement and Information Disclosure in the preparation of ESMF for this project.	<ul style="list-style-type: none"> • Requires stakeholder engagement throughout the project life-cycle, and preparation and implementation of a Stakeholder Engagement Plan (SEP) and constructive relationship with stakeholders, in particular, project affected parties; • Promotion of effective and inclusive means of engagement with project-affected stakeholders throughout project life-cycle that could potentially affect them • Requires early identification of stakeholders, both project-affected parties and other interested parties, and clarification on how effective engagement will take place • Stakeholder engagement to be conducted in a manner proportionate to the nature, scale, risks and impacts of the project, and appropriate to stakeholders' interests • Requirements for appropriate disclosure of project information on environmental and social risks and impacts in a timely, understandable, and appropriate manner and format. • An inclusive, accessible and responsive grievance mechanism, accessible to all project-affected parties, and proportionate to project risks and impacts

Annex 2: IDRIP Environmental and Social Negative List

A Environmental and Social Negative List Screening for Annual Work Plans (AWPs)

The following subproject or activities will be deemed ineligible for the IDRIP if they:

1. Are not aligned with the policies, initiatives, and or objectives of IDRIP.
2. Will cause significant, sensitive, complex, irreversible and unprecedented potential adverse environmental and social impacts requiring a full environmental assessment to manage and mitigate such impacts.
3. Are located in a disputed area and/ or unable to proof the clear and clear status of the land.
4. Finance large scale construction in protected areas that involve significant conversion, clearance or degradation of critical natural habitats, forests, environmentally sensitive areas, significant biodiversity and/or protected conservation zones.
5. Will cause, or have the potential to result in, permanent and/or significant damage to non-replicable cultural property, irreplaceable cultural relics, historical buildings and/or archaeological sites.
6. Will negatively affect vulnerable and endangered species listed under the IUCN Red List of Threatened Species.
7. Finance land acquisition resulting in forced eviction or physical displacement of affected communities, or relocation of Indigenous Peoples which as a consequence restrict or cease their access to traditional lands or resources.
8. Likely to create major or significant adverse impacts to ethnic groups or Indigenous Peoples within the village and/or in neighboring villages, or any activity that is unacceptable to ethnic groups living in a village of mixed ethnic composition.
9. Do not appreciate the traditional knowledge and cultural values of indigenous and local peoples by referring to international legal obligations including the UN Declaration on the Rights of Indigenous Peoples.
10. Are located in international waterways or disputed territories.

B Environmental and Social Negative List to be included in Bidding Documents

The following provisions are prohibited under IDRIP and will be included in the bidding documents for civil works:

1. Use of underaged workforce as per the national law and requirements under the project's Labor Management Procedure (LMP). Children between 15 and 18 years old can be employed without permission from their parents or custodians but must not be exploited to perform the worst forms of works¹.
2. Employment without formal contract agreements in line with the LMP, including with primary suppliers and sub-contractors.

¹ Ministry of Manpower and Transmigration Decree No. KEP.235/MEN/2003 on Jobs that Jeopardize the Health, Safety and Morals of Children. Indonesia has ratified the ILO Convention on Minimum Age for Admission to Employment (C138) as well as the ILO Convention on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor (C182).

3. Procurement or use pesticides and chemical fertilizers that are classified as IA or IB by WHO and GOI's regulations².
4. Use of any form of asbestos material in new construction activities.
5. Utilize illegal timber and timber products (cannot show a legal document from the designated supplier).
6. Utilize stone/minerals from illegal mines (cannot show a copy of the mining permit issued by related agencies).
7. Utilize Wall paint with Pb concentration > 90 mg/kg; Organic-based decorative paint with Pb concentration >600 ppm (dry weight); Emulsion paint with concentration of Pb > 90 ppm, Cd > 75 ppm, Hg > 60 ppm, and Cr6+ > 60 ppm. Non-lead based paints are to be used.

² Refer to the Ministry of Agriculture Regulation No. Ministry of Agriculture Regulation No.39/Permentan/SR.330/7/2015 on Pesticide Registration

Annex 3: Environmental and Social Risk Screening Checklist

This checklist is for the review of sub-project environmental and social risks by the sub-project implementer as well as to indicate the required environmental and social management instrument(s) for both Component 1 and 2. Stakeholder Engagement Plan (SEP) is applicable throughout.

No	Parameters	Yes	No	If Yes, refer ESMF Vol 2 Annexes for preparation of relevant E&S instrument
1	Will the proposed subproject include small to medium scale physical investments (construction work)?			Annex 4: Content for UKL-UPL and SPPL Acceptable to the Bank Annex 5: Environmental and Social Codes of Practices (ESCOPs)
2	Will the proposed subproject involve mixed workforce (local and/or external)?			Annex 11: Labor Management Procedures
3	Will the proposed subproject involve the procurement of digital hardwares that may lead to the generation of e-wastes?			Annex 6: Standard Operating Procedure (SOP) for E-Waste Management
4	Will the proposed subproject affect the quantity or quality of surface waters (e.g. sea, rivers, streams, wetlands) or groundwater (e.g. wells)?			Annex 4: Content for UKL-UPL and SPPL Acceptable to the Bank Annex 5: Environmental and Social Codes of Practices (ESCOPs)
5	Will the proposed subproject create risks of increased soil degradation or erosion?			Annex 4: Content for UKL-UPL and SPPL Acceptable to the Bank Annex 5: Environmental and Social Codes of Practices (ESCOPs)
6	Will the proposed subproject produce or increase the production of solid or liquid wastes (e.g. water, hazardous, domestic or construction wastes)?			Annex 4: Content for UKL-UPL and SPPL Acceptable to the Bank

				Annex 5: Environmental and Social Codes of Practices (ESCOPs)
7	Will the proposed subproject create risks of increased air pollution (e.g. dust, noise, vibration, gas emissions)?			Annex 4: Content for UKL-UPL and SPPL Acceptable to the Bank Annex 5: Environmental and Social Codes of Practices (ESCOPs)
8	Will the proposed subproject include the removal of asbestos?			Annex 4: Content for UKL-UPL and SPPL Acceptable to the Bank Annex 5: Environmental and Social Codes of Practices (ESCOPs)
9	Will the proposed subproject lead to OHS, disruption to work environment, and/or community, health and safety risks? (traffic and road safety, emergency preparedness & response)			Annex 4: Content for UKL-UPL and SPPL Acceptable to the Bank Annex 5: Environmental and Social Codes of Practices (ESCOPs) Annex 11: Labor Management Procedures Annex 13: COVID-19 Infection Prevention and Control (IPC) for Stakeholder Engagement, Community Based Activities and Constructions
10	Will the proposed subproject be located within or nearby environmentally sensitive areas (e.g. intact natural forests, mangroves, coral reefs, wetlands) or any threatened species?			Annex 4: Content for UKL-UPL and SPPL Acceptable to the Bank Annex 5: Environmental and Social Codes of Practices (ESCOPs)
11	Will the proposed subproject require land (public or private) to be acquired (temporarily or permanently)?			Annex 7: Land Acquisition and Resettlement Policy Framework (LARPF)

12	Will subproject activities affect people economic activity/community access to land use?			Annex 7: Land Acquisition and Resettlement Policy Framework (LARPF)
13	Will the proposed subproject involve the use of fertilizers and/or pesticides?			Annex 5: Environmental and Social Codes of Practices (ESCOPs)
14	Will the proposed subproject use land that is currently occupied or regularly used for productive purposes (e.g. gardening, farming, a fishing location, forests)?			Annex 7: Land Acquisition and Resettlement Policy Framework (LARPF)
15	Will the proposed subproject result in the loss of income sources and means of livelihood due to land acquisition?			Annex 7: Land Acquisition and Resettlement Policy Framework (LARPF)
16	Are there social-cultural groups present in the project area, or who use the project area, who may be considered as “indigenous peoples/ethnic minorities/tribal groups”?			Annex 10: Indigenous People Planning Framework (IPPF)
17	Are there community members of the indigenous groups in the project area who will either receive benefits or are adversely impacted by the project?			Annex 10: Indigenous People Planning Framework (IPPF)
18	Do such groups have a close attachment to ancestral territories and/or to the natural resources in the project area?			Annex 10: Indigenous People Planning Framework (IPPF)
19	Do such groups use indigenous languages that differ from the national language or language used by the majority, in the project area?			Annex 10: Indigenous People Planning Framework (IPPF)
20	Have such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against?			Annex 10: Indigenous People Planning Framework (IPPF)

21	Will the proposed civil/earthworks be implemented in areas known as a cultural heritage site?			Annex 9: Chance Find Procedure
22	Will the proposed subproject interact closely with community live nearby the subproject activity's site?			Annex 12: Gender action plan (sensitization and awareness raising)

Annex 4: Content for UKL-UPL and SPPL Acceptable to the Bank

The following matrices provide the outlines for the UKL-UPL and SPPL that are acceptable to the Bank. These outlines build upon the GoI requirements specified by the national regulations.

I. UKL-UPL (ESMP) outline acceptable to the Bank

UKL-UPL outline (GoI requirements)	UKL-UPL outline acceptable to the Bank (incorporating UKL-UPL and ESS1 requirements)
Identity of Initiator: Initiator name, business address, postal code, telephone number, fax number and email	Refer UKL-UPL, no additions required.
Project description/ activity plan: name of project/ activity, map that is built in accordance with cartography rules and/or an adequate illustration of the location, scale/size of project/business activity, outline of components of the project/business activity	Refer UKL-UPL and add: <ul style="list-style-type: none"> - Description of environmental setting at the project site - Summary of alternative sites, technology considered and assessment of environmental and social impacts of each alternative - Land acquisition requirements (refer to Annex 7) - Identification of associated facilities, if any - Summary of current and future developments - Basis of design for the project - Consultations with potentially impacted communities and how emerging views are reflected in the design and decision-making processes - Assessment of the legal framework relevant the proposed investment in view of environmental and social risk management
Environmental impact and environmental management and monitoring plan/effort matrix: source of impact, type of impact, scale of impact, environmental management (activity, location, and duration/timing), environmental monitoring (activity, location, duration/timing), institution/person in charge, remarks.	Refer UKL-UPL and add: <ul style="list-style-type: none"> - Social impact assessments, OHS and community, health and safety risks, Indigenous Peoples, and vulnerable groups and appropriate engagement and risk mitigation measures - Land acquisition impacts (refer to Annex 7) and proposed mitigation measures

UKL-UPL outline (GoI requirements)	UKL-UPL outline acceptable to the Bank (incorporating UKL-UPL and ESS1 requirements)
	<ul style="list-style-type: none"> - Assessment of indirect impacts, both environmental and social, community, health impacts - Assessment of impacts from associated facilities - Grievance handling processes - Cost estimates for each management and monitoring action and sources of funds - Capacity building and training plans for project owner and contractors - Institutional arrangements - Consultation processes and plans
Statement of assurance for UKL-UPL implementation	Refer UKL-UPL, no additions required.

II. Format for the “Statement of Commitment to Implement Environmental Management and Monitoring” (SPPL)

(For activity plan not requiring any UKL/UPL)

We, the undersigned below

Name :
Job position :
Address :
Ph Number :

As party in charge of the environmental management of:

Name of Company/Business :
Address Company/Business :
Ph Number of the company :
Type of business :
Production capacity :
Permit already obtained :
Purpose :
Amount of capital :

Hereinafter, we confirm that we are capable and committed to **implementing the environmental and social action plans as follows:**

1.
2.
3.
4. etc

This SPPL shall be effective from the date of its issuance, up to the completion of our business and/or project activity. If the project undergoes any change of location, design, process, type of raw materials and/or supporting materials, this SPPL must be revised.

Registry number from the local environment agency	
Date	
Receiver	

Annex 5: Environmental and Social Codes of Practices (ESCOPs)

How to use

The following ESCOPs provides the key references and specifications that inform the preparation of the UKL-UPL or SPPL that is acceptable to the Bank for subprojects that involve physical works at site.

These ESCOPs must be included in bidding documents and contracts to inform bidders on the guidelines used for the management of environmental and social risks and impacts. Relevant specifications in the ESCOPs will become contractual obligations for contractors and can be enforced by the PIUs (BNPB and BMKG). This ESCOP can be adjusted according to the scope of project activities/needs as necessary as per PIU's approval.

Environmental and Social Duties of Contractor

- Compliance with all relevant legislative requirements in Indonesia;
- Construction materials such as stone, sand, aggregate and timber will only be sourced from legal sources (licensed quarries and timber concessions) operating adequate environmental management plan acceptable to the Bank;
- Implement the project labor management (OHS) and community health safety aspects for the duration of the construction period in line with the ESMF;
- Undertake monitoring of the effectiveness of the implementation of the project and keep records;
- When applicable, conduct contractors' obligations under the UKL-UPL (ESMP) for environmental management and mitigation efforts;
- When applicable, report the UKL-UPL (ESMP) monitoring/implementation records to PIU office;
- Employ and train suitably qualified staff to take the responsibility for the project;
- Comply with the Chance Find Procedures for Physical Cultural Resources;
- Stop construction activities upon receiving instructions from the PIU office and propose and carry out corrective actions and implement alternative construction method, if required in order to minimize the environmental impacts;
- Conduct gender sensitization and awareness raising to workers;
- Implement respectful relationship in workplace;
- Implement grievance redress mechanism for workers (to capture, handle, compile, and report complaints).

Prohibitions

- Refer **Annex 2: IDRIP Environmental and Social Negative List**

Dust

- Use water as often as required to dampen dusty areas during windy conditions.

Noise

- Construction activities shall be scheduled in daytime only (8 am to 6 pm); and
- Any work that must be carried out after hours shall be agreed by relevant authorities (i.e. environmental agency), village/ward governments and notified to the community at least one week in advance.

Worker Health and Safety

The contractor will comply with all Indonesian regulations and Standard Operating Procedures (SOP) for worker exposure to the project;

- The contractor will prepare a site specific OHS risk assessment or job safety analysis in line with the local legislations and WBG EHS General guidelines³ as part of the C-ESMP. Based on the assessment, the contractors are obliged to develop and implement OHS management plans accordingly;
- The contractor is expected to provide accommodation⁴ for workers at remote sites that meets current building codes and standards; and free of charge for all project workers. Basecamp will include office space, accommodation quarters, common areas, canteens, hygiene and sanitary facilities, and storage spaces. The objective of providing accommodation is to protect and promote the health, safety, and wellbeing of the project workers. Policies will be established and implemented by the contractor to ensure accommodations are provided with:
 - firefighting equipment that is easily accessible and simple to use;
 - adequate lavatory facilities with doors to indicate whether the toilet facility is “in use” or “vacant”. Toilets should also be provided with running water and soap;
 - sufficient space for resting and privacy;
 - adequate supply of clean water that meets the quality standards⁵;
 - proper lighting and electricity;
 - proper ventilation providing sufficient fresh air;
- Measures to prevent unauthorized access to dangerous areas should be in place;
- The contractor should ensure that qualified first-aid are easily accessible throughout the site and can be provided at all times;
- Eye-wash stations should be provided close to works stations that requires the handling of hazardous materials (e.g, temporary hazardous storage area) or works where immediate flushing with water is the recommended first-aid response;
- Remote sites should have written emergency procedures in place for dealing with cases of trauma or serious illness up to the point at which patient care can be transferred to an appropriate medical facility;

³ Refer to <https://www.ifc.org/wps/wcm/connect/1d19c1ab-3ef8-42d4-bd6b-cb79648af3fe/2%2BOccupational%2BHealth%2BAnd%2BSafety.pdf?MOD=AJPERES&CVID=Is62x8l>

⁴ Refer to the EBRD/IFC worker’s accommodation guidelines (https://www.ifc.org/wps/wcm/connect/60593977-91c6-4140-84d3-737d0e203475/workers_accomodation.pdf?MOD=AJPERES&CACHEID=ROOTWORKSPACE-60593977-91c6-4140-84d3-737d0e203475-jqetNIh) for good practices for the provision of worker’s accommodation

⁵ As stipulated in the Ministry of Health Regulation No. 32/2017

- All staff will be provided with suitable personal protective equipment (PPEs)⁶, i.e hard hats, ear plugs, masks, gloves, protective goggles, and high visibility clothing. Workers should not be exposed to working environments with temperature, noise, and vibration level above permissible limit without proper PPEs;
- Provisions should be made to provide OHS training to all employees to ensure they are apprised of the basic site rules of work at/on the site and of personal protection and preventing injury to fellow employees. Through appropriate contract specifications and monitoring, the contractor should ensure that service providers, as well as contracted and subcontracted labor, are trained adequately before assignments begin. Training should consist of at least:
 - basic hazard awareness;
 - basic knowledge of equipment, construction material, and tools;
 - potential site-specific hazards, and its health and safety implications;
 - hygiene requirements;
 - safe work practices, including exposure prevention and the use of PPEs. SOPs for risk precautions and safety procedures of each type of works should be developed and socialized accordingly; and
 - emergency procedures for accidents, fire, evacuation, and natural disaster and emergency exercise;
- Hazardous areas (electrical rooms, compressor rooms, etc), installations, materials, safety measures, and emergency exits, etc. should be marked appropriately with signages that are well known and easily understood;
- Contractors must ensure that heavy equipment and vehicles are maintained properly and operators are well trained and licensed;
- Passageways for pedestrians and vehicles within and outside construction sites should be segregated and provide for easy, safe, and appropriate access;
- Welding creates an extremely bright and intense light that may seriously injure a worker's eyesight. Recommended safety measures include: Provision of proper eye protection such as welder goggles and/or a full-face eye shield for all personnel involved in, or assisting, welding operations; and development of SOPs for special hot work and fire prevention;
- Fall prevention and protection measures should be implemented whenever a worker is exposed to the hazard of falling more than two meters. Prevention may include: installation of guardrails with mid-rails and toe boards at the edge of any fall hazard area; proper use of ladders and scaffolds by trained employees; use of fall prevention devices, including safety belt, lanyard, or full body harnesses; appropriate training; and inclusion of rescue and/or recovery plans, and equipment to respond to workers after an arrested fall;
- Contractors should establish and implement an occupational health and safety monitoring program that includes: regular inspection of OHS implementation and testing of all safety features and hazard control measures, document compliance using an appropriate combination of portable and stationary sampling and monitoring instruments (for noise, vibration, dust, air emission, etc) using recognized methodologies, monitor and document training activities for employees and visitors (curriculum, duration, and participants), documentation of occupational injuries and near misses (what happened, cause of accident, and future preventive measures).

⁶ Selection of PPEs should be based on work hazards and risks. A summary of recommended PPEs according to hazards is referred in the IFC General Environmental, Health and Safety Guidelines on Occupational Health and Safety

Clearing of New Sites

- Land clearance should only begin once all land acquisition activities/action plan (LARAP) have been completed. Where there are crops in the proposed footprint, affected land owners and/or tillers will be given reasonable time to harvest the crop to minimize livelihoods impacts
- Before clearing of vegetation, ensure that all litter and non-organic material is removed from the area to be cleared;
- Stockpile and protect topsoil for reuse in site rehabilitation; and
- The application of chemicals for vegetation clearing shall be avoided.

Erosion and Sediment Management

- Disturb as little ground as possible and stabilize that area as quickly as possible;
- Direct storm water around the work site using temporary drains;
- Install sediment control structures where needed to slow or redirect runoff and trap sediment until vegetation is established. Sediment control structures may include sediment catchment basins, straw bales, brush fences, and fabric sit fences; and
- In areas where construction activities have been completed and where no further disturbance would take place, re-vegetation should commence as soon as possible.

Re-Vegetation and Site Restoration

- The construction site and surrounds shall be landscaped, and any necessary remedial works shall be undertaken without delay, to the satisfaction of PIU.

Waste Management (Non-Hazardous and Hazardous Wastes)

- Contractors are required to develop a site-specific waste management procedure that is in line with existing GoI regulations as well as ESS3. Specific wastes with regards to asbestos containing materials is addressed under the asbestos protocol of this Annex;
- Facilities that generate waste should characterize and segregate their waste according to composition, source, types of wastes produced, generation rates, and according to GoI regulatory requirements. Hazardous wastes must be segregated from non-hazardous wastes and contained in leak-proof containers. Segregation shall also be done to reused and recycled material from general waste;
- Establish and enforce daily site clean-up procedures, including maintenance of adequate storage, recycling and disposal facilities for litter, solid waste, soil and construction debris;
- All solid waste that cannot be recycled shall be transported by an approved or certified third-party waste handler, disposed of offsite at an approved/licensed disposal site;
- Waste oil and other hazardous wastes (including contaminated soil and oil spills) shall be stored under cover and separated from other wastes. They shall be removed by a licensed transporter to a licensed disposal facility; and
- Once the job is completed, all construction-generated debris should be removed from the site and disposed of to a designated landfill site.
- Temporary collection and disposal of hazardous waste shall follow GoI requirements. Hazardous wastes shall be sent to any accessible licensed third-party collector. Records and manifests on disposal of hazardous wastes shall be kept.

Asbestos Protocol

- Upon finding suspected asbestos containing materials, no physical work on the buildings will be done until suspected asbestos has been sampled, the results known, and asbestos removed. The site containing suspected asbestos shall be clearly marked.
- In specific cases where it is suspected that asbestos containing materials exist, an Asbestos Specialist will be engaged by the contractor to confirm the presence of asbestos in the buildings or building debris subject to funding under this project.
- The Asbestos Specialist will hold a ‘Certificate of Competency’ or a similar certification indicating training and experience in the handling and disposal of asbestos-containing materials.
- The Asbestos Specialist will visit a sample of the buildings that will be funded under this project and prepare an identification guide and sample handling process along with an estimated inventory of the waste types and volumes that will need to be managed under the Asbestos management plan.
- The asbestos sample will be sent to either two national laboratories accredited for asbestos testing: i) Research Center for Nanoscience and Nanotechnology Services Institut Teknologi Bandung, Center for Advanced Sciences (CAS) Building, 1st Floor Jl. Ganesha No.10, Bandung, 40132, Phone : +62 812 2000 7703; ii) Ministry of Manpower Laboratory in Jakarta.
- The Asbestos Specialist will train project personnel and workers in the sampling of suspected asbestos handling materials and organize testing.
- An Asbestos management plan⁷ shall be developed by the Asbestos Specialist based on the asbestos site assessment, and reviewed by the World Bank, prior to implementation. This shall include:
 - Identification of locations where the asbestos containing material (ACM) is present, and its condition (e.g. whether it is in friable form with the potential to release fibers)
 - Procedures for monitoring its condition prior to disposal;
 - A list of all trained personnel, including an Asbestos Removal Supervisor, who will work on the project (providing certification or training records);
 - A list of personal protective equipment required. All PPE and equipment used in the removal of asbestos is to be treated the same as asbestos containing materials;
 - A list of equipment required for containing and disposing the materials;
 - Training plans for workers who can potentially come into contact with the material to avoid damage and prevent exposure;
 - Awareness raising methods for community members who may be (or have been) at risk;
 - Approved safe-work methods for undertaking building deconstruction, wrapping of contaminated materials and preparation for disposal;
 - Disposal of materials at licensed landfill;

⁷ Refer to the World Bank Group 2009 Guidance Note on Asbestos Management (<https://siteresources.worldbank.org/EXTPOPS/Resources/AsbestosGuidanceNoteFinal.pdf>) for resources on asbestos standards and regulations

- Debris removal should include the external areas of the building surroundings that have been contaminated by asbestos containing debris;
- Preparation of a map showing the location of the disposal of asbestos materials from the project sites to the landfill.
- The site of the disposal of asbestos containing materials shall be clearly marked at the site, and in a national register of hazardous sites or similar register of land interests.
- All subprojects under IDRIP requiring the removal of asbestos or asbestos containing materials will have asbestos materials safely removed in advance of any reconstruction works commencing and managed based on the asbestos management plan.
- No asbestos containing materials will be used for construction or reconstruction or repair works under the IDRIP.

Emergency Preparedness and Response Guideline

An emergency is an unplanned event when a project operation loses control, or could lose control, of a situation that may result in risks to human health, property, or the environment, either within the facility or in the local community. Emergencies do not normally include safe work practices for frequent upsets or events that are covered by occupational health and safety.

Sub-projects that are engaging physical activities should have an Emergency Preparedness and Response Plan that is commensurate with the risks of the activities being undertaken and that includes the following basic elements:

- Administration (policy, purpose, distribution, definitions, etc);
- Organization of emergency areas (command centers, medical stations, etc);
- Roles and responsibilities;
- Communication systems;
- Emergency response procedures;
- Emergency resources;
- Training and updating;
- Checklists (role and action list and equipment checklist); and
- Business Continuity and Contingency

If a local community may be at risk from a potential emergency arising at the facility, the project should implement communication measures as appropriate to alert the community, such as: audible alarms, such as fire bells or sirens, fan out telephone call lists, vehicle mounted speakers, communicating details of the nature of the emergency, communicating protection options (evacuation, quarantine), providing advice on selecting an appropriate protection option.

A mechanism should be provided for funding emergency activities and provision of emergency resources. These emergency resources include, among others:

- **Medical Services.** First aid attendants for the facility as well as medical equipment suitable for the personnel, type of operation, and the degree of treatment likely to be required prior to transportation to hospital should be considered to be provided.
- **Availability of Resources.** Appropriate measures for managing the availability of resources in case of an emergency include: i) Maintaining a list of external equipment, personnel, facilities, funding, expert knowledge, and materials that may be required to respond to emergencies. The list should include personnel with specialized expertise for spill clean-up, flood control,

engineering, water treatment, environmental science, etc., or any of the functions required to adequately respond to the identified emergency; ii) Providing personnel who can readily call up resources, as required; iii) Tracking and managing the costs associated with emergency resources; iv) Considering the quantity, response time, capability, limitations, and cost of these resources, for both site-specific emergencies, and community or regional emergencies; v) Considering if external resources are unable to provide sufficient capacity during a regional emergency and whether additional resources may need to be maintained on-site.

- **Contact List.** A list of contact information for all internal and external resources and personnel should be provided for the sub-project. The list should include the name, description, location, and contact details (telephone, email) for each of the resources, and be maintained annually.
- **Training and Updating.** The emergency preparedness facilities and emergency response plans require maintenance, review, and updating to account for changes in equipment, personnel, and facilities. Training programs and practice exercises provide for testing systems to ensure an adequate level of emergency preparedness. Programs should: identify training needs based on the roles and responsibilities, capabilities and requirements of personnel in an emergency; develop a training plan to address needs, particularly for fire-fighting, spill response, and evacuation; conduct annual trainings or more frequent when the response includes specialized equipment, procedures or hazards.

Tree Saplings/Vegetation Seeds

- Tree saplings/vegetation seeds should be:
 - In good condition.
 - Healthy (free from diseases, fungus, bacteria, and virus).
 - Buds and roots are well grown.
 - Local original species.
 - Legalized from its known origin or local source (if possible)
- Storing of seeds should meet the following:
 - It should use bales/poly-bags for packaging
 - Bales/poly-bags need to be kept wet until usage
 - It should be stored in a cool storage with adequate ventilation
 - It should protect the seeds from overly hot or cold weather
- To know the number of trees to be planted, one must know the following:
 - Areas that need to be planted
 - Placement of distance of seeds
- Encourage use of organic fertilizers for activities related to plantations.

Pest Management

- Avoid plantation areas that are highly infested with pests, if possible.
- Identify and monitor pests so that appropriate control decisions can be made in conjunction with action thresholds, a point at which pest populations or environmental conditions indicate that pest control action must be taken.

- Prevention should act as the first line of pest control. Appropriate preventive measures should be used depending on the severity of disease and parasitic natural enemies.
- Conduct daily inspections for insects and other pests and remove them.
- Wherever applicable, put up any fencing or barriers that were considered necessary during site assessment in order to prevent damage to seeds, propagules, and seedlings from the threat of pests.
- Where feasible, the following alternatives to pesticides should be considered:
 - Provide those responsible for deciding on pesticides application with training in pest identification, weed identification, and field scouting;
 - Use pest-resistant tree varieties;
 - Use mechanical weed control and / or thermal weeding;
 - Protect natural enemies of pests by providing a favorable habitat, such as bushes for nesting sites and other original vegetation that can house pest predators;
 - Support and use beneficial organisms, such as insects, birds, mites, and microbial agents, to perform biological control of pests;
 - Use mechanical controls such as traps, barriers, and light to kill, relocate, or repel pests.
- In the event pesticides must be used for project activities, the following applies:
 - Pesticides must not fall under the World Health Organization Recommended Classification of Pesticides by Hazard Classes 1a and 1b or the GoI forbidden list;
 - Pesticides are manufactured under license and registered and approved by the appropriate authority⁸;
 - Pesticides are labeled in accordance with international standards and norms⁹
 - Pesticides must have negligible adverse human health effects;
 - Pesticides must be shown to be effective against the target species;
 - Pesticides must have minimal effect on non-target species and the natural environment. The methods, timing, and frequency of pesticide application are aimed to minimize damage to natural enemies;
 - Pesticide use must take into account the need to prevent the development of resistance in pests;
 - Pesticides must be used according to the label provided by the manufacturer. The label provides the necessary information on recommended dosage and safe use of the pesticide;
 - Maintain and calibrate pesticide application equipment in accordance with manufacturer's recommendations;
 - Establish untreated buffer zones or strips along water sources, rivers, streams, ponds, lakes, and ditches to help protect water resources.
- Store pesticides in their original packaging, in a dedicated, dry, cool, frost-free, and well aerated location that can be locked and properly identified with signs, with access limited to authorized people. No human or animal food may be stored in this location. The store room should also be

⁸ in accordance with the Food and Agriculture Organization (FAO) International Code of Conduct on the Distribution and Use of Pesticides, FAO (2002c)

⁹ such as the FAO Revised Guidelines for Good Labeling Practice for Pesticides, FAO (2002c)

designed with spill containment measures and sited in consideration of potential for contamination of soil and water resources.

- Mixing and transfer of pesticides should be undertaken by trained personnel in ventilated and well-lit areas, using containers designed and dedicated for this purpose.
- Containers should not be used for any other purpose (e.g. drinking water). Contaminated containers should be handled as hazardous waste, and should be treated accordingly. Disposal of containers contaminated with pesticides should be done in a manner consistent with FAO guidelines and with manufacturer's directions¹⁰.
- Purchase and store no more pesticide than needed and rotate stock using a “first-in, first-out” principle so that pesticides do not become obsolete. Additionally, the use of obsolete pesticides should be avoided under all circumstances.
- Collect rinse water from equipment cleaning for reuse (such as for the dilution of identical pesticides to concentrations used for application).
- Ensure that protective clothing worn during pesticide application is either cleaned or disposed of in an environmentally responsible manner.

Traffic Safety Guidelines at Construction sites¹¹

Construction sites are busy and hazardous places. Not only are heavy equipment, vehicles, forklifts, cranes etc. are commonly found onsite and require traffic management, but around the site, general traffic must be managed especially if the construction works are in a residential or commercial area.

Managing traffic in and around construction sites is an important part of ensuring the workplace risks are adequately managed to prevent harm to workers and the general public. Vehicles move in and around the workplace, reversing, loading and unloading are often the leading cause of death and injuries to workers and members of the public.

The most effective way to protect pedestrians is to eliminate traffic hazards, which can be done by designing the layout of the workplace to eliminate interactions between pedestrians and vehicles including managing the access and movement of vehicles around pedestrian spaces. With a traffic management system in place and the correct training, controlling vehicle operations and pedestrian movements can be managed to ensure safety onsite.

The key issues to consider for managing traffic at construction workplaces include:

- 1. Keeping pedestrians and vehicles apart** including on site and when vehicles enter and exit the workplace. The following actions will help keep pedestrians and vehicles apart:
 - Entrances and exits - provide separate entry and exit gateways for pedestrians and vehicles;
 - Walkways - provide firm, level, well-drained pedestrian walkways that take a direct route where possible;
 - Crossings - where walkways cross roadways, provide a clearly signed and lit crossing point where drivers and pedestrians can see each other clearly;

¹⁰ See FAO Guidelines for the Disposal of Waste Pesticides and Pesticide Containers.

¹¹ Based on information from <https://alertforce.com.au/traffic-management-around-construction-sites/> and <https://www.hse.gov.uk/construction/safetytopics/vehicletrafficmanagement.htm#signs>

- Visibility - make sure drivers driving out onto public roads can see both ways along the footway before they move on to it;
 - Obstructions – do not block walkways so that pedestrians have to step onto the vehicle route; and
 - Barriers - think about installing a barrier between the roadway and walkway.
2. **Minimizing vehicle movements.** Good planning can help to minimize vehicle movement around a site. For example, landscaping to reduce the quantities of fill or spoil movement. To limit the number of vehicles on site:
 - Provide car and van parking for the workforce and visitors away from the work area;
 - Control entry to the work area; and
 - Plan storage areas so that delivery vehicles do not have to cross the site.
 3. **Eliminating reversing vehicles or minimizing the related risks.** The need for vehicles to reverse should be avoided where possible as reversing is a major cause of fatal accidents. One-way systems can reduce the risk, especially in storage areas. A turning circle could be installed so that vehicles can turn without reversing. If the site is restricted and turning circles are tight, traffic controllers must ensure that reverse systems like alarms, sensors, cameras and mirrors are always used . It's also about informing co-workers where vehicles might be turning and ensuring the area is clear.
 4. **Ensuring vehicles and pedestrians are visible to each other.** If vehicles reverse in areas where pedestrians cannot be excluded the risk is elevated and visibility becomes a vital consideration. Consider:
 - Aids for drivers - mirrors, CCTV cameras or reversing alarms that can help drivers can see movement all-round the vehicle;
 - Plant and traffic controllers/flagmen - who can be appointed to control maneuvers and who are trained in the task;
 - Lighting - so that drivers and pedestrians on shared routes can see each other easily. Lighting may be needed after sunset or in bad weather;
 - Clothing - pedestrians on site should wear high-visibility clothing.
 5. **Using traffic signs.** Signs are important on site and are used to alert workers and pedestrians to potential hazards from vehicles entering and exiting the construction site and pedestrian exclusion zones. Make sure that all drivers and pedestrians know and understand the routes and traffic rules on site. Use standard road signs where appropriate. Provide induction training for drivers, workers and visitors and send instructions out to visitors before their visit.
 6. **Developing and implementing a traffic management plan.** Prior to commencing work in traffic management, site managers must ensure the correct training has been provided and that untrained persons do not operate vehicles on site. Accidents are more likely to occur when untrained or inexperienced workers operate vehicles on construction sites.

Several important considerations when preparing a traffic management plan:

- Providing separate clearly marked pedestrian walkways that take a direct route.
- Creating pedestrian exclusion zones where powered mobile plant is operating.
- Creating vehicle exclusion zones for pedestrian-only areas, for example around tearooms, amenities and pedestrian entrances.
- Securing areas where vehicles and powered mobile plant operate by installing pedestrian barriers, traffic control barricades, chains, tape or bollards. Where needed ensure a competent person with the necessary training or qualifications directs powered mobile plant when it operates near workers or other plant.

- Designating specific parking areas for workers' and visitors' vehicles outside the construction area.
- Providing clearly signed and lit crossing points where walkways cross roadways, so drivers and pedestrians can see each other clearly.
- Using traffic controllers, mirrors, stop signs or warning devices at site exits to make sure drivers can see or are aware of pedestrians before driving out onto public roads.
- Avoiding blocking walkways so pedestrians do not have to step onto the vehicle route.
- Scheduling work so vehicles, powered mobile plant and pedestrians are not in the same area at the same time.
- Controlled entries to sites and the number of vehicles on site at any one time is managed.

A suggested traffic management plan should include the following:

- Designated travel paths for vehicles including entry and exit points, haul routes for debris or plant and materials, or traffic crossing other streams of traffic
- Pedestrian and traffic routes
- Designated delivery and loading and unloading areas
- Travel paths on routes remote from the workplace including places to turn around, dump material, access ramps and side roads
- How often and where vehicles and pedestrians interact
- Traffic control measures for each expected interaction including drawings of the layout of barriers, walkways, signs and general arrangements to warn and guide traffic around, past or through the workplace or temporary hazard
- Requirements for special vehicles like large vehicles and mobile cranes
- Requirements for loading from the side of road onto the site
- Responsibilities of people managing traffic at the workplace
- Responsibilities of people expected to interact with traffic at the workplace
- Instructions or procedures for controlling traffic including in an emergency
- How to implement and monitor the effectiveness of a traffic management plan.
- It's important to note that the traffic management plan should be monitored and reviewed regularly including after an incident to ensure it is effective and takes into account changes at the workplace. Site inductions should also include the traffic management plan.

Terms of Reference for External Environmental and Social Audits of Subprojects

IDRIP has established an Environmental and Social Management Framework (ESMF) for its subprojects. Implementation of these subprojects as per ESMF is important for the objective of managing the environmental and social risks and impacts. To ensure the ESMF requirements are adequately implemented, external environmental and social audits of subprojects is required. The external audit will be conducted for medium scale infrastructure subprojects financed by IDRIP.

Objective

The objective is to conduct an external environmental and social audit for medium scale infrastructure subprojects to assess the effectiveness of ESMF implementation for IDRIP.

Scope of Work

The audit will comprise of an independent evaluation of the ESMF implementation and practices for subprojects financed by IDRIP.

The following will be the scope of work:

- a) To develop a broad audit program that will include an audit objective, scope, methodology and schedule and prepare an audit checklist that will cover meetings at the PMU and PIU levels, and field visits.
- b) To conduct the audit as per the audit plan. This audit will necessarily check whether the processes as stipulated in the ESMF have been followed, their effectiveness and how proper risk management are practiced in the subprojects being financed.
- c) The conduct audit of medium scale infrastructure subprojects and subprojects involving infrastructures that are located in protected areas. The sub projects shall be decided in consultation with the CPMU and the World Bank and shall include those subprojects requiring a UKL-UPL and environmental permit.
- d) Assess the PMU and PIU's ability to manage and address all relevant environmental and social risks and impacts of its business and operations under IDRIP, in particular, the issues identified in the ESMF.
- e) Assess the client's compliance record with applicable GoI laws and regulations, pertaining to environmental and social matters, including environmental permitting and land acquisition legislations.
- f) Assess the implementation of feedback and grievance redressal mechanism (GRM) at IDRIP for the subproject in terms of its effectiveness.
- g) Identify the subproject's main stakeholder groups and assess current stakeholder engagement activities.
- h) Auditor will submit an audit report to the CPMU and PMU and after discussions will mutually agree on a timeframe to implement the follow-up actions. CPMU will submit all final audit reports to the World Bank for review/record.
- i) Auditor will carry out a desk review and field visits to confirm that the follow-up actions have been done. The audit will be deemed as closed only after this confirmation is obtained.
- j) To prepare a report and present the findings to the project steering committee and the World Bank.

Team composition, Qualification & Experience

The audit team will comprise of one person experienced in environment assessment and one person experienced in social assessment of infrastructure projects. The Environmental expert should possess a minimum of bachelor's degree in Environmental Science / Engineering / Planning. The social expert should possess a minimum of bachelor's degree in Social Science / Development. Preference will be given for candidates having experience in applying the World Bank Safeguards and/or Environmental and Social Framework (ESF) in projects. It is desirable for the expert to have proficiency in written and oral Indonesian language. The experts will have at least 5 years of experience, i) in auditing of environmental and social management systems for infrastructure projects ii) experience of carrying out environmental and social impact assessments; and iii) experience of working in infrastructure projects financed by international funding agencies for environmental and social risks and impacts. The persons will have good mix of experience of both auditing and subject knowledge and experience on environment and social risk management.

Time Input

The environmental and social audit will be done throughout project implementation on medium scale construction sub-projects and activities located in protected areas. The time input will be 20 working days for each of the subprojects that will be audited, that will include completion of the scope of works and submission of the audit reports.

Outputs / deliverables

The following outputs are envisaged:

- a) Audit plan;
- b) Draft audit report; and
- c) Final audit report incorporating comments from the PMU, PIU and the World Bank.

Payments

The payment will be made in two instalments. The first payment equivalent to 50% of the agreed contract value upon submission of audit plan and 50% upon submission of the final audit report.

Termination of Services

If the work of auditor is not found satisfactory at any stage, then the services can be terminated by the competent authority without assigning any reasons thereof.

Indicative Outline for Independent Environmental and Social Audits¹²

Environmental and social audit is an instrument to determine the nature and extent of all environmental and social areas of concern at an existing project or activities. The audit identifies and justifies appropriate measures and actions to mitigate the areas of concern, estimates the cost of the measures and actions, and recommends a schedule for implementing them. For certain projects, the environmental and social assessment may consist of an environmental or social audit alone; in other cases, the audit forms part of the environmental and social assessment.

The aim of the audit is to identify significant environmental and social issues in the existing project or activities, and assess their current status, specifically in terms of meeting the requirements of the ESSs.

- a) **Executive Summary.** Concisely discusses significant findings and sets out recommended measures and actions and timeframes.
- b) **Legal and Institutional Framework.** Analyses the legal and institutional framework for the existing project or activities, including the issues set out in ESS1, paragraph 26, and (where relevant) any applicable environmental and social requirements of existing financiers.
- c) **Project Description.** Concisely describes the existing project or activities, and the geographic, environmental, social, and temporal context and any Associated Facilities. Identifies the existence of any plans already developed to address specific environmental and social risks and impacts (e.g., land

¹² Refer ESS1 – Annex 1. Environmental and social assessment, paragraph 16 of the World Bank Environmental and Social Framework.

acquisition or resettlement plan, cultural heritage plan, biodiversity plan). Includes a map of sufficient detail, showing the site of the existing project or activities and the proposed site for the proposed project.

- d) Environmental and Social Issues Associated with the Existing Project or Activities.** The review will consider the key risks and impacts relating to the existing project or activities. This will cover the risks and impacts identified in ESSs1–10, as relevant to the existing project or activities. The audit will also review issues not covered by the ESSs, to the extent that they represent key risks and impacts in the circumstances of the project.
- e) Environmental and Social Analysis.** The audit will also assess (i) the potential impacts of the proposed project (taking into account the findings of the audit with regard to the existing project or activities); and (ii) the ability of the proposed project to meet the requirements of the ESSs.
- f) Proposed Environmental and Social Measures.** Based on the findings of the audit, this section will set out the suggested measures to address such findings. These measures will be included in the Environmental and Social Commitment Plan (ESCP) for the proposed Project. Measures typically covered under this section include the following:
- specific actions required to meet the requirements of the ESSs
 - corrective measures and actions to mitigate potentially significant environmental and/or social risks and impacts associated with the existing project or activities
 - measures to avoid or mitigate any potential adverse environmental and social risks or impacts associated with the proposed project.

Annex 6: Standard Operating Procedure (SOP) for E-Waste Management

Electronic waste or E-waste is any electronic items or equipment which no longer needed (whether still functioning or broken) and which intended to be discarded. This type of waste is categorized as hazardous waste as it contains various hazardous and toxic materials such as lead, mercury, arsenic, cadmium, selenium and chrome. Hazardous waste included e-waste as a specific waste which need special treatment. Without a proper disposal management, this e-waste can cause negative impact to the human health and environment.

The following are list of some electrical and electronic equipment relevant to Information Technology (IT) and Telecommunications equipment which subject to e-waste disposal management once they will be removed or discarded:

- Centralized data processing systems: mainframes, mini computer
- Personal computing:
 - Personal computer (Central Processing Unit with input and output devices)
 - Laptop (Central Processing Unit with input and output devices)
 - Notebook computers
 - Notepad computers
- Printer including cartridge
- Copying equipment
- Scanner
- UPS and Batteries
- Electrical and electronic typewriter
- User terminal and systems
- Facsimile
- Telephones, including smart phone

E-waste contains hazardous waste material (predominately lead in batteries and mercury in cathode ray tube). The government is responsible for hazardous waste management. The Law No 32/2009 on Protection and Management of the Environment and the Law no 18/2008 on Solid Waste Management cover in general the need to manage hazardous waste from all sources. Government Regulation No 101 Year 2014 on Management of Hazardous Waste, specifically regulate how to determine, reduce, storage, collection up to dumping and transboundary movement of hazardous waste as well as emergency response. The government need to ensure that the e-waste is handled properly while community/individual must participate in reducing, separating and bringing this waste to the dropping point or Temporary Collection Facility (arranged by local government) for further collection by certified waste collector company.

For any goods including electronic equipment which was procured under government funds will be registered as government/state assets (Barang Milik Negara-BMN) on which removal of these assets are subject to Minister of Finance Regulation PMK No 83/PMK.06/2016 on Procedure for Implementation of Disposing State assets. Pending official notification of removal used equipment from the list of the State assets, all used equipment (including e-waste) will be placed in the storage. The used equipment which categorized as e-waste should be put in separate box/container and labelled as “hazardous waste” or “B3”. Once the goods (including used electronic equipment or e-waste) are declared to be removed from the registration/state’s asset list then it will be ready to follow disposal procedure under the e-waste disposal management.

Procedure for disposal management of electronic/IT items from the government office:

- Separate from other hazardous and non-hazardous wastes.
- Place in “Dropbox” container or other proper container with labelled “*hazardous waste*”
- Pending process of removal from the list of State Assets (BMN), the item is placed in a storage room.
- Once notification/clearance is obtained that the item is delisted and depend on the condition of the item (in particular, for computer or lap top) at the time of delisted, subsequently the item can be treated as follows:
 - Donate to appropriate institutions for further use; or
 - Transport to the E-Waste Shelter: Dropping Point/Temporary Collection Facility (determined by the local government); or
 - Invite certified waste collector company to collect the item for disposal (note: certain fee may apply)

Annex 7: Land Acquisition and Resettlement Planning Framework (LARPF) and Process Framework for Restriction of Land Use

I. Introduction

The ESS 5 establishes standards and key requirements for land acquisition, which also covers management of risks related to restrictions on land use and involuntary resettlement. Project-related land acquisition or restrictions on land use may cause physical displacement (relocation, loss of residential land, or loss of shelter), economic displacement (loss of land, assets or access to assets leading to loss of income sources or other means of livelihood) or both. The term “involuntary resettlement” refers to these impacts. Under ESS 5, resettlement is considered involuntary when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in displacement.

In principle, land acquisition which results in and/or require physical displacement of land owners and/or users will be avoided under the IDRIP and such a provision has been established in the negative list. Physical displacement constitutes loss of shelter and residential land (both permanent and temporary) and subsequent physical relocation and loss of livelihoods as a result of land acquisition. Prior land due diligence for existing government land will confirm the likelihood of potential physical displacement risks, and on the basis of such due diligence, potential sites where such risks are anticipated will not be further processed.

Furthermore, the above physical displacement risks are not envisaged under the scope of the project due to the small scale of construction activities and modality of land acquisition, which mainly relies on use of existing government land and willing-buyer, willing-seller (voluntary transaction arrangements) and voluntary land donation.

This Land Acquisition and Resettlement Planning Framework (LARPF) has been prepared to guide the implementing agencies (i.e. BNPB and BMKG) requiring land for project activities. The Resettlement Planning Framework aspects under LARPF has been prepared as a pre-cautionary measure to guide the management of risks and impacts related to informal land users/occupants of the land or parts of the land being proposed for construction, particularly those being provided by sub-national governments.

The LARPF also establishes a mechanism to undertake monitoring and evaluation as well as reporting of land acquisition internally within the implementing agencies and to the World Bank. An FGRM process that is accessible to land owners, land users and potentially affected communities will be provided, building on the proposed FGRM process at the project level.

In the event that the project activities may result in restrictions of access and/or land use, a Process Framework (PF) has been prepared to guide management of potential adverse impacts through a consultative process with affected communities and/or individuals.

II. Basic Principles

Any land acquisition must be undertaken in compliance with the requirements of national law and the provisions of ESS 5 and is conducted in a manner consistent with basic principles of due process (including provision of adequate advance notice, meaningful opportunities to lodge grievances and appeals, and avoidance of the use of unnecessary, disproportionate or excessive force), in particular, land acquisition is acceptable under the project is acceptable when:

- a. Efforts have been made to avoid involuntary resettlement risks, including forced eviction. Voluntary transactions (willing-seller and willing-buyer) are preferred;
- b. Affected households are well-informed on their entitlements, including fair prices and options to refuse;

- c. In the event of economic displacement, affected households will be assisted in their efforts during transition, including in their efforts to improve their livelihoods and standards of living (where relevant);
- d. Affected households receive timely compensation for loss of assets at replacement costs and are assisted to improve/restore their livelihood;
- e. Selection of construction sites carefully consider accessibility, public safety, environmental impacts and environmental sustainability considerations, impacts on vulnerable populations.
- f. Voluntary land transaction and donation ensure that all tenure rights and claims (including those of customary and informal users) affecting the land in question are systematically and impartially identified;
- g. Potentially affected individuals, groups or communities are meaningfully consulted, informed of their rights, and provided reliable information concerning their consequence of their decisions;
- h. Land owners and land users are enabled to negotiate fair value and appropriate conditions for the transfer;
- i. Land donation can only occur with the consent of individuals using or occupying the land, including their spouse and heirs as relevant;
- j. Appropriate compensation and grievance redress mechanisms are put in place;
- k. Terms and conditions of the transfer are transparent; and mechanisms are put in place for monitoring compliance with agreed terms and conditions.

III. Scope of Application

The project will to the extent possible utilize the existing government land through usufruct permits (*pinjam pakai*) or grant scheme (*hibah*) from the Regional Governments (*Pemerintah Daerah*). If new footprints will be acquired, three primary schemes for land acquisition under IDRIP include:

- a. Direct purchase from land owners through voluntary transactions (willing-buyer and willing seller)
- b. Voluntary land donation
- c. Under more limited circumstances, negotiated settlements may be pursued in the event that the above options cannot be exercised and/or there are no feasible alternatives for siting for specific investments (i.e. installation of instrumentation for disaster prevention)

To the extent possible, IDRIP will pursue land acquisitions through the first two approaches.

ESS 5 does not apply to voluntary market transactions where land owners have the options or are able to refuse to sell, without the threat or coercion to sell (point a).

Under point b., in some circumstances, it may be proposed that part or all of the land to be used by the project is donated on a voluntary basis without payment of full compensation. Subject to prior Bank approval, this may be acceptable providing the PIUs demonstrates that: (a) the potential donor or donors have been appropriately informed and consulted about the project and the choices available to them; (b) potential donors are aware that refusal is an option, and have confirmed in writing their willingness to proceed with the donation; (c) the amount of land being donated is minor and will not reduce the donor's remaining land area below that required to maintain the donor's livelihood at current levels; (d) no household relocation is involved; (e) the donor is expected to benefit directly from the project; and (f) for community or collective land, donation can only occur with the consent of individuals using or occupying the land. The PIUs will maintain a transparent record of all consultations and agreements reached.

In limited circumstances where that the project requires specific locations for establishment of facilities or installation of instrumentation due to locational advantage (i.e., PIUs and/or sub-national governments requiring land may opt for negotiated settlements (point c). This refers to situations where PIUs and/or sub-national governments need to acquire specific land or restrict its use for project

purposes, but rather than doing so through an expropriation proceeding, PIUs and/or sub-national governments try to arrive at a mutually agreeable negotiated settlement with the landowner and/or user with the full judicial or administrative process of expropriation or compulsory acquisition as governed under Law No. 2/2012 on Land Acquisition for Public Interest. However, such likelihood is low in the case of IDRIP due to the nature and small-scale construction being funded by the project, hence the framework for negotiated settlements under the LARPF serves as a pre-cautionary measure.

Since the potential sites for construction are yet to be assessed and confirmed, a framework-level approach has been adopted. Sub-project land acquisition plans will be developed once potential sites have been identified and a land acquisition scheme has been determined for the land in question.

Potential land requirements for greenfield investments under this project will be limited to small to medium-scale construction, (with typical footprints of approximately 10 x 10 square meters) across multiple locations such as data centers, small shelters, installation of instrumentation. In addition, there may be rehabilitation of existing structures (brownfield investments) such as office buildings, school rooftops serving as evacuation points, and other facilities, which will be identified during implementation.

All of the above land acquisition schemes will be subject to prior land due diligence to demonstrate the clean and clear status of the proposed land.

If negotiated settlements are selected as an approach for land acquisition, Implementing Agencies and/or sub-project proponents shall prepare a Land Acquisition and Resettlement Action Plan (LARAP). The detail of which, including the scope of assessments will be proportionate to the scale and level of risks. The LARPF provides a guideline on the content of LARAP (sub-annex 7.3).

Documentation for the rest of the land acquisition schemes, including voluntary transactions and voluntary land donation, will be prepared by the project, including land due diligence prior to any civil works (refer Section VI and sub-annexes 7.1 and 7.2).

Any adverse impacts on informal land users will be mitigated on the basis of entitlement matrix as established under this LARPF.

The LARPF also applies to associated facilities, which by definition fall under the following criteria:

- a. Directly and significantly related to the IDRIP subproject;
- b. Necessary to achieve the objectives of the subproject; and
- c. Carried out, or planned to be carried out contemporaneously with the subproject

As outlined in the negative list, the project does not finance any land acquisition resulting in forced eviction. In line with the ESS 5, "Forced eviction" is defined as the permanent or temporary removal against the will of individuals, families, and/or communities from the homes and/or land which they occupy without the provision of, and access to, appropriate forms of legal and other protection, including all applicable procedures and principles in ESS 5.

IV. National Legislation and Policies

The Indonesian Agrarian Law No. 5/1960 and prevailing regulations in Indonesia stipulate several type of land titles applicable in Indonesia. As the basic principles of Agrarian affairs, soil, water and resources contained therein within the territory of the Republic of Indonesia are owned by the Indonesian Nation and shall be for the interest and welfare of the nation and people of Indonesia. Land sale and transfer in the context of voluntary land transactions is regulated under Government Regulation No. 24/1997 (Article 37).

Such voluntary land transactions can only be undertaken and registered by land certificate issuing authority/notaries (PPAT), who provides legitimacy and due-diligence of legal and administration aspects of land transactions. However, ground-truthing of actual land uses and actual land claims may

not be required as part of the land transfer and registration processes. While the procedure of voluntary land donation is not specifically regulated under this regulation, requirements for land registration apply, similar to land transactions. Since the regulation does not require formal ground truthing, land due diligence will be required as part of the LARPF to address the gaps and remedial measures will be required in line with the ESS 5.

Negotiated settlements will be governed under Law No. 2/2012 on Land Acquisition for the Development for Public Interests. The Law confers the state (the government) the right to exercise eminent domain for land acquisition for national strategic projects considered to serve the public interests. The objective of this Law is to accelerate land acquisition process for the infrastructure development for the public interests. The law specifies types of public purpose development, implementation stages and arrangements for land acquisition, requirements, process and institutional arrangements during the planning, preparation, implementation and handover of the results of land acquisition with focus on reducing the time for completion of each stage of activities as well as for processing appeals from landowners. The law also provides clarity on eligible affected persons, affected assets, land/asset valuation procedures, compensation options, consultation, complaints, financing, and release of the compensated land/assets. The Law mandates the use of independent appraisers for the purpose of land and asset valuation, which is further governed under the Assessment Standard 306 (hereafter SPI 306). Relevant valuation variables include both physical and non-physical losses. The former covers land, structures, crops and plants, objects attached to the land, and other calculable losses. Non-physical losses cover job or livelihoods losses, emotional attachment, transactional costs, transitional costs, other damages, including compensation to remaining land that is no longer viable for use. The basis of valuation is replacement costs based on the prevailing market prices and/or productivity (in the case of agricultural land – clauses 4.2.4 and 4.2.5). These variables have been assessed to address ESS 5 requirements on replacement costs¹³.

Livelihood restoration is not specifically regulated under the Law. However, Article 11 of the International Covenant on Economic, Social and Cultural Rights—which has been ratified by Indonesia in Law 11 of 2005—stipulates that the government must provide adequate livelihood to its citizens in order to comply with the Covenant. In addition, there is no regulatory framework addressing restrictions to land use and hence, the relevant provisions in the Process Framework will prevail in the event of such risks being anticipated.

Presidential Regulation No. 62/2018 on the management of social impacts in the context of land acquisition provides further provisions concerning land and asset compensation for unrecognized land owners/users and squatters, who meet the following requirements: a) possessing valid IDs or civil documentation, b) having occupied the land in question over ten years consecutively, c) being sanctioned/recognized by heads of villages/wards and land owners. However, the regulation is silent in terms of replacement costs for these groups. In addition, timeframe requirements of at least ten years may limit eligibility of some groups. Under LARPF, all parties will be eligible for compensation entitlements provided that their claims can be validated prior to cut-off dates as further explained in Section VI.

¹³ Replacement cost” is defined as a method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement. Where functioning markets exist, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the undepreciated value of replacement material and labor for construction of structures or other fixed assets, plus transaction costs. In all instances where physical displacement results in loss of shelter, replacement cost must at least be sufficient to enable purchase or construction of housing that meets acceptable minimum community standards of quality and safety. The valuation method for determining replacement cost should be documented and included in relevant resettlement planning documents. Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons. To ensure compensation at replacement cost, planned compensation rates may require updating in project areas where inflation is high or the period of time between calculation of compensation rates and delivery of compensation is extensive.

Law 2/2012, Implementation Regulations (Perpres 71/2012), and the technical guideline (ATR/BPN Ministerial Regulation No. 6/2015) stipulates that land acquisition planning will be the responsibility of project proponents. For land acquisition below five hectares, project proponents may execute land acquisition themselves following location determination by the Governor as governed by Presidential Regulation No. 40/2014. For land acquisition above five hectares, the Land Agency (ATR/BPN) is mandated to execute land acquisition and procure an independent appraiser

provide for resettlement support which is limited to support for housing and settlement area development and moving cost, but does not include transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities. However,

V. Gap Analysis

The Table below provides the identification of gaps between the National Policies related to land acquisition and resettlement and the World Bank ESS5.

ESS 5. Applicable laws and regulations in Indonesia have covered main topics of the ESS5 however, some gaps are identified in terms of detail explanations and arrangements of the issues.		
Theme	Assessments	Proposed Gap-filling Measures
Sustainable development program	Different modes of compensation other than cash, particularly relocation and land-for-land and livelihood restoration, are not sufficiently elaborated	ESMF provides details on entitlements and compensation options at replacement costs consistent with ESS 5. Livelihoods impacts as a result of physical displacement and resettlement are not envisaged under IDRIP.
Direct and indirect impacts	Adverse social and economic impacts due to restrictions of access and land use are not explicitly covered under the Law 2/2012	ESMF will cover provisions of addressing impacts due to restrictions on land use and access to natural resources. Indirect impacts due to land acquisition will be covered by Environment and Social Management Plan (in this case UKL/UPL) for the project.
Associated facilities and legacy issues	Not covered	Legacy issues and Due Diligence on the process of land acquisition of associated facilities need to be carried out in accordance with the applicability and procedures covered under the ESMF.
Replacement costs	No gaps. Independent appraisal team determines compensation for loss of physical and non-physical assets and premium/solatum (for emotional attachment) at replacement costs.	LARPF provides an entitlement matrix for the PAPs in the case land is acquired through negotiated settlements. Compensation will be provided at replacement costs based on independent appraiser valuation, using prevailing market prices and/or land productivity (in the case of agricultural land) and without depreciation.
Livelihoods Restoration	The Law 2/2012 and its implementing regulations do not elaborate the option and implementation of assistance and livelihood restoration.	Project authorities will be required to provide sufficient resources for planning and implementation of livelihood restoration measures such as: skill training, credit or micro-finance facilities for small businesses, short-term project

		generated employment, etc. to ensure that affected people are able to improve, or at least restore, their livelihoods and levels of income.
Assistance to Physically Displaced	Assistance to displaced households due to land acquisition are not covered by Law 2/2012 and its implementation regulations (Perpres 71/2012)	LARPF includes details on the type of resettlement assistance to displaced households.
Compensation for loss of income sources or means of livelihood	Legal provisions are deficient to recognize entitlements for loss of incomes and means of livelihood due to land acquisition.	LARPF provide entitlements for compensation for temporary livelihood losses. Livelihood restoration due to resettlement as a result of large land acquisition is not envisaged under IDRIP.
Support for affected persons who have no recognizable legal right or claim to the land they are occupying	Perpres 62/2018 does require to provide compensation and assistance for those who do not own the land but have occupied or utilized the land with a set of criteria	LARPF specifies eligibility criteria and entitlement for each category of PAPs, including the informal occupiers in conjunction with ESS 5.
Land for land	Law 2/2012 and Implementation Regulations (Perpres 71/2012) do not provide details on the procedures for replacement land. Further, the provision in Para 5, Article 77 and Para 4 of Article 78 (Perpres 71/2012) are in contradiction of Bank's Policy 4.12 that requires completion of relocation arrangements before affected households are displaced.	LARPF elaborates requirement for resettlement /land-for-land option including the completion of relocation arrangements prior to PAPs displacement.
Compensation options	Provision of replacement land is not sufficiently elaborated.	Provisions in the LARPF provide requirements of compensation options, eligibility criteria, and entitlements for different PAP categories.
Eligibility for Indigenous Peoples	Law 2/2012 does not specify any groups including IPs. The Implementation Regulations (Perpres 71/2012) do not specify any requirement of conducting social assessment and consultation with IP communities and FPIC.	Resettlement of Indigenous Peoples is not envisaged under IDRIP. No activities requiring FPIC as per ESS 7 will be financed under the project.

Forced eviction	Not explicitly covered. Ownership rights to land and its associated properties will be relinquished upon compensation payments or court decisions.	Forced eviction will be avoided under IDRIP and has been established in the negative list.
Host community	Host communities are not explicitly covered in the Law 2/2012 and its Implementation Regulations (Perpres 71/2012).	No physical displacement is envisaged under IDRIP and hence is not relevant.
Resettlement Planning Instruments	The scope of Land Acquisition Plan does not clearly include the need for social-economic survey, identification of vulnerable groups, public consultation and participation, and monitoring and evaluation requirements. Further, the Plan does not include relocation assistance and livelihood restoration, where necessary. The Land Acquisition Plan does not fully cover elements and details of those in the LARAP. Timing of the preparation of the Land Acquisition Plan with results of inventory of affected land plots should be advanced to the planning stage.	The format and contents of Land Acquisition Plan consistent with ESS 5 has been provided as a sub-annex to the LARPF.
Costing	Local laws do not specify resettlement cost to be part of the total project cost.	Overall land acquisition costs, including livelihoods assistance will be established as part of land acquisition planning as guided by the LARPF.
Disclosure and engagement	There is Public Information Disclosure Law (UU KIP) yet there is no clarity on the how-to, especially when dealing with ‘ghost NGOs’ or ‘ghost media’	All documents will need to be disclosed and consulted to public in suitable form to meet the Bank’s disclosure requirements. Community engagement will form part of project implementation.
Grievance Mechanism	Provisions of the Law No. 2/2012 and implementation regulations (Perpres 71/2012) have elaborate and time-bound procedures for filing complaints by affected households and process to address complaints and	ESMF requires that sub-project LARAP to specify FGRM processes for affected households.

	grievances. It is however, not clear whether documentation of grievances is provided for.	
Monitoring and Evaluation	The Law 2/2012 does not provide for external monitoring of resettlement implementation and post-implementation evaluation to assess whether the objectives of the resettlement plan have been achieved. Further it is deficient in providing details on objectives of evaluation.	ESMF will include specific requirement of monitoring of the implementation of land acquisition and land due diligence activities, preparation and submission of periodic monitoring reports and post-implementation evaluation.

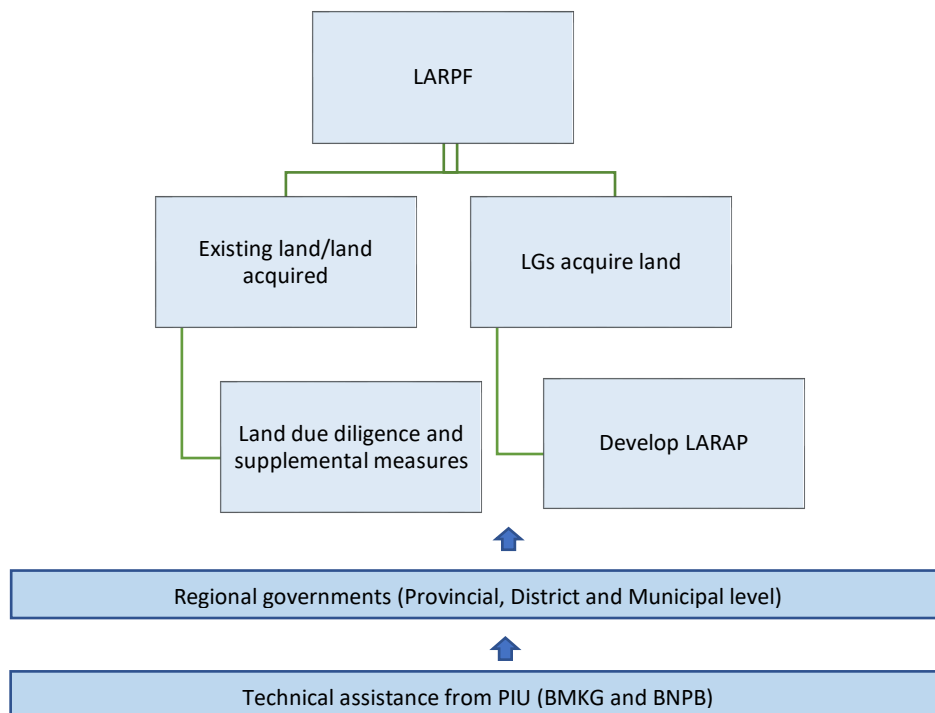
VI. Land Acquisition Planning

Land acquisition is expected to be required for the shelter development and installation of devices for activities under component 2. Such land acquisition falls under the responsibility of the respective municipal and district governments (hereafter Sub-national Governments) in coordination and with technical assistance from BMKG (and BNPB if there is a need for physical construction at the local level). Two scenarios are envisaged under IDRIP pertaining to land provisions under IDRIP:

- a. Land acquisition (in the case of new footprints (new land parcels)): sub-national governments with technical support from PIUs will develop Land Acquisition Plans (LAPs), which may contain elements of Resettlement Action Plans (RAPs) if resettlement and livelihoods impacts on land owners and other land users, including informal occupants are envisaged. The following schemes are being envisaged under this category, including direct purchase through voluntary transaction (willing-seller, willing-buyer) arrangements, land donation and negotiated settlements as further elaborated Section VII.
- b. Use of public land: in case the sub-national governments have acquired land for the project investments or use the existing government land, BMKG and BNPB will carry out a due diligence process to confirm the “clean and clear” status of the proposed land in conjunction with the LARPF and ensure the safety and technical feasibility of the land in question. On the basis of such due diligence, relevant measures will be recommended to address identified risks and gaps, including legal transfer processes. Further guideline for the land due diligence is provided in **sub-Annex 7.1**.

The overall process is illustrated in **Figure 1** below.

Figure 1. Land Acquisition Planning



Eligibility

The provisions in the LARPF apply to people and communities affected by land acquisition (hereafter referred to as Project Affected Persons/PAPs). Identification of the PAPs will be undertaken during the preparation of LARAP through the census survey. This framework anticipates that there would be three general categories of PAPs:

- a. Persons affected by the acquisition of privately-owned land. They have formal legal rights to land or assets are those who have formal documentation under national law to prove their rights or are specifically recognized in national law as not requiring documentation. In the simplest case, an area is registered in the name of individuals or communities. In other cases, persons may have a lease on the land and therefore have legal rights.
- b. Persons affected who have lived on the government's (state or local government) land but do not own the occupied land. This consists of six types of PAPs: (1) persons who own and occupy dwellings and other structures built on state or government land without any recognizable legal right or claim to the land they occupy; (2) sharecroppers; (3) squatters; (4) renters of dwellings and other structures built on state or government land without any recognizable legal right or claim to the land they occupy; (5) encroachers, i.e., persons who extend their personal holdings by encroaching adjacent state or government land; (6) squatter landlords, i.e. persons who derive illegal rents from structures built on state or government land, but do not occupy such structures.
- c. Persons who occupy private lands, such as renters or informal land users, who, due to land acquisition, will need to relocate their livelihoods or dwelling.

PAPs eligible for compensation for the affected assets will be identified when the subproject location has been formally determined.

Land Acquisition Plans covers land acquisition planning, depending on land acquisition schemes being adopted. Such plans will also cover land due diligence if land has already been acquired for the proposed activities. Where it has been identified that the subproject may cause some degree of physical or economic displacement, or loss of assets or access to assets for instance, in the case of pre-existing illegal occupation in government land, this guideline will guide the preparation and implementation of a Land Acquisition and Relocation Plan (LARAP). Physical displacement of land owners/users will be avoided. Land Due Diligence Form (refer Section C below) will be used to document the legal transfer of land for subproject activities (and associated facilities if necessary¹⁴) as well as "ground-truthing" to identify actual land uses and any claims.

Cut-Off

Cut-off date is the date when such location determination has been formally communicated to land owners and users at the time of the census and/or identification/inventory of affected people and assets. Land users include informal land users, who by the cut-off date, are able to provide evidence of their land claims and/or use in the selected site. Further details on entitlement packages for the above categories of PAPs are presented in the entitlement matrix.

Land Due Diligence

In case sub-national governments has acquired land or decided to use existing government land for construction, PIUs will be required to carry out a due diligence process to ensure that the proposed land is safe and technically feasible for settlement areas and public facilities (refer **sub-Annex 8.1**), legal transfer processes are complete, potential risks related to informal land use and occupation are identified

¹⁴ Associated facilities are facilities or activities that are not funded as part of the project and, in the judgment of the Bank, are: (a) directly and significantly related to the project; (b) carried out, or planned to be carried out, contemporaneously with the project; and (c) necessary for the project to be viable and would not have been constructed or expanded if the project did not exist.

and mitigated to ensure compliance of the relevant provisions in the LARPF, as per the national legislation and ESS 5. This assessment focuses on both the legal and actual “ground-truthing” of the proposed locations to be financed under the project and will also be applicable to land acquired through voluntary transactions.

Entitlement Matrix

LGs will assess means to provide, or facilitate access to, similar resources elsewhere, taking into account potential impacts and considerations of alternatives. Compensation for lost assets due to land acquisition is calculated at replacement cost based on an independent appraiser’s valuation, which has been assessed to be in line with ESS 5. The process used for determining compensation values should be transparent and easily comprehensible to project-affected persons. With regard to land and assets, the calculation of replacement costs takes into account the following principles in line with the valuation standard SPI 306 to be adopted by independent appraisers as a reference for their valuation process:

- a. Agricultural (including fallow) land or pastureland: land of equal productive use or potential, located in the vicinity of the affected land or the new housing site, plus the cost of preparation to levels similar to or better than those of the affected land, and transaction costs such as registration and transfer taxes or customary fees.
- b. Land in urban areas: the market value of land of equivalent area and use, with similar or improved infrastructure and services, preferably located in the vicinity of the affected land, plus transaction costs such as registration and transfer taxes.
- c. Houses and other structures (including public structures such as schools, clinics, and religious buildings): the cost of purchasing or building a replacement structure, with an area, quality, and location similar to or better than those of the affected structure; or of repairing a partially affected structure, including labour and contractors’ fees; and transaction costs, such as registration, transfer taxes, and moving costs.
- d. Loss of access to natural resources: the market value of the natural resources, which may include, among others, wild medicinal plants, firewood, and other non-timber forest products, meat, or fish. However, cash compensation is seldom an effective way of compensating for lost access to natural resources.

Compensation and/or mitigation measures as a result of access restrictions to land use will be further guided by the Process Framework in this document (refer Section VIII). Such compensation and/or mitigation measures will be mutually arrived at and agreed between affected parties and implementing agencies/project proponents through a consultative process and consensus.

Compensation entitlements will address relevant provisions along the lines of restoration or improvement of livelihoods. Compensation standards for categories of land and fixed assets will be disclosed and applied consistently. Compensation rates may be subject to upward adjustment where negotiation strategies are employed, on the basis of recommended valuation by independent appraisers. In all cases, a clear basis for calculation of compensation will be documented, and compensation distributed in accordance with transparent procedures. The Entitlements Matrix for Project Affected Persons is shown in Table 2 below:

Table 2: Entitlements for Project Affected Persons

Project Affected Persons	Entitlements
Land/asset owners who lose land and/or other assets (including buildings, structures, utilities, trees, etc.) and loss of income.	Compensation for loss of land and other assets attached to the lost land, based on value assessment carried out by licensed independent appraisers consistent with replacement cost principles

Project Affected Persons	Entitlements
	outlined in SPI 306, which is consistent with ESS 5.
Land/asset owners who lose temporarily or permanently their sources of income or livelihoods.	Compensation for the loss of sources of income or livelihoods based on the value assessment for non-physical aspects carried out by licensed appraisers and facilitation for livelihood restoration.
Persons who own and occupy dwellings and other structures built on state or government land without any recognizable legal right or claim to the land they occupy.	Compensation for loss of dwellings and other structure, for income sources or livelihoods and resettlement assistance, based on the assessment of the licensed appraisers. ¹⁵
Renters of dwellings and other structures built on state or government land without any recognizable legal right or claim to the land they occupy.	The project provides sufficient time (at least 2 months from the cut-off date/at the time of census survey) for the renters to find another place or other assistance agreed by renters and agency/entity which may include moving allowance and transition allowance and livelihood assistance.
Sharecroppers	Assistance to livelihood restoration
Encroachers, i.e., persons who aggrandize or extend their personal holdings by encroaching adjacent state or government land	Compensation for building and structures. Assistance to livelihood restoration and facilitation to access public housing and transition and moving allowance as well as improvement to site.
Squatters	Compensation for building and structures. Assistance to livelihood restoration and facilitation to access public housing and transition and moving allowance as well as improvement to site.
Encroachers who entered the project area after the publicly announced cut-off date	Not entitled to any compensation

Forms of compensation. Compensation may take several forms: (a) cash; (b) land replacement/swap; (c) resettlement to other site; (d) shares ownership; or (e) other forms of compensation that are agreed both by land owners/land users and the agency requiring the land. Compensation forms depend on the preference of the land owners/land users and compensation may take combination of these depending on the agreements between the land owners/land users and the agency requiring the land.

¹⁵ There was an issuance of Presidential Regulation 56/2017 (May 31,2017) on “Handling Social Impacts for the Provision of Land for National Strategic Projects”, compensation for those occupying government and state land, recognized having occupied such land for continuously at least ten years, compensation includes cost for dismantling houses, mobilization, house rent and support for income loss, and they are defined based on valuation of an independent party.

Methods of valuing the affected assets

As required by Law No. 2/2012 and its implementation regulations, values of affected assets will be assessed by licensed appraisers in accordance with national procurement regulations. The values defined by the licensed appraisers will be used as a basis for negotiation with the land owners and land users (refer **Table 3**Table 2). Types and compensation levels will be defined based on the negotiation results between the implementing entity proposing the investment (who needs the land for the subproject) and the land/property owners. Value assessments will be carried out on a per affected land plot basis, which includes land, the space above and beneath land, buildings or structures, plants, things that relate to the affected land, and/or other losses that can be valued (e.g. non-physical loss that can be equivalent with monetary value, loss of jobs or income earning sources, cost for moving, cost for change of profession, and value for remaining property). The remaining property that is no longer physically or economically viable/habitable/usable, can be compensated if the owners prefer to do so.

Land valuation/appraisal by the licensed appraisers will be carried out based on the MAPPI¹⁶ Standards as specified in MAPPI Guidelines, also known as SPI 306¹⁷. Compensation is comprised of market price plus transaction costs and other costs plus premium, as detailed below:

- Physical assets: land, buildings, structures, facilities, plants, and other things related to the land acquired to restore to the owner a property of at least the same quality as that owned prior to the land acquisition;
- Non-physical assets: loss of jobs, loss of on-going businesses (business interruption), conversion of profession, emotional loss (solatium), transaction costs, moving costs, other losses of special nature, subjective and difficult to calculate aspects.
- Premium/solatium: payment over and above the total. An additional sum in respect of the land owners' psychological attachment or injured feelings due to the unilateral action of the acquiring authority in acquiring or expropriating the land. A premium/solatium is awarded as a percentage of the compensation.

In principle, the details of physical and non-physical valuation methods undertaken by the licensed independent appraisers are presented in **Table 3** below.

Table 3. Valuation Methods

Object	Basis for Valuation
Land	Market price and/or income lost
Building	The cost of reconstruction with no depreciation
Plant	Market price based on the prevailing standards, the total input costs and labour for replanting or value of one cycle of harvests whichever is higher
Transaction costs	Moving costs, taxation, notarial costs, labour
Waiting compensation	Bank interest
Unviable remaining parcels	Market price
Other damage	Recovery costs at replacement value

¹⁶ Indonesian Society of Appraisers (ISA)

¹⁷ Indonesian Valuation Standard (SPI) 306 which also refers to International Standards

VII. Land Acquisition Schemes

The project anticipates the following potential schemes for land acquisition, including voluntary transaction and land donation. Use of public/government land will adhere to the due diligence process as outlined in **sub-annex 7.1**. All expenses for land acquisition, including compensation to land-owners and land users shall be financed under the government budget.

Voluntary Transaction (Willing-Buyer Willing-Seller)

Land requirements are expected to be small (10 x 10 meters) and the nature of civil works allows considerations of siting alternatives. Unlike parallel structures where choice of siting is not flexible, the nature of infrastructure investments under IDRIP allows a room for negotiation by landowners, including choice for refusal in the event of no mutually agreed terms. Hence, willing-buyer and seller is appropriate for this purpose and is preferred compared to voluntary land donation to enable a level playing field for negotiation with landowners. Furthermore, the small-scale land requirements do not justify a process of land acquisition for public interest (eminent domain) under Law No. 2/2012.

In applying such a scheme, special care must be taken to ensure: (a) that all tenure rights and claims (including those of customary and informal users) affecting the land in question are systematically and impartially identified; (b) that potentially affected individuals, groups or communities are meaningfully consulted, informed of their rights, and provided reliable information concerning environmental, economic, social and food security impacts of the proposed investment; (c) that community stakeholders are enabled to negotiate fair value and appropriate conditions for the transfer; (d) initial price offers will need to reflect the prevailing market prices for similar land plots in the same area. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land; (e) that appropriate compensation, benefit sharing and grievance redress mechanisms are put in place; (f) that terms and conditions of the transfer are transparent; and (g) mechanisms are put in place for monitoring compliance with those terms and conditions.

All proceedings will be documented, and a final agreement will be signed by the negotiating parties in the presence of a notary. Documents for land transaction and changes of ownership shall be supported by “*akta jual beli*” (deed of sale and purchase) endorsed by a notary or a “*Pejabat Pembuat Akta Tanah*” (PPAT). Land legal status will have to be confirmed by certification and the project should facilitate the process. Timing for the payment of the agreed amount should be agreed by the negotiating parties during the negotiation. A sample format for documentation of voluntary transaction is presented in **sub-Annex 8.2**.

Voluntary Land Donation

Voluntary donation of land for a subproject means that there is a transfer of ownership rights from the land donor(s) to subproject proponents (beneficiaries, community group, local government, or others, depending on the agreement between the land donor and the project). Voluntary in this context means the donation or granting of land and other assets with the full knowledge of the purposes for which the asset is being made available and the economic, social and legal consequences that such an act would have on the person providing the asset. Furthermore, the act must be exercised freely and voluntarily, without any type of coercion. Land acquired by voluntary donation should be supported by donation letters (or *akta hibah*) endorsed by a notary or a PPAT.

Voluntary land donation for a subproject will be an acceptable option if:

- Consent from landowners and their spouse and eligible heirs;
- The land donor has been informed clearly of their right to compensation at a public meeting prior to the decision on contributing the land voluntarily, but nevertheless he or she is still willing to donate his/her land without any pressure;

- There is an option to adjust the subproject design or location in the case that the landowners refuse to donate their land;
- The land is identified by beneficiary communities and confirmed by technical staff to be suitable for the subproject and free from any environmental or health risks;
- The impact on the landowners is insignificant and does not result in displacement of households, or cause loss of households' incomes and livelihoods;
- The donated land is free from any ownership disputes or any other encumbrances;
- Consultations with the land donors or beneficiaries are conducted in a well-informed, free and transparent manner in the presence of community leaders and facilitators, and they are willing to donate the land without pressure; and
- Land donors have the right to refuse to donate their land and therefore there should be alternative sites for subprojects.

Procedures and requirements of VLD

The process of obtaining land through voluntary land contribution is as follows:

- Sub-project proponents submit a proposal/workplan to the PIUs. One item included in the proposal is the identification of the land needed and how the land will be obtained. In the case that sub-project proponents recommend land through voluntary contribution, the proposal should provide information on potential donors and necessary documentation indicating land donors' consent. Supplemental documentation will be required following approval of the proposal.

Project proponents and sub-national governments perform field verification and ensure that:

- The required criteria for voluntary land documentation have been met, with required documentation and evidence of compliance to the LARPF.
- Land donors have voluntarily agreed to donate his/her/their land for the proposed sub-project. They also need to ensure that land contribution decision was made by both spouses (husband and wife) or heirs and through participatory mechanisms;
- The proposal includes a statement letter signed by the community member(s) who are donating the land (signed by both spouses or heirs as relevant) and witnessed by the chairperson of the community ("*kepala dusun/RT/RW*") or head of wards/village and signed by heirs and other witnesses. The letter contains, among others, name and address of land contributor(s); current use, location and size of the donated land; the purpose of land donation; map of the location of the land; specification whether part of the land rights are donated or permit for use or permit for passage. Once a subproject proposal is approved by the facilitator, the land owner who contributes the land identifies on the ground the donated land and site where shelter for geophysics devices would be built.
- There is clear information on to whom the land is donated, and the project should follow-up on the legal process of the status of the donated land as necessary. If part of the land rights are donated to the village or government, the project should facilitate the follow-up on the legal processing of the status of the donated land. If the land is donated to the community, the facilitator should consult with the village administration on how to record this to ensure that the donated land has legal status.
- Processes and results of consultation meetings, grievances and actions taken to address such grievances should be properly documented.

- Donated land should be well recorded and documented in the project document (in the subproject proposal and/or in the site development plan).
- The originals of the donation letter should be kept both by the project (in the sub-project proposal and/or in the site development plan) and by the land donor.

Key information that should be included in the donation letter is presented in **Sub-Annex 7.1: Land Due Diligence**

The following provides main criteria which need to be covered as part of the overall land due diligence processes:

Criteria	Applicability (Y/N)	Assessment	Document references	Information Source
Legal aspects				
a. Status of land release and registration of the proposed land				
b. Legal evidence of land transfer processes				
c. Legal status of the land prior to acquisition (i.e. legal encumbrances, certification, etc.)				
d. Overlapping claims and/or land disputes (including status of resolution)				
e. In the case of willing buyer and willing seller, records of negotiation/consultation with land owners, land transaction and payments/compensation				
Physical land uses and ownership				
f. Informal/illegal land uses/ownership (i.e. sharecroppers, cultivators, etc.)				
g. Economic/livelihoods impacts as a result of land acquisition processes				
h. Presence of conflicts/land disputes				
i. Presence of emerging land use activities following location announcement (i.e. opportunistic land users/claimants)				
j. Restrictions of access and land use				
Required Processes				
k. Consultations with land owners, including with informal/illegal land users				
l. Information disclosure and dissemination, including sufficient lead time for transition				

	to new locations, including harvesting of productive crops				
m.	Compensations paid to land owners/claimants, including informal land users such as sharecroppers, quarry operators, etc.				
n.	Level of satisfaction amongst land owners/users with the compensations provided and/or negotiation processes				
o.	Implementation of livelihoods restoration measures to address livelihoods displacement and resettlement				
p.	In the case of willing buyer and willing seller, ability of land owners and users to negotiate in good faith (no coercion)				
q.	Legal administrative processes on the remaining of the acquired land parcel for the land owners				

Sub-Annex 7.2: Sample of format for documentation for Land Donation

Negotiated Settlements

The amendment of Presidential Regulation No. 71/2012 on Land Acquisition (Presidential Regulation No. 40/2014) permits land acquisition for an area less than 5 Ha to be carried out directly by the agency requiring the land based on negotiated settlement principles agreed by both parties (buyers and sellers). In this case, the required land should be located in areas/zones that have been declared as safe for development and can be obtained in one fiscal year. The entity requiring the land has to use licensed, independent appraisers to assess the affected assets and other losses.

If land acquisition is carried out by the sub-national governments through the use of Law No. 2/2012, provided that the investments fall under the category of national strategic investments, the process, requirements, procedures and institutional arrangements for land acquisition will to the extent possible adopt negotiated settlement processes. Negotiated settlements refer to situations where sub-national governments and/or project proponents need to acquire specific land or restrict its use for IDRIP purposes, but rather than doing so through an expropriation proceeding, sub-national governments and/or project proponents first try to arrive at a mutually agreeable negotiated settlement the land owner. Although under Law No. 2/2012, sub-national governments and/or project proponents are authorized to proceed with expropriation or other compulsory procedures, a consensual approach will be first explored and to the extent possible, adopted. No land acquisition with physical displacement risks will be allowed under IDRIP.

Land acquisition using a negotiated settlement scheme will only be permitted if there are no technically feasible sites due to their locational advantage.

Under this scheme, the project should pay special attention to and ensures that land acquisition takes into account the following:

- Includes options of compensation (not only cash compensation) including land to land with clear procedures and timeline. Based on agreements reached during negotiations, Project Affected Persons can choose to receive cash compensation, resettlement, or other options. Other options include serviced sites, land [swap] of equal size or equal productive capacity. In all cases, the amount of compensation and/or other options must be sufficient to achieve the objectives of ESS 5, including livelihood improvements and production capacity of the Project Affected Persons;
- Sub-national governments and/or project proponents acquiring the land needs to compensate squatters and encroaches, if any, as the result of the land taking in conjunction with the entitlement matrix as per ESS 5. Livelihoods assistance in lieu of compensation for land to help improve or at least restore their livelihoods may be warranted;
- The acquired land needs to be in line with the Regional Spatial Plans (RTRW) and/or Detailed Spatial Development Plan (RDTR) if available;
- Ensure that Project Affected Persons receive: (i) prompt compensation at full replacement costs for loss of assets attributable to the project; (ii) livelihoods assistance, depending on the extent of impacts as required, (iii) prior consultations and sufficient time to negotiate, involving not only direct land users/owners, but also other family members, including spouses and children, (iv) information on land and asset valuation based on independent appraisers' valuation, including the approach and/or methodology used in a manner accessible to project affected persons;
- Consultations and Complaint procedures: grievance mechanism should take into account accessibility and availability of judicial recourses and community and traditional dispute settlement mechanisms.

- Land Acquisition Plans will need to be prepared by sub-national governments and project proponents should adopt the following measures to ensure that project affected people are:
 - a. Informed about their options and rights pertaining to land acquisition and/or entitlements;
 - b. Consulted on, offered choices among, and provided with technically and economically feasible compensation alternatives; and
 - c. Provided prompt and effective compensation at full replacement costs for losses of assets attributable directly to the project.
 - d. Offered livelihood assistance support during a transition period, based on a reasonable estimate of the time likely to be needed to restore and improve their livelihood and standards of living; and

VIII. Process Framework to Address Access Restrictions

The purpose of the Process Framework (PF) is to establish a process by which members of potentially affected communities participate in the design of activities causing restrictions to land and water use, determination of measures necessary to achieve the objective of ESS 5 and implementation and monitoring of relevant project activities through a process of informed and meaningful consultations.

Within the scope of IDRIP, construction of hazard monitoring instrumentation and associated enclosures (under Component 2) may restrict communities' access to forests and water-use where certain buffer zones will be established and agreed with communities for protection purposes. Impacts on livelihoods are not expected to be significant. The Process Framework was prepared to provide guidance to implementing agencies to undertake consultations and reach mutually agreeable terms and consensus with affected communities. Community consensus is a requirement prior to any imposition of land and water use restrictions since the project seeks to also promote community ownership with hazard monitoring instrumentation installed in their areas.

Scope

Potential investments under IDRIP which may to some extent lead to access restrictions may include installation of instrumentation where protection buffers/safety zones must be established, coastal area protection, and other investments that potentially lead to other forms of access restrictions. Under this Process Framework, restrictions on land and water uses are only those that are “directly introduced and put into effect as part of the project”.

Eligibility

Communities and individuals under the Process Framework include those whose livelihoods may be adversely impacted due to project actions and/or investments which lead to restrictions to land and water use. These communities and individuals may experience economic/livelihoods impacts although their land and asset ownership is not affected. Informal occupants are eligible under this Process Framework.

The PF does not apply to restrictions of access to natural resources under community-based natural resource management initiatives, i.e., where the community using the resources collectively decides to restrict access to these resources, provided that an assessment satisfactory to the World Bank establishes that the community decision-making process is adequate and reflects voluntary, informed consensus, and that appropriate measures have been agreed and put in place to mitigate adverse impacts, if any, on the vulnerable members of the community.

Plan of Action (PoA)

The PF provides a guideline for the development of Plan of Action (PoA) during project implementation that:

- a. Define access restrictions to land and water use;
- b. Define criteria of eligibility of affected persons;
- c. Outline consultative processes, including approaches and measures to ensure inclusive participation of project affected communities;
- d. Identify and quantify the impacts that access restrictions may have on different segments of the local communities, including vulnerable groups;
- e. Identify and agree on measures to assist affected communities and households in the efforts to improve their livelihoods and restore them, while maintaining the sustainability of the investments. The PoA will identify methods and procedures by which communities identify and choose potential mitigating or compensating measures to be provided to those adversely affected and measures by which affected community members will decide amongst the options available to them;
- f. Provide grievance redress mechanisms in order to resolve any issues that may arise due to restrictions of access to land and water use over the course of the project and;
- g. Define institutional responsibilities, administrative procedures, financing and monitoring arrangements for the implementation of measures as proposed in PoA.

Roles and Responsibilities

Sub-national governments and/or project proponents of activities with access restriction risks will be responsible to prepare a PoA containing elements of the above in consultation with affected communities and individuals. Financing will be sourced from Component 3, sub-national government budget (APBD) or activity implementation budget, depending on the choices and forms of mitigation measures agreed in PoAs.

IX. Consultation and Disclosure

Consultations and disclosures for LARPF start from the planning, preparation, and implementation phase. In brief, these consultations should be carried out in the following activities:

- For the planning stage, the plan of the location of physical investments, purpose of the development, steps and time frame for land acquisition, roles of licensed appraisers in the asset valuation, forms of incentives or compensation that would be provided for the PAPs, eligible assets or objects for compensation (physical and non-physical including premiums), compensation for community facilities, and responsibility and rights of the eligible PAPs. Consultations will use public meetings, media and information in the closest villages/neighborhoods. Consultations will adopt a dialogue approach, and can take place more than one time, depending on the need and agreement reached. The agreement will be put in writing. The defined physical investment location requiring land will be disclosed to public in the media, websites of the provincial and city government as well as in the website of the agency requiring the land.
- For the land due diligence, sub-national governments/project proponents and PIUs will consult with the owners of the asset during the inventory and the identification of the potential affected assets. Results of the inventory will be disclosed in the village/*kelurahan* (urban ward) and *kecamatan* (sub-district) offices for 14 days to receive complaints.
- For land acquisition described in this guideline, results of asset valuation done by the licensed appraisers will be provided to the PAPs and used as the basis for negotiations.
- Prior to any civil works with impacts on agricultural land, consultations with affected land owners and/or tillers must be undertaken. Affected individuals will be given reasonable time to harvest crops to minimize livelihoods impacts.
- Draft and final Land Acquisition Plans will be disclosed in the subproject sites requiring land, in the closest *kelurahan*/village where the subproject requiring land acquisition is located, in the websites of the local agency and/or the implementing agency's website.

- Documentation of the land donation and direct purchase will be available for public in the wards/village office. The landowners who donate and sell their land for the subprojects will have a copy of the documentation of land transfers or transactions.

X. Feedback and Grievance Redress Mechanism

The FGRM presented in this ESMF (see Chapter 3 Volume I) will apply. This proposed FGRM will be included in the Project manuals and guidelines. The PIUs, NMC, TMC and facilitators, and potentially regional governments where land acquisition occurs, will be trained in its implementation. The overall project approach in enabling transparency and consultation should allow solutions to local problems locally, quickly, and effectively. If any affected persons or other community members have a complaint regarding the framework or its application in practice, the project will strengthen established systems in BNPB and BMKG that address complaint handling, called the *Pejabat Pengelola Informasi dan Dokumentasi* (PPID), with dedicated staff in charge of handling and following up on complaints.

The Land Acquisition Plan should include a clear grievance redress mechanism for land owners and users, as well as communities surrounding the proposed sites. The FGRM should specify the contact and/or venue(s) to file complaints, service standards to respond to complaints, and documentation and ensure that the proposed mechanism is widely disseminated.

XI. Reporting and Monitoring

The progress of implementation of any required land acquisition and technical assistance will be reported to the World Bank regularly (quarterly) by the CPMU (BNPB). The PIUs and/or NMC will have to monitor the preparation and implementation of the Land Acquisition and Resettlement Policy Framework, which is implemented by regional governments, please see Table 2. Progress of land acquisition will be included in the project report.

Figure 2. Reporting of LARPF implementation



The Project shall monitor and measure the progress of implementation of its land acquisition process. The extent of monitoring activities will be commensurate with the Project's risks and impacts. In addition to recording the progress in compensation payment and other resettlement activities, the project will prepare monitoring reports to ensure that the implementation of the resettlement plan has produced the desired outcomes.

External independent experts will be engaged in the project to advise on the overall process under Component 1 as agreed in the ESCP. If any significant relocation issues are identified, a corrective action plan will be prepared to address such issues. Until such planning documents are formulated, disclosed and approved, the Project will not proceed with implementing the specific project components for which adverse impacts are identified.

The purpose of monitoring and reporting is to: (a) comply with national regulation and World Bank's ESS 5; (b) determine effectiveness of institutional arrangements; (c) identify problems and remedial actions if any; (d) identify methods of responding immediately to resolve or mitigate problems; (e) verify if the standard of living of displaced persons are restored or improved; (f) assess sustainability of income restoration program; and (g) determine if human and financial resources allocated are adequate and effective.

Monitoring of the land acquisition and relocation planning implementation will typically focus on the following aspects:

- Verification of compliance of implementation;
- Effectiveness of FGRM processes;
- Any pending issues: complaints and/or non-compliance issues. The Project will prepare a semi-annual monitoring report that describes the progress of the implementation of resettlement activities and any compliance issues and livelihood restoration of the relocated households and PAPs affected by land acquisition.

Implementation of Land Acquisition Plans will be monitored based on indicators as specified in the approved plans, which includes among others: (a) consultation process; (b) eligible PAPs; (c) follow-up on the legal process of the acquired land/remaining land; (d) the effectiveness of complaint handling mechanisms; (e) disclosures of the plans and transparency during the process of land acquisition; etc.

The regional governments, assisted by PIUs, will input the progress of overall LARPF implementation in the MIS system of IDRIP. The PMU will consolidate the information from MIS into the Project Monthly Report and upload it in the Project's web-based reporting system.

Sub-Annex 7.1: Land Due Diligence

The following provides main criteria which need to be covered as part of the overall land due diligence processes:

Criteria	Applicability (Y/N)	Assessment	Document references	Information Source
Legal aspects				
r. Status of land release and registration of the proposed land				
s. Legal evidence of land transfer processes				
t. Legal status of the land prior to acquisition (i.e. legal encumbrances, certification, etc.)				
u. Overlapping claims and/or land disputes (including status of resolution)				
v. In the case of willing buyer and willing seller, records of negotiation/consultation with land owners, land transaction and payments/compensation				
Physical land uses and ownership				
w. Informal/illegal land uses/ownership (i.e. sharecroppers, cultivators, etc.)				
x. Economic/livelihoods impacts as a result of land acquisition processes				
y. Presence of conflicts/land disputes				
z. Presence of emerging land use activities following location announcement (i.e. opportunistic land users/claimants)				
aa. Restrictions of access and land use				
Required Processes				
bb. Consultations with land owners, including with informal/illegal land users				
cc. Information disclosure and dissemination, including sufficient lead time for transition to new locations, including harvesting of productive crops				
dd. Compensations paid to land owners/claimants, including informal land users such as sharecroppers, quarry operators, etc.				

ee.	Level of satisfaction amongst land owners/users with the compensations provided and/or negotiation processes				
ff.	Implementation of livelihoods restoration measures to address livelihoods displacement and resettlement				
gg.	In the case of willing buyer and willing seller, ability of land owners and users to negotiate in good faith (no coercion)				
hh.	Legal administrative processes on the remaining of the acquired land parcel for the land owners				

Sub-Annex 7.2: Sample of format for documentation for Land Donation

1. Name of sub-project proponent (local government, community group, or other, please specify):
2. Brief description of sub-project acquiring land:
3. Size, existing use, and location (with map or sketch) of donated land (ensuring that the land donated is under 10 percent of the overall ownership of productive land):
4. Name and identity of land donor(s):
5. Date of the donation:
6. Map/site plan of the donated land:
7. Type of use (for the sub-project) of the donated land:
8. Date and signing of the form:
(by the sub-project proponent—or authorized representatives in the case of a community group—who received the donated land; land donor; head of village, representative(s) of BKM, heirs of the land donor, and witnesses—at least three people). The land donor should put his/her signature on a legal stamp (*materai*).
9. Attachment of:
 - a. Minutes of consultations, signed by subproject proponent or authorized representatives in the case of a community group, witnesses (NGOs, civil society and/or community leaders), landowners, and consultant/facilitator;
 - b. Attendance list;
 - c. A copy of *akta hibah* or donation deed issued by a notary or PPAT.
10. Certification of the donated land and the remaining land:

Sub-annex 7.3: Sample Format for Obtaining Land through Voluntary Transaction (Willing Buyer, Willing-Seller)

1. Name of sub-project proponent (local government, or community group, or other, please specify):
2. Brief description of sub-project acquiring land:
3. Size, existing use, and location (with map or sketch) of land acquired:
4. Name and identity of landowner(s)/seller(s):
5. Name and identity of land buyer(s):
6. Type of use (sub-project) of the acquired land:
7. Date of land purchase:
8. Land price:
9. Date of payment:
10. Scheme of payment (cash, and/or cash transfers, installment, etc. as applicable):
11. Recipient of payment:
12. Date and signatures of the land owner, representatives of community groups requiring the land, head of village, and PIU representative):
13. Attachment of (a) minutes of negotiation, signed by subproject proponent or authorized representatives in the case of community groups, and witnesses (NGOs, civil society and/or community leaders), land owner(s), and consultant/facilitator; (b) attendance list; (c) receipts of payment; and, (d) a copy of *akta jual beli*/deed of sale and purchase issued by a notary or PPAT.
14. Certification of the purchased land and the remaining land.

Sub-annex 7.4: Land Acquisition Plan and Resettlement Action Plan (LARAP) Outline under Negotiated Settlements

The scope of requirements and level of detail of the LARAP vary with the magnitude and complexity of land acquisition and potential livelihoods impacts. The plan is based on up-to-date and reliable information about (a) the proposed project and its potential impacts on the displaced persons and other adversely affected groups, (b) appropriate and feasible mitigation measures, and (c) the legal and institutional arrangements required for effective implementation of resettlement measures.

At a minimum, a LARAP shall consist of:

- a. *Description of the project.* General description of the project and identification of the project area.
- b. *Potential impacts.* Identification of:
 - The project components or activities that require land acquisition using a negotiated settlement scheme, explaining why the selected land must be acquired for use within the time frame of the project;
 - The zone of impact of such components or activities;
 - The scope and scale of land acquisition and impacts on structures and other fixed assets;
 - Any project-imposed restrictions on use of, or access to, land or natural resources;
 - Alternatives considered to avoid or minimize displacement and why those were rejected; and;
 - The mechanisms established to minimize displacement, to the extent possible, during project implementation.
- c. *Objectives.* The main objectives of the resettlement program.
- d. *Socioeconomic assessments.* Depending on the extent of potential impacts, the assessment may cover the following aspects:
 - Characteristics of displaced households, including a description of production systems, labour, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the land owners/users;
 - Information on vulnerable groups or persons for whom special provisions may have to be made;
 - In conjunction with establishment of a cut-off date, providing a basis for excluding ineligible people from compensation and livelihoods assistance; and
 - Establishing baseline conditions for monitoring and evaluation purposes.
 - Land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;
 - The patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project; and
- e. *Legal framework,* covering:
 - The scope of the power of compulsory acquisition and imposition of land use restriction and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment;
 - The applicable legal and administrative procedures, including a description of the remedies available to land and asset owners in the judicial process and the normal time frame for such procedures, and any available grievance redress mechanisms that may be relevant to the project;
 - Laws and regulations relating to the agencies responsible for implementing land acquisition; and

- Gaps, if any, between local laws and practices covering compulsory acquisition, imposition of land use restrictions and provision of resettlement measures and ESS 5, and the mechanisms to bridge such gaps.
- f. *Institutional framework*: roles and responsibilities for land acquisition and livelihoods assistance.
 - g. *Eligibility*. Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates as per the LARPF.
 - h. *Valuation of and compensation for losses*. The methodology and recommendations of the independent appraisers of any land and assets lost due to land acquisition in conjunction with the LARPF
 - i. *Community participation*. Involvement of land owners and users, including a description of the strategy for consultation with, and participation of, and grievance mechanism of land owners and users in the overall planning and implementation of LARAPs.
 - j. *Implementation schedule*. An implementation schedule providing anticipated dates for land acquisition, compensation dates, legal transfer.
 - k. *Costs and budget*. Tables showing categorized cost estimates for compensation in line with the compensation matrix in the LARPF; timetables for expenditures; sources of funds; and arrangements for timely flow of funds.
 - l. *Grievance redress mechanism*. The plan describes available feedback and grievance mechanism, including affordable and accessible procedures for third-party settlement of disputes arising from land acquisition and the availability of judicial recourse and community and traditional dispute settlement mechanisms.
 - m. *Monitoring and evaluation*. Arrangements for monitoring of land acquisition and implementation of livelihoods assistance and involvement of project affected people in the monitoring process.

Annex 8: Chance Finds Procedure

Definition: a chance find is an archaeological, historical, cultural, or remain material, encountered unexpectedly during project construction or operation. A chance find procedure is a project-specific procedure that will be followed if previously unknown cultural heritage is encountered during project activities. This type of procedure generally includes a requirement to notify relevant authorities of found objects or sites by cultural heritage experts; fence off the area of finds or sites to avoid further disturbance; conduct an assessment of found objects or sites by cultural heritage experts; to identify and implement actions consistent with the requirements of the World Bank and Indonesian law; and to train project personnel and project workers on chance find procedures.

I. Objectives

- To protect physical cultural resources from the adverse impacts of project activities and support their preservation.
- To promote the equitable sharing of benefits from the use of PCR.

II. Procedure

If there is a discovery of archeological sites, historical sites, remains and/or objects, including graveyards and/or individual graves during excavation or construction, due to sub-project activities, the sub-project shall:

1. Halt the construction activities in the area of the chance find.
2. Delineate and fence the discovered site or area.
3. Secure the site to prevent any damage or loss of removable objects. In cases of removable antiquities or sensitive remains, a night guard shall be arranged until the responsible local authorities or the District/Provincial Department of Culture, or the local Institute of Archaeology, if available, can take over.
4. Forbid any taking of the objects by the workers or other parties.
5. Notify all subproject personnel of the finding and take preliminary precautions of protection.
6. Record the chance find objects and the preliminary actions.
7. Notify the responsible local authorities and the relevant Institute of Archaeology immediately (within 24 hours or less).
8. Responsible local authorities should be in charge of protecting and preserving the site before deciding on subsequent appropriate procedures. This would require a preliminary evaluation of the findings to be performed by the local Institute of Archaeology. The significance and importance of the findings should be assessed according to the various criteria relevant to cultural heritage, including the aesthetic, historic, scientific or research, social and economic values.
9. Decisions on how to handle the finding shall be taken by the responsible authorities. This could include changes in the subproject layout (such as when finding an irremovable remain of cultural or archeological importance) conservation, preservation, restoration and salvage.
10. Implementation of the authority decision concerning the management of the findings shall be communicated in writing by relevant local authorities.
11. The mitigation measures could include changing the subproject design/layout, protection, conservation, restoration, and/or preservation of the sites and/or objects.

12. Construction work at the site can resume only after permission is given from the responsible local authorities concerning safeguarding the heritage.
13. The subproject proponents are responsible for cooperating with the relevant local authorities to monitor all construction activities and ensure the adequate preservation actions already taken and hence the heritage sites protect.

Annex 9: Indigenous People Planning Framework (IPPF)

I. Objective

The presence of Indigenous Peoples as per ESS 7 will remain to be determined once specific locations for Components 1 and 2 have been confirmed. Under these circumstances, an Indigenous Peoples Planning framework (IPPF) will be prepared to guide the screening, consultations and engagement and management of impacts on Indigenous Peoples if they are present and/or will be affected by the project activities.

ESS 7 is being applied to ensure that the development process fosters full respect for the human rights, dignity, aspirations, identity, culture, and natural resource-based livelihoods of Indigenous Peoples. The project is required to avoid adverse impacts of projects on Indigenous Peoples or when avoidance is not possible, to minimize, mitigate and/or compensate for such impacts. ESS 7 also promotes sustainable development benefits and opportunities for Indigenous Peoples in a manner that is accessible, culturally appropriate and inclusive.

II. Legal Framework and Gap Analysis

In the context of Indonesia, Indigenous Peoples are known as *Masyarakat Adat*. In Indonesia legal context, Indigenous Peoples area referred as *Masyarakat Hukum Adat* and governed by various laws. The latter term, emphasizing the distinct customary laws of such communities, is mostly used in laws and government regulations, including the Indonesian Constitution. Indonesian law defines *Masyarakat Hukum Adat* as these groups as having a collective attachment to a territory due to the ties to the origin of ancestors, strong relationships with the environment, and the existence of a customary normative system that regulates economic, political, social and legal institutions. The existence of *Masyarakat Hukum Adat* is generally recognized by other groups through the acceptance and respect for the existence, and all the rights and identities attached to them. However, formal recognition by the state as *Masyarakat Hukum Adat* is required before their tenure and other associated rights are recognized.

Law No. 41/1999 on Forestry recognizes the existence of customary forests and identifies indigenous peoples as the collective owners of such forests. The law states that the state recognizes the existence of Indigenous Peoples as long as they still exist. customary forests shall be released from the state forest when their collective owners still exist and are legally recognized by their regional government. Law No. 32/2009 on Environmental Protection and Management defines *Masyarakat Adat* as community groups that have traditionally settled in certain geographical areas due to ties to ancestral origins, strong relationships with the environment, and the existence of a value system that determines economic, political, social, and legal institutions. This law also stipulates a procedure for the determination of a *Masyarakat Adat*. Law No. 6/2014 on Village Government stated that establishment of village government should consider local adat systems and provides the possibilities for villages to register as *Adat* village. The establishment of a village government must respect the socio-cultural values and customs and maintain and preserve traditional values. Law No. 23/2014 on Local Government defined *Masyarakat Adat* as a group of people who have long settled in certain geographical areas of Indonesia and have collective ties to ancestral origins, strong relationships with land, territory, natural resources, customary government institutions, and customary law in its customary territory in accordance with the provisions of the legislation.

The government through the District Regulations (Perda) may provide legal recognition to Indigenous Peoples as *Masyarakat Hukum Adat* provided that these communities meet the government criteria as above. The process to obtain legal recognition requires identification, verification, validation, and defining of a specific community. The consequences of this legal recognition include recognition of customary rights; including land rights, economic and social rights.

Since legal recognition of land rights is not required under IDRIP, the above legal constraints are not relevant for the project. However, IDRIP will seek to promote inclusive participation of Indigenous Peoples and respect their culture, customs and knowledge through meaningful engagement.

III. Scope of Application

The IPPF covers all Indigenous Peoples and vulnerable communities as characterized by the ESS 7, irrespective of formal recognition by the GoI. The scope of the measures required under the IPPF is defined based on the nature of risks and impacts and specific provisions may be required depending on the nature of the anticipated impacts. These are described in the following sections:

Identification Criteria

In the context of Indonesia, Indigenous Peoples are often referred to as *Masyarakat Adat* (Customary Communities) and *Masyarakat Hukum Adat* (Customary Law Communities) for those who have obtained legal recognition. The application of the ESS 7 will equally apply to other vulnerable groups who may not necessarily identify themselves and/or meet the requirements of *Masyarakat Adat* under the GoI's framework but qualify for policy coverage under ESS 7. Such a rationale was adopted to recognize the diversity and complexity of socio, cultural, and traditional characteristics, vulnerability, and relationships with land and natural resources amongst communities in local areas, where Components 1 and 2 will be undertaken.

Under ESS 7, the term “Indigenous Peoples” is used in a generic sense to refer exclusively to a distinct social and cultural group possessing the following characteristics in varying degrees:

- Self-identification as members of a distinct indigenous social and cultural group and recognition of this identity by others;
- Collective attachment to geographically distinct habitats, ancestral territories, or areas of seasonal use or occupation, as well as to the natural resources in these areas;
- Customary cultural, economic, social, or political institutions that are distinct or separate from those of the mainstream society or culture; and
- A distinct language or dialect, often different from the official language or languages of the country or region in which they reside.

The IPPF also applies to communities or groups of Indigenous Peoples who, during the lifetime of members of the community or group, have lost collective attachment to distinct habitats or ancestral territories in the project area, because of forced severance, conflict, government resettlement programs, dispossession of their land, natural disasters, or incorporation of such territories into an urban area. This IPPF also applies to forest dwellers, hunter-gatherers, pastoralists or other nomadic groups, subject to satisfaction of the criteria established in this framework.

Site Screening

Site screening will commence in consultations with community representatives, local organizations, including Adat organizations or other community organizations, relevant government agencies, academics, etc. of affected Indigenous Peoples and *Masyarakat Adat*, their leaders and recognized institutions.

Site screening will refer to the identification criteria and be led by relevant social specialists in the C-PMU, assisted by facilitators and other expert consultants. This screening will inform further engagement processes, including consultation approaches which seek to promote participation of women, youth and other vulnerable members of the affected communities.

Such screening will not only be limited to the immediate project footprints but also cover potential areas where projects doesn't have footprints (i.e. Component 1 on community's disaster preparedness awareness rising).

Consultations and Engagement

On the basis of screening, project implementers with assistance from the PMUs and/or expert consultants will engage in a process of meaningful consultations with affected Indigenous Peoples and/or *Masyarakat Adat*. Such engagement is expected to be an iterative process until common-understanding have been reached, including involvement of Indigenous people's knowledge in disasters mitigation and emergency response, and participation and consultation if shelter built on and nearby Indigenous land.

The extent, frequency and degree of engagement required by the consultation process should be commensurate with the identified potential risks and concerns raised by respective Indigenous Peoples and *Masyarakat Adat*. Meaningful consultations are built on mutually accepted process by community representatives and their legitimate leaders. These consultations serve at least two purposes:

- Provide a platform to enable community participation to express their concerns, views on the project's benefits, risks, impacts, and mitigation measures and explore ways to ensure project implementation is culturally and socially acceptable; and
- Enable decision making processes based on local/customary mechanisms.

Community participation needs to be based on gender-sensitive and inter-generationally inclusive approaches. Effective consultations are built upon a two-way process that should:

- Involve members of affected communities and their recognized representative bodies and organizations in good faith;
- Capture the views and concerns of men, women and vulnerable community segments including the elderly, youth, displaced persons, children, people with special needs, etc., about impacts, mitigation mechanisms, and benefits where appropriate. If necessary, separate forums or engagements need to be conducted based on their preferences;
- Begin early in the process of identification of environmental and social risks and impacts and continue on an ongoing basis as risks and impacts arise;
- Be based upon the prior disclosure and dissemination/socialization of relevant, transparent, objective, meaningful, and easily accessible information that is in a culturally appropriate language(s) and format and is understandable for affected communities. In designing consultation methods and use of media, special attention needs to be paid to include the concerns of Indigenous women, youth, and children and their access to development opportunities and benefits;
- Place greater emphasis on inclusive engagement for people directly affected by the project, rather than people affected indirectly;
- Ensure that the consultation processes are free of external manipulation, interference, coercion and/or intimidation. The consultations' design should create enabling environments for meaningful participation, where applicable. In addition to the language(s) and media used, the timing, venues, participation composition need to be carefully thought through to ensure everyone could express their views without repercussions; and
- Be documented.

Free, Prior and Informed Consent

Circumstances requiring Free, Prior and Informed Consent (FPIC) from Indigenous Peoples are not required under IDRIP, such circumstances include:

- Activities/sub-activities have adverse impacts on land and natural resources subject to traditional ownership or under customary use or occupation;
- Activities/sub-activities cause relocation of Indigenous Peoples and/or *Masyarakat Adat* from land and natural resources subject to traditional ownership or under customary use or occupation; or
- Activities/sub-activities have significant impacts on Indigenous Peoples and/or *Masyarakat Adat*'s cultural heritage that is material to the identity and/or cultural, ceremonial, or spiritual aspects of the affected Indigenous Peoples and/or *Masyarakat Adat*.

No financing will be made for activities with potential impacts as above.

Social Assessment

Commensurate to the potential risks and impacts, social assessments will be required as part of the UKL/UPL process to identify the presence and understand the nature of project's impacts on Indigenous Peoples and/or *Masyarakat Adat*. A standalone assessment may not be required, unless there is a further notice regarding the locations of the shelter development *on* or *nearby* Indigenous land, which will restrict Indigenous people access to land or water.

The assessment is expected to provide a more informed understanding and analysis of risks as well as opportunities through which mitigation measures can be tailored to specific contexts and needs. In this circumstance, both qualitative and quantitative data will inform the assessment, including baseline information on the demographic, social, cultural, and political characteristics of the affected Indigenous Peoples and *Masyarakat Adat*, the land and territories that they have traditionally owned or customarily used or occupied, and the natural resources on which they depend.

Main areas to be covered include:

- Nature of vulnerability and attachments to land and natural resources;
- Specific risks and potential adverse impacts as a result of project and/or sub-project implementation;
- Level of community acceptance to the activities and/or initiatives supported by the project and/or sub-project activities;
- Analysis of relevant stakeholders, either who will be impacted or who have interest to the activities in question and the elaboration of a culturally appropriate process for consulting with the Indigenous Peoples and *Masyarakat Adat* at each stage of activity preparation and implementation;
- Opportunities to enhance participation of the communities concerned as well as benefit sharing arrangements; and
- Approach to participation, including specific measures to promote participation and inclusion of vulnerable groups in risk management and overall project implementation.

The approach and engagement with affected communities for the social assessment purposes are based on meaningful consultations in good faith. Such consultations will be oversighted by social specialists in the C-PMU.

Indigenous Peoples Plan (IPP)

Prior to sub-project / activities under IDRIP commencing, environmental and social screening (please refer to **Annex 3: Environmental and Social Risk Screening Checklist**) will be undertaken to assess whether Indigenous Peoples are present. If the activity/sub-project will interact and/or affect Indigenous Peoples, a social assessment will examine the nature and scale as well as forms of potential risks and impacts. No activities requiring FPIC will be processed under IDRIP. An Indigenous Peoples Plan (IPP) or Community Development Plan, which may be integrated under the Land Acquisition and Resettlement Planning and Stakeholder Engagement Plan (SEP) will be developed by project implementers. Such a plan will include relevant measures to avoid and/or minimize impacts, as well as

outline a community engagement strategy, as well as available avenues for FGRM and community feedback.

Such a planning instrument will be prepared in a flexible and pragmatic manner and its level of detail varies depending on the specific activities and nature of risks. IPPs will reflect key agreements reached during the consultations, main findings of the social assessments, proposed risk mitigation measures and time-bound action plans, including measures to promote community participation, related costs and resources needed to implement the IPPs and FGRM arrangements.

These IPPs will be developed by respective district and/or municipal governments with assistance from relevant specialists at the NMC. The IPPs will be reviewed and cleared by the World Bank during project implementation. A guideline for the development of an IPP can be found in **sub-annex 9.1**.

Institutional Arrangement

Implementation of the IPPF will follow the project's institutional arrangement (see Chapter , Volume I). The development of sub-project plans addressing ESS 7 requirements, such as community engagement plans or community outreach plans will be the responsibility of project PIUs with technical support from the project's social specialist or other expert as needed. Oversight will be provided by C-PMU. The project's social specialists will be responsible for the overall implementation with ground support from the facilitators and/or expert consultants. An independent expert will be called for based on needs and where circumstances requiring Indigenous People Plan are envisaged under the project and/or sub-project activities.

IV. Monitoring and Grievance Handling

Indigenous People Plan will include Monitoring and Evaluation and Feedback and Grievance Redress Mechanism (FRGM). FGRM will also consider local dispute-resolving mechanism to ensure that the process entails good will and respect traditional values and practices. Engagement activities, including consultations and dialogues, will be designed to be respect local values-systems and practices.

The Terms of References for social specialists in the C-PMU and facilitators include the responsibility for monitoring of the project's potential risks and impacts on Indigenous Peoples and *Masyarakat Adat*.

Where these communities are identified to be present in the project areas or their resources and/or access to land and resources will be disturbed by project activities, the social specialists in C-PMU and facilitators will be required to ensure due implementation of the IPPF. Grievance handling will follow the proposed processes in the ESMF, although some tailored approaches to grievance identification through direct communication with the affected communities may be called for depending on the level and nature of risks and impacts.

Disclosure

The IPP will be disclosed in respective project sites where Indigenous Peoples and/or *Masyarakat Adat* are affected, and if necessary, a summary of key agreements will be prepared and/or communicated in language(s) accessible to the affected communities. At the project level, IPPs and other relevant documents will also be disclosed on the project's website.

Sub-annex 9.1: Outline of an Indigenous Peoples Plan

Depending on the scale and nature of potential risks and impacts on Indigenous Peoples and/or *Adat* Communities, an Indigenous Peoples Plan (IPP), or elements of such a planning instrument, is required for all project and sub-project activities with impacts on Indigenous Peoples and/or *Masyarakat Adat*.

The following provides the key elements of a full-blown IPP. In circumstances where Indigenous Peoples and/or *Masyarakat Adat* benefit from project and/sub-project activities and/or minor impacts are envisaged, elements of an IPP can be integrated in other instruments such as Land Acquisition and Relocation Plans or Environmental and Social Management Plans (ESMPs). These elements include:

- a. **IPP Executive Summary.** This section concisely describes the critical facts, significant findings, and recommended actions (required for a standalone IPP);
- b. **Assessments of project and/or sub-project activities with impacts on Indigenous Peoples and/or *Masyarakat Adat*.** This section provides analysis of the nature and scale of such impacts, should:
 - i. Review the legal and institutional framework applicable to Indigenous Peoples and/or *Masyarakat Adat* in the project context.
 - ii. Provide baseline information on the demographic, social, cultural, and political characteristics of the affected communities; the land and territories that they have traditionally owned or customarily used or occupied; and the natural resources on which they depend.
 - iii. Identify key project stakeholders and elaborate a culturally appropriate and gender-sensitive process for meaningful consultation with Indigenous Peoples and/or *Masyarakat Adat* at each stage of project preparation and implementation, taking the review and baseline information into account.
 - iv. Assess, based on meaningful consultation with the affected communities, the potential adverse and positive effects of the project and sub-project activities. Critical to the determination of potential adverse impacts is a gender-sensitive analysis of the relative vulnerability of, and risks to, the affected Indigenous Peoples and/or *Masyarakat Adat*, given their circumstances and close ties to land and natural resources, as well as their lack of access to opportunities relative to those available to other social groups in the communities, regions, or national societies in which they live.
 - v. Include a gender-sensitive assessment of the affected Indigenous Peoples and/or *Masyarakat Adat*'s perceptions about the project and its impact on their social, economic, and cultural status.
 - vi. Identify and recommend, based on meaningful consultation with the affected communities, the measures necessary to avoid adverse effects or, if such measures are not possible, identify measures to minimize, mitigate, and/or compensate for such effects and to ensure that Indigenous Peoples and/or *Masyarakat Adat* receive culturally appropriate benefits under the project.
- c. **Assessments of circumstances requiring FPIC and alternative project design/siting to avoid adverse impacts (refer to the Section on Free, Prior and Informed Consent).**
- d. **Information disclosure, consultation and participation.** This section should:
 - i. Describes the information disclosure, consultation and participation process with the affected communities that can be carried out during project preparation;

- ii. Summarize their comments on the results of the social impact assessment and identify concerns raised during consultation and how these have been addressed in project design;
 - iii. In the case of project activities requiring FPIC, document the process and outcome of consultations with affected communities and any agreement resulting from such consultations for the project activities and risk management measures addressing the impacts of such activities;
 - iv. Describe consultation and participation mechanisms to be used during implementation to ensure Indigenous Peoples and/or *Masyarakat Adat* participation during implementation; and
 - v. Confirm disclosure of the draft and final documents to the affected Indigenous Peoples and/or *Masyarakat Adat*;
- e. **Benefit sharing arrangements.** this section specifies the measures to ensure that the affected communities receive social and economic benefits that are culturally appropriate, and gender responsive.
 - f. **Mitigation measures.** this section specifies the measures to avoid adverse impacts on Indigenous Peoples and/or *Masyarakat Adat*; and where the avoidance is impossible, specifies the measures to minimize, mitigate and compensate for identified unavoidable adverse impacts for each affected community.
 - g. **Capacity building.** this section provides measures to strengthen the social, legal, and technical capabilities of (a) government institutions to address Indigenous Peoples and/or *Masyarakat Adat*'s issues in the project area; and (b) affected communities' organizations in the project area to enable them to represent their communities more effectively and participate in the management of risks and impacts.
 - h. **Feedback and Grievance Redress Mechanism.** this section describes the procedures to redress grievances by affected Indigenous Peoples and/or *Masyarakat Adat* communities. It also explains how the procedures are accessible to Indigenous Peoples and/or *Masyarakat Adat*' and culturally appropriate and gender sensitive.
 - i. **Monitoring, reporting and evaluation.** this section describes the mechanisms and benchmarks appropriate to the project for monitoring and evaluating the implementation of the IPP. It also specifies arrangements for participation of affected Indigenous Peoples and/or *Masyarakat Adat* in the preparation and validation of monitoring, and evaluation reports.
 - j. **Institutional arrangements.** this section describes institutional arrangement responsibilities and mechanisms for carrying out the various mitigation measures in the IPP. It also describes the process of including relevant local organizations and/or NGOs in carrying out the measures of the IPP.
 - k. **Budget and financing.** This section provides an itemized budget for all activities described in the IPP.

Annex 10: Labour Management Procedures

I. Introduction

Since construction activities are envisaged and community facilitators will be mobilized, risks related to labor are anticipated. The Labor Management Procedures under IDRIP is consistent with the Government of Indonesia’s Labor Law as well as the BNPB and BMKG’s existing labor management regulations and procedures. The LMP sets out the Project’s approach to meeting national requirements as well as the World Bank’s Environmental and Social Framework, particularly ESS 2 on Labor and Working Conditions and ESS 4 on Community Health and Safety.

An initial environmental and social risk screening identified key risks and impacts as being associated with direct project workers, community health and safety as well as the risks associated with mobilization of labor for construction work.

The Labor Management Procedure (LMP) will act as complementary guideline to existing laws and regulations for contractors. The LMP focuses on the assessment and management of social and environmental risks and impacts, both anticipated and unanticipated, including the risks of labor influxes. It establishes key requirements pertaining to employment relationship, worker protection as well as measures to manage (e.g. avoid, minimize, mitigate and monitor) potential risks and impacts related to Occupational, Health and Safety (OHS) for both project workers and host communities.

II. Overview of Labor Management Procedure

IDRIP will involve both physical and non-physical works. For the former, the project workforce will be involved in demolition, site preparation, design and reconstruction/construction small to medium-sized building, mostly under Component 2 (BMKG). For the latter, local facilitators will be recruited and mobilized to assist BNPB to conduct community awareness rising activities.

Scope: the scope of the LMP is determined on the basis of the type of employment relationship between the GoI and the project workers. The following categories of project workers are anticipated (see **Table 4. Project workers** below).

Table 4. Project workers

Category	Definition	Types of workers	Expected Roles
Direct workers	People employed or engaged directly by the PMU or PIU to work specifically in relation to the project	- Civil servants	- Provide day-to-day management of project activities, including technical assistance and oversight support
		- Community facilitators - Consultants	- Facilitate community engagement, mobilization, and awareness raising, including handling and/or administering community grievances - TA for relocation planning
Contracted workers	People employed or engaged through third parties to perform work related to core functions of the project	- Construction workers employed by selected contractors and sub-contractors. These may include members of local communities employed by contractors and/or sub-	- Perform works related to construction including planning, site clearance and preparation, civil works, and electrical installation

		contractors as casual workers.	
		- Design and supervision consultants	- Provide technical services for building design, site planning, budget calculation (Bill of Quantity), and supervision during construction.
Primary supply workers	People employed or engaged by project's primary suppliers (either through contractors or directly by the project)	- Workers employed by construction material suppliers. This includes casual workers	- Provide directly to the project goods or materials essential for the construction works (i.e. stones, gravels, sands, timbers, light steels, cement, etc.)
Community workers	People employed or engaged in providing community labor	At this stage, community workers are currently not envisaged under both components although there is a possibility that beneficiaries of the housing units may provide contributions in terms of labor.	To be further assessed in light of the project's modality in fostering community participation and contributions under C. 1.

Number of Project Workers: The actual size of workforce is yet to be determined since the target households, the estimated volume of works, as well as potential locations for specific resettlement sites and public locations are still currently being assessed.

Characteristics of Project Workers: Most of these workers are expected to be adult male workers, whilst administrative, cleaning, catering services, and community facilitation, might involve female workers from local area where activities would be undertaken. Local facilitators can be both male and female.

Selected contractors may engage local sub-contractors and primary suppliers who may source raw materials such as gravel and sand from nearby quarries. There could be potential risks where children may get involved in the collection and/or extraction of these materials. However, the extent of current practices and patterns of employment will need to be further assessed during project implementation.

Timing of Labor Requirements: The timing and sequencing of labor will depend on the skill requirements and stages of construction works (**refer** Error! Reference source not found.2), which will be determined once the scale of construction works have been identified. Skilled workers, such as mason, plumber, welder, electrician, carpenter may likely be engaged in the longer-term and rotated in and out of different projects and/or employed by multiple contractors. Many of these workers may be retained for an extended period if demand for their services exist. These workers may likely be accommodated in temporary basecamps or rent accommodations from local communities during their period of employment.

Casual workers, such as unskilled and semi-skilled workers, such as helpers or basic masons, may be engaged for shorter timeframes. These workers are likely sourced from local communities and are employed on a project and/or sub-project basis. These workers likely do not require temporary accommodation since their places of employment will usually be in close proximity with their residences.

Contracted Workers: the nature of works required from contracted workers will likely be construction related. This includes design and supervision consultants, construction workers employed by selected contractors as well as sub-contractors. Such information will be updated once contracts have been awarded to the selected contractors.

Migrant Workers: the presence of migrant workers from outside the country for civil works is not anticipated. Meanwhile, in-country migrant workers may be anticipated but in small numbers, i.e. several technical consultants and specialists. Furthermore, their length of employment will be relatively short due to the small-scale of construction activities and hence, potential risks of straining local social and physical infrastructure are not anticipated. Construction workers and other supporting workers (i.e. catering, suppliers) are anticipated to retain from local areas, where the project is taken place. International technical experts may be hired by the CPMU and PMUs on a need basis to provide technical and advisory support in a small number and hence not envisaged to cause adverse impacts on local communities.

Assessment of Key Potential Labour Risks

There are several labor risks related to project activities, including physical labor and non-physical labor.

Table 3: Risk Assessment

Risks	Mitigation measures
OHS risk is high due to physical hazards associated with demolition, reconstruction and construction and low awareness/experience/capacity amongst employers/workers to identify and manage risks.	OHS training (i.e. toolbox meetings), provisions of Protective Personal Equipment (PPE) and oversight as by supervision engineers
Child labor/risk of underage labor (under 15) is considered low with the exception of community workforce ¹⁸ and primary supply workers. Participation of youth labor (15-17 years) is likely and there is a risk that they may be involved in hazardous work or experience interruption of education.	Codes of Conduct and age requirements for workforce to be incorporated in bidding documents and worker contracts, labor supervision
Use of third-party contractors, primary suppliers may present OHS risks. Nevertheless, the project's leverage to enforce corrective actions on these types of workers may be limited.	Inclusion of primary supplier requirements in bidding documents and contracts, labour supervision
The presence of construction workers and service providers (and in some cases family members of either or both) can generate additional demand for the provision of public services, such as water, electricity, and medical services. This is particularly the case when the influx of workers is not accommodated by additional or separate supply systems.	As above
Risk of work environment discomfort, including in offices due to excessive noise from HPC facilities	Provision of worker's basic needs such as proper beds, ventilation, water, sanitation, and electricity are provided, ensure that safe

¹⁸ Community workforce refers to people employed or engaged in providing community labor. Project activities may include the use of community workers in a number of different circumstances, including where labor is provided by the community as a contribution to the project, or where projects are designed and conducted for the purpose of fostering community-driven development.

as well as potential worker beddings at construction site	and healthy office environment are maintained accordingly in references to existing national regulations
Delivery of supplies for construction workers and the transportation of workers can lead to an increase in traffic and a rise in accidents.	Traffic management as further defined in the CESMP, FGRM for local communities

Such potential risks will continue to be assessed in light of the selection of construction sites (i.e. urban, peri-urban, and rural), size of construction works, and potential impacts on host communities.

Brief Overview of Labour Legislation: Terms and Conditions

The main labor legislation in Indonesia is Law No. 13/ 2003 on Manpower, which sets out the primary rules for establishing employment relationships, employment terms and conditions. These include working hours and over time arrangements, workers' organization and collective bargaining/labor agreements, and employment termination.

Indonesia has also ratified all ILO fundamental conventions, as follows:

1. Forced Labor Convention
2. Freedom of Association and Protection of the Right to Organize Convention
3. Right to Organize and Collective Bargaining Convention
4. Equal Remuneration Convention
5. Abolition of Forced Labor Convention
6. Discrimination (Employment and Occupation) Conventions
7. Minimum Age Convention
8. Worst Forms of Child Labor Convention

Law No. 13/2003 on Manpower requires employers to establish consensual terms and conditions with their workers in the form of a contract signed by both parties. These include occupation and types of work, along with agreed job deliverables, duty stations or workplace, amount of wages and method of payment, rights and obligations of the worker and the employer, starting date and duration of the contract, place and date of the work agreement, and hours of work and overtime. Enterprises with ten or more workers are required to establish a company regulation.

In terms of minimum wage, the law acknowledges the rights of workers to earn wages to meet a decent living (*penghidupan yang layak*). The minimum wage rates differ across the geographical locations and by economic sectors, formulated by the Provincial Governor in consultation with provincial and district wage councils, which also represent worker organizations/associations.

Non-permanent workers, including those hired for a specified period or to complete certain outputs are entitled to receive the prevailing district minimum wage for ordinary hours. The law stipulates that workers should be paid on a timely basis and at least once per month, although they may be paid more frequently on a specified date as agreed in the work agreement.

Regular working hours are 40 working hours per week, which can be arranged into five or six working days or other shift arrangements. Employers must pay overtime compensation if the working hours exceed the above with written consent from the employees for all overtime work. Such overtime work can only reach a maximum of three hours in a day and/or 14 hours in a week.

Based on Law No. 40/2004 on the National Security System and Law No. 24/2011 on the National Social Security (BPJS), employers are required to register and participate in social security programs,

which include healthcare, pension, work accidents, old age, and death insurance. Detailed arrangements on the implementation and administrative sanctions are set out in several government and presidential regulations. In addition to this, the workers are also entitled to receive religious holiday allowance as stipulated by the Minister of Manpower Regulation No. PER-04/MEN/1994 on Religious Holiday Allowance.

The labor law protects workers from discrimination at the workplace. This encompasses entitlements to equal treatment as well as equal rights and responsibilities with no discrimination based on sex, ethnicity, race, religion, skin color, and/or political orientation. Commitments to enforce this principle are strengthened by the ratification of the ILO Convention on Discrimination in Respect of Employment and Occupation (C111), as stated in Law No. 21/1999 and Law No. 80/1957 on the Ratification of ILO Convention No. 100 Concerning Equal Remuneration for Men and Women for Work of Equal Value.

Law No. 4/1997 on Disabled Persons stipulates that employers must hire at least one disabled person for every 100 employees. The disabled employees must meet the applicable work requirements and qualifications for the given position and are entitled to equal treatment without discrimination, such as, but not limited to, wages, titles and positions.

On the provisions of workers' rights to organize, including rights to collective bargaining, workers have the freedom to choose how they are represented, and employers must not interfere in the process as mandated in Law No. 21/2000 on Trade Unions. The Government of Indonesia has also ratified the ILO Convention on the Application of the Principles of the Right to Organize (C98), as stated in Law No. 18/1956. These laws acknowledge the fundamental right of workers to strike in a legal, orderly, and peaceful fashion as the last resort to resolve disputes if negotiations fail.

III. Occupational Health and Safety

Indonesia has comprehensive occupational safety and health laws and regulations designed to protect worker safety. The main law concerning occupational safety and health is Law No. 1/1970 on Work Safety (*Keselamatan dan Kesehatan Kerja, K3*) and covers all workplaces. Worker safety and health protection programs therefore are mandated by law. This law also explicitly states that workers have the right to occupational health and safety protection.

Law No. 1/1970 on Work Safety (hereafter the Work Safety Act) requires safe and healthful workplaces and establishing health and safety committees. It requires employers to report to the various and appropriate government agencies and details regulations regarding government inspections of workplaces. The act was amended with Government Act No. 25/1975 which updated the requirements for Law No. 1/1970. The other act that regulates the compensation system in Indonesia is Law No. 3/1992 on the conduct of *Jaminan Sosial Tenaga Kerja* (Jamsostek). Jamsostek is the social security system for workers in Indonesia. This Law describes and explains the compensation system in Indonesia, which is run by PT. Jamsostek. Law No. 13/2003 also called the Indonesian Labor Law or the Manpower Act, has several articles laying out the framework for OSH. The law stipulates that every worker has a right to receive OSH (articles 86 – 87). Every enterprise is under an obligation to apply 'an occupational safety and health management system that shall be integrated into the enterprise's management system.' It further adds that rulings concerning the application of the occupational safety and health management system shall be determined and specified with government regulations.

In 2012, the Government of Indonesia issued Government Regulation No. 50/2012 on Occupational Safety and Health (OSH) Management Systems. The regulation mandates the establishment of OSH management systems for every undertaking that employs 100 workers or more, or has a high level of potential hazard, with a view towards protecting the safety and health of workers through the prevention of occupational accidents and diseases. Enterprises with a high level of potential hazard are mandated to review their OHS management systems through regular audits by independent auditors. Given the regulation does not specifically provide a ratio for the number of OHS officers against the size of the

workforce, international best practices will be adopted by the project. The OHS standards require appointing a competent OHS officer for every 50 workers.

As stated in Article 2 of Act 3 (1992), every worker has the right to social security. Jamsostek coverage is required for any employer of more than 10 employees (Government Regulation No. 14/1993, Jamsostek implementation, Article 2, Paragraph 3). Furthermore, Chapter I, General Section of the act states that: “The social security program provides protection for workers by supplying monetary compensation for lost or reduced income and employability when the worker experiences an accident, a hospital stay, a pregnancy, the birth of a baby, old age, or death.” Jamsostek includes accident insurance, life insurance (death benefit), old age pension and health insurance for workers (Chapter III, Article 6 of Act 3 1992). The legislation covers many types of workers and mandates coverage specifically for occupational accidents (Article 8, Paragraph 1). The law describes who is covered by the workplace accident insurance program (Article 8, Paragraph 2). Among others, it includes student interns working at a company (whether receiving wages or not) and company contractors, as well as prison inmates working in company internships prior to release.

IV. Responsible staff

Respected PIUs would oversee the construction projects as well as community-awareness rising activities, which both would involve workers. PIUs, BNPB and BMKG, may mobilize additional technical consultants or OHS specialist to review LMP aspects as part of the procurement for construction works, contractor induction, and supervision, if necessary.

Occupational, Health and Safety: Contractors must engage a minimum of one safety representative for every subproject. Smaller contracts may permit for the safety representative to perform other assignments, depending on the level of risks, subject to approval of the PIUs. These safety representatives will be responsible to ensure day-to-day implementation of the LMP with specified safety measures, records any incidents and report to the OHS specialists recruited by the PIUs. Minor incidents (no fatalities or major injuries) will require monthly reporting, whereas major incidents including fatalities will require immediate reporting to the PIUs and World Bank (refer **Annex 13**)

Labor and Working Conditions: Contractors will keep records in conjunction with the requirements as established in the LMP. Contractors will keep records in accordance with specifications set out in this LMP. Such records may at any time be requested by the PIUs to ensure that labor conditions are met. The Project Management Unit will review records against actuals at a minimum on a monthly basis and can require immediate remedial actions if warranted. A summary of issues and remedial actions will be included in quarterly reports to the World Bank.

Worker Grievances: Civil servants assigned for the Project will follow the procedure in their respective institution in terms of submitting work-related concerns. Section I of this LMP presents the worker grievance redress mechanism applicable for the direct project workers such as the PIUs and TMC/individual consultants.

Contractors will be required to establish a worker grievance redress mechanism which adhere to the minimum requirements set in this LMP. Relevant personnel from the PIU will review the grievance records on a monthly basis and report to the World Bank quarterly. In the event of an unresolved issue, the national system will be used.

Additional Training: Contractors are required to have a qualified safety officer at any time throughout the project cycle. The contractors will assess the capacity of the relevant personnel for safety issues and should gaps be found, additional trainings will be conducted as part of the contractors’ responsibility. The PIU may conduct mandatory trainings to address risks associated with the labor influx or other relevant topics. Contractors are obligated to send their representatives to attend such trainings.

V. Policies and Procedures

General Provision

Contractors will be obligated to manage direct environmental and social impacts resulting from the sub-project under their control. **The PIUs will incorporate standardized environmental and social clauses in the tender documentation and contract documents so the potential bidders are aware of the expected social and environmental performance.** A full set of contractual requirements related to environmental and social risks and impact management will be provided in the subprojects' Environmental and Social Impact Assessment (i.e. UKL/UPL). All environmental and social requirements will be included in the bidding documents and contracts in addition to any additional clauses, which are contained, in the Projects environmental and social instruments.

The contractor is required to ensure all documentation related to environmental and social management, including the LMP, is available for inspection at any time by the PIUs or PIUs appointed agents. This will be stated in the core contractual agreements.

The Project (PIUs and TMC), contractors and subcontractors, and suppliers are prohibited to engage forced labour, which includes the practice of the following:

- bonded /indentured labour (working against an impossible debt);
- excessive limitations of freedom of movement;
- excessive notice periods;
- retaining the worker's identity or other government-issued documents or personal belonging;
- imposition of recruitment or employment fees payable at the commencement of employment;
- loss or delay of wages that impede the workers' right to end employment within their legal rights;
- substantial or inappropriate fine;
- physical punishment;
- use of security or other personnel to force or extract work from project workers, or other restrictions that compel a project worker to work in a non-voluntary basis.

Occupational Health and Safety

The project is committed to:

- Complying with applicable laws and regulations related to occupational health and safety;
- Maintaining healthy and safe working conditions;
- Enabling active participation in OHS risks elimination through the promotion of appropriate skills, knowledge and attitudes towards hazards;
- Ensuring all workers are competent to do their tasks and giving them adequate training
- Providing adequate control of health and safety risks arising from all work activities at all of the Project's facilities and sites;
- Continually improving the OHS management system and performance;
- Communicating this policy statement to all persons working under the control of the PIU with emphasis on individual OHS responsibilities;

Availing this policy statement to all interested parties at all sites.

The project will require workers to follow all applicable occupational health and safety laws and regulations, including requirements stipulated in the Ministry of Public Work and Housing Regulation No. 5/PRT/M/2014 on Occupational Health and Safety Management System Guidelines in public works construction and the amendment of the same regulation stipulated in the Ministry of Public Works and Housing Regulation no 2/PRT/M/ 2018; Ministry of Manpower and Transmigration Regulation No. PER.15/MEN/VIII/2008 on First Aid at the Workplace; Ministry of Health Regulations No. 48/2016 on Office Occupational Health and Safety Standards. Contractors are responsible and liable for safety of site equipment, labors and daily workers attending to the construction site and safety of citizens for each subproject site, as mandatory measures.

VI. Age of Employment and Working Terms and Conditions

The Project is committed to apply the applicable national labor laws and regulations including the minimum age and employment terms and conditions, as set forth below.

Child Labor

Regarding child labor, Law No. 13/2003 in principle prohibits employing children. However, there are some exceptions where children between the ages of 13 and 15 can be employed to perform light work, that meets certain conditions, as described below:

- a. The job does not disrupt their physical, mental or social development;
- b. Appropriate risk assessment has been conducted prior to commencement of any work
- c. The employer signs a work agreement with the parents or guardians and obtains their written permission;
- d. They do not work longer than 3 hours per day;
- e. They only work during the daytime, without disruption to their schooling; and
- f. The employer ensures compliance with occupational safety and health requirements.

Children between 15 and 18 years old can be employed without permission from their parents or custodians but must not be exploited to perform the worst forms of works as stipulated in the Ministry of Manpower and Transmigration Decree No. KEP.235/MEN/2003 on Jobs that Jeopardize the Health, Safety and Morals of Children. Indonesia has ratified the ILO Convention on Minimum Age for Admission to Employment (C138) as well as the ILO Convention on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor (C182).

Direct Workers

The Project's direct workers include civil servants from relevant agencies both at the national level, such as BNPB and BMKG, and local/regional agencies at the provincial and regency level. Working terms and conditions such as wages, benefits, and working hours of these personnel are regulated by their respective institutions and will remain as they are throughout the Project cycle.

The Project will also recruit consultants both for management and technical purposes to plan and implement the Project in national and regional/ local. The Project will develop terms of reference for each of the positions to be filled with qualified personnel. Based on the typical requirements for these positions, no child labor will be employed for these positions. The working terms and conditions including the working hours, salary and benefits, job description and responsibilities will be stated in a form of a contract, agreed and signed by both parties.

Due to the nature of the assignments (temporary, output-based), the collective agreement is not expected for the direct workers of this Project. However, the Project will establish a worker grievance redress mechanism that is accessible for the workers as an avenue for them to submit any concerns related to

the project. The grievance redress mechanism will be socialized to the at least workers during the employment contract signing. All concerns and grievances submitted by the workers will be investigated and resolved in a timely and transparent manner. In case of work-related disputes, deliberation and agreement (*musyawarah dan mufakat*) approach will be applied as the first step, and industrial relation court will be taken as the last resort to resolve such issues.

Contracted Workers

The project will hire third parties to perform works related to construction, including planning, site clearance and preparation, civil works, and electrical works. The contracted third parties may contract sub-contractors to deliver the agreed deliverables. Third parties are obliged to manage and ensure the terms and working conditions of their and subcontractors' workers (contracted workers) are in accordance with applicable laws and regulations.

No child laborers will be employed in the construction activities as stipulated in the Ministry of Manpower and Transmigration's No. KEP-235/MEN/2003 on Types of Work that Jeopardizes Children's Health, Safety, and Morals. The contractors will be required to submit the data of all workers to the Project proponent. These requirements will be stated in the bidding and contract document.

The workers' grievance redress mechanism will be socialized to the contracted workers as part of the induction and will be refreshed at least every once every six months as relevant. All received grievances will be investigated and resolved in a timely and transparent manner.

The project will conduct regular field inspection to monitor and assess the performance and compliance of the contractors against the labor laws and regulations. The inspection will cover issues include but not limited to child labor, forced labor, workers' health and safety, working hours, compensation and benefits, etc. Findings from the field inspection will be followed up with appropriate mitigation measures to be implemented by the contractors within an agreed timeline. Contractors may receive penalties e.g. warning letter, temporary contract termination, permanent contract termination and black-list, if they fail to address the findings.

Community Workers

The involvement level of community workers in the Project is expected to be minimal as most of the construction activities will be performed by contractors. The Project will limit involvement of community workers only to do light works (i.e. not involving heavy machines/equipment) in their neighborhood surroundings on a voluntary basis. The time allocated by the community workers will be limited so as not to interfere with their livelihood activities. The community workers arrangements will be documented in a written document signed by the community and the project's representative. The Project, through assigned contractors will oversee the community workers to ensure that health and safety standards are applied.

The community members may be recruited by the contractors and in such case, the contracted workers' working terms and conditions explained above will be applied.

Relevant provisions for child labor are provided in the sub-section on Child Labor.

Primary Suppliers Workers

Primary suppliers are defined as suppliers who provide directly to the Project goods or materials essential for the core functions of the project on an ongoing basis. For IDRIP under component 2, those include construction materials supplies such as stone, gravel, sand, timber, light steel, cement, etc. These suppliers employ workers to run their businesses, called primary suppliers' workers. The Project will make reasonable efforts to procure construction materials from respected suppliers who are expected to comply with the national laws and regulations relevant to labor issues.

In addition, the Project is also committed to optimizing local procurement, including construction materials (e.g. stone, gravel, and sand) to increase local economic benefits. It is understood that the lack of awareness and poor implementation of labor laws and regulations may be found amongst local suppliers. There are potential risks of child labor, health, and safety issues particularly in local quarry businesses.

The Project will require primary suppliers to assess these risks in their businesses and to propose mitigation measures and procedures to address the issues should significant risks be identified. The Project will conduct regular inspection through both administrative and field observations to monitor primary suppliers' performance and compliance regarding labor requirements. Primary suppliers may receive penalties, including a warning letter, temporary contract termination, permanent contract termination or blacklist, if they fail to address the issues.

Relevant provisions for child labor are provided in the sub-section on Child Labor.

VII. Feedback and Grievance Redress Mechanism for Project Workers

All project workers in IDRIP, including direct workers, local contractors, primary-supply workers, and community workers, should have access to file their feedback and grievance through the FGRM. In principles, FGRM for project workers is similar to the general guideline as abovementioned. Yet, there would be additional mechanism for complaint handling for project workers, which should aim to be resolved within the project structure, and if it is not resolved, to be brought to PIUs (please refer to Response to complaints above). The overall FGRM organizational structure can be seen in **Figure 1. FGRM Organizational Structure (IDRIP ESMF Vol.1)**. The FGRM for project workers will be elaborated once specific contractors have been procured. As such, Implementing Agencies should require BPBD or project contractors to develop or strengthen the existing complaint handling mechanism, and IAs to conduct monitoring and evaluation in regular basis on this matter.

FGRM for project workers should protect confidentiality to ensure workers safety and security, and to avoid retaliation that will pose risk to workers' rights.

The grievance mechanism will not impede access to other judicial or administrative remedies as stipulated in the Law No. 13 of 2003 on Manpower, especially under articles 137 – 145. The Law protects freedom of expressions and freedom to unite or making association, and through existing arbitration procedures, or substitute for grievance mechanisms provided through collective agreements. Thus, these legal procedures remind available for project workers as a means to complain, and the project contractors/PIUs will respect workers' rights on this regard.

Specific to community workers, they will be encouraged to use available stakeholder engagement approach channels, such as public consultation and direct engagement from IDRIP social specialist / PIU.

The FGRM is publicly disclosed and widely circulated to ensure all stakeholders are aware of the process for documenting and resolving grievances arising from project works.

Annex 11: Project Strategy and Action Plan for SEA and VAC

I. Introduction

Sexual Exploitation and Abuse/Violence Against Children (SEA/VAC) refers to any act that is perpetrated against a person's will and is based on gender norms and unequal power relationships. It includes physical, emotional or psychological and sexual violence, and denial of resources or access to services. Violence includes threats of violence and coercion and inflicts harm on women, girls, men and boys, as well as people of diverse gender identities.

SEA incidents are often defined by the power relationship between survivor and perpetrator, as well as the circumstances surrounding the incident – not the actual act of violence (i.e. rape or sexual assault).

Sexual Exploitation refers to “any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.” Whereas Sexual Abuse refers to “the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.”

VAC is defined as physical, sexual, emotional and/or psychological harm, neglect or negligent treatment of minor children (i.e. under the age of 18), including exposure to such harm,¹⁹ that results in actual or potential harm to the child’s health, survival, development or dignity in the context of a relationship of responsibility, trust or power. This includes using children for profit, labor²⁰, sexual gratification, or some other personal or financial advantage. This also includes other activities such as using computers, mobile phones, video and digital cameras or any other medium to exploit or harass children or to access child pornography.

IDRIP seeks to mainstream SEA and VAC awareness into project implementation. This strategy will hence guide the PIUs in ensuring that project workers are adequately briefed and trained on SEA and VAC awareness and prevention measures in construction and community facilitation activities. Codes of Conduct (CoC) will be required of project workers financed by the project.

A gender specialist will be hired at the C-PMU, who will assist in gender sensitization, SEA and VAC awareness raising, supervision of CoC compliance. This Annex provides a strategy for SEA and VAC mainstreaming and relevant CoC for workers.

I. Contexts

SEA Risk and Prevalence

Thirty-five percent of women worldwide have experienced non-partner sexual violence or physical and/or sexual intimate partner violence (WHO 2013) which are considered as manifestations of Sexual Exploitation and Abuse (SEA). The risks of SEA can include Sexual Exploitation and Abuse (SEA) and Sexual Harassment (SH) that exists in an unequal relationship between gender, power or economy. In infrastructure project, major civil works can exacerbate SEA both in public and private spaces. It can take the form of many ways, one of which is in projects with large influx of workers such as in roads or house reconstruction projects.

¹⁹ Exposure to GBV is also considered VAC.

²⁰ The employment of children must comply with all relevant local legislation, including labor laws in relation to child labor and World Bank’s safeguard policies on child labor and minimum age. They must also be able to meet the project’s Occupational Health and Safety competency standards.

In Indonesia, the prevalence of gender-based violence is mostly perpetrated by husbands/partners. Unfortunately, there are no official statistics on the various forms of violence against women in Indonesia. However, based on the 2016 Indonesian National Women’s Life Experience Survey, around 1 in 3 women (33.4%) aged 15 to 64 years old have experienced physical and/or sexual violence perpetrated by their partner or non-partner in her lifetime. Based on this figure, there is at least one out of ten (9,4%) women experiencing such violence in the last 12 months. In addition, two in five (41.7%) women have experienced at least one of the four types of violence²¹ in her lifetime, and around 42.3% of women have experienced violence in the forms of restrictions or limitations to movement and freedom within her lifetime, with 23.3% experiencing such violence the last 12 months.

Table 4: SEA Prevalence in Indonesia

	Types of Violence Perpetrated by Husband/Partner			
	Sexual	Physical	Economic	Psychological
During lifetime	10.6%	12.3%	24.5%	20.5%
Past 12 months	3.8%	1.8%	9%	7.5%

Source: UNFPA (2017). *Key Findings: 2016 Indonesian National Women;s Life Experience Survey*

The same survey also documented that physical and/or sexual abuse tend to occur more in urban areas (36,3%) than in rural areas (29,8%). Such abuse was experienced more by women aged 15–64 years old with minimum education (i.e. high school – 39,4%) and unemployment status.

Child marriage is also found in several parts of Indonesia. At least one in four girls currently marry before reaching adulthood, with highest percentage among girls aged 16 and 17 (around 20.2% of marriages in 2008 and 19.3% of marriages in 2015). Despite poverty is a major cause of child marriage, in some contexts, social and cultural acceptance of such practice is evident across various economic levels and in both rural and urban areas.

SEA and VAC risks, such as verbal and physical harassments may potentially be driven by the following factors may include:

- a. Choice of locations: construction (despite small scale) may take place in remote areas where there could be potential exposure of local communities with incoming construction workers.
- b. Community facilitation: community awareness raising and training activities may expose community members in disaster-prone areas with external facilitators and project staff.
- c. Creation of local employment: small-scale construction works may attract short-term employment which may provide financial benefits to local populations, which may temporarily affect household power relations.

II. SEA/VAC Prevention Strategy

The following outlines key prevention measures will be adopted as part of project implementation.

Gender Specialist

A gender specialist will be recruited to lead gender awareness and sensitization initiatives, SEA and VAC prevention, including management in the event is reported, oversee compliance of Codes of Conduct and other related activities to strengthen the project’s social risk management.

The specialist will also be responsible to assess SEA and VAC risks at the project-level. Potential aspects that will be subject to further assessments cover:

- SEA/VAC risks related to construction activities under Component 2.

²¹ The four types of violence include sexual, physical, economic and psychological violence.

- SEA/VAC informed design/program plans for all components.

In preparing the SEA/VAC management, the relevant specialist must ensure that the PIUs and contractors must follow the key principles:

- Be survivor-centered: approach considerations related to SEA/VAC prevention, mitigation and response through a survivor-centered lens, protecting the confidentiality of survivors, recognizing them as principle decision-makers in their own care and treating them with agency, dignity and respect for their needs and wishes.
- Emphasize prevention: adopt risk-based approaches that aim to identify key risks of SEA/VAC and undertake measures to prevent or minimize harm.
- Build on existing local knowledge: engage community partners – local leaders, civil society organizations, gender and child advocates – as resources for knowledge on local level risks, effective protective factors and mechanisms for support throughout the project cycle.
- Be evidenced-based: build on existing global research and knowledge on how to address SEA/VAC effectively.
- Be adaptable: Operational guidance presented in this note provides the foundation for an effective SEA/VAC risk management approach; adapt and adjust mitigation measures to respond to the unique drivers and context in any given setting.
- Enable continuous monitoring and learning: ensure operations integrate mechanisms for regular monitoring and feedback to track effectiveness and to build internal knowledge of what works to prevent, mitigate and respond to SEA/VAC.

Codes of Conduct

Project workers financed by IDRIP implementation are required to sign and comply with the project's codes of conduct for SEA/VAC. A key element of the Codes of Conduct will be the sanctions that may be applied if an employee is confirmed as a perpetrator. The sanctions need to be proportional to the transgression. These codes of conducts includes:

- a. Company Code of Conduct: requires the company to commit to preventing and addressing SEA/ VAC issues;
- b. Manager's Code of Conduct: requires managers to commit to implementing the Company Code of Conduct, as well as those signed by individuals; and,
- c. Individual Code of Conduct: requires each staff and project worker of the project to implement and comply with the Company Code of conduct in addressing SEA/VAC.

In the event of Codes of Conduct are violated, employers should place the worker on an administrative leave pending a full and fair review to determine the veracity of said allegation(s). Examples of potential sanctions include the following:

- Informal warning;
- Formal warning;
- Additional training;
- Loss of up to one week's salary;
- Suspension of employment (either administrative leave as above or without payment of salary), for a minimum period of one month up to a maximum of six months;
- Termination of employment; and/or,
- Referral to the police or other authorities as warranted.

Sample of relevant Codes of Conduct can be found in **sub-annex 11.1**.

Staff Training

All staff in direct contact with communities, particularly local facilitators and local contractors, will attend induction training addressing root causes of SEA/VAC specialist(s) and its impact on survivors and communities before beginning work, and additional refresher training on a regular basis (annually or bi-annually). Training will be led by a qualified SEA/VAC specialist(s) with the coordination of project Implementing agencies and support of Contractor and Supervision Consultant management.

At a minimum, all IDRIP staff/workers should be trained in:

- What SEA/VAC is and sexual harassment, and the Project's and national commitments in place to fight it;
- Individual IDRIP actors' roles and responsibilities on prevention of SEA/VAC;
- Appropriate conduct of IDRIP staff and prohibited actions, in line with the standards set by the codes of conduct;
- SEA/VAC incident reporting, the duty of investigation, and referral procedures;
- Survivors' needs and available services.

Training should focus on the role that each individual can play to prevent SEA/VAC and report it when it occurs. Managers and supervisors should be required (and evaluated on their ability) to promote and foster respect for the standards outlined in the codes of conduct to their subordinates.

Community Awareness Raising

Awareness-raising activities for the local community should be conducted in parallel to the setting up of the complaint management system in order to develop a comprehensive response to SEA/VAC.

At a minimum, beneficiaries and communities affected by the project have a right to know:

- The standards of conduct for IDRIP workers;
- The definition of SEA/VAC and sexual exploitation and abuse, and the provisions specifically prohibiting SEA/VAC;
- That they have a right to benefit from the Project without being subjected to SEA/VAC;
- Where to report SEA/VAC incidents;
- What services are available to survivors, and how to access them;
- What to expect after making a complaint, including potential referrals, timeframes, and the roles, responsibilities, and any limitations of actors involved, and;
- What steps the FGRM and IDRIP will take to ensure safety and confidentiality.

Awareness-raising for IDRIP activities will be conducted by a qualified SEA/VAC service provider.

Monitoring and Reporting

It is understood that SEA risks and cases change overtime, hence, PIUs with support from the gender specialist at the C-PMU must monitor such risks from time to time as part of the environmental and social performance monitoring. Monitoring must be done in collaboration with facilitators and local government/stakeholders where the project is implemented and check if there are cases being reported through the project's FGRM or staff and the status (i.e. referral to services, sanctions for perpetrators).

The BNPB C-PMU and PIU must also monitor the following:

- Number of trainings held, individuals trained (disaggregated by Contractor/Supervision Engineer/IA and by sex), and this number as a percentage of overall staff numbers.
- Number of community awareness-raising sessions held, by location.
- Number of individuals participating in awareness-raising sessions, disaggregated by sex.

Feedback and Grievance Redress Mechanism for SEA

FGRM coordinator for the project will be sensitized on the permitted protocols for grievance receipt and reporting. For SEA/VAC complaints, in particular there are risks of stigmatization, rejection and reprisals against survivors. The FGRM therefore needs to have multiple channels through which complaints can be registered in a safe and confidential manner.

IDRIP may utilize multiple complaint channels, and these must be trusted by those who need to use them. Community consultations are one mechanism to identify effective channels (e.g. local community organizations, health providers, etc.).

In terms of reporting, no identifiable information on the survivor should be stored in the FGRM records.

The FGRM coordinator or any project workers receiving SEA/VAC complaints should not ask for, or record, information on more than three aspects related to the SEA/VAC incident:

- The nature of the complaint (what the complainant says in her/his own words without direct questioning);
- If, to the best of their knowledge, the perpetrator was associated with the project; and,
- If possible, the age and sex of the survivor.

Any complaint of SEA/VAC should immediately be referred to a SEA/VAC Service Provider which will need to be identified by the gender specialist at the C-PMU. The gender specialist will be responsible to guide the referral process including connecting the survivor to appropriate services. It is up to the survivor, and only the survivor, whether to take up the referral. If the survivor does not wish to place an official complaint with the employer or project staff, the complaint is closed.

The information in the FGRM must be confidential—especially when related to the identity of the complainant. For SEA/VAC, the FGRM should primarily serve to: (i) refer complainants to the SEA Services Provider; and (ii) record resolution of the complaint.

There are two elements related to resolving and closing a SEA case:

- The internal project system, in which the case is referred to a service provider for survivor support, and through the established resolution mechanism appropriate actions are taken against perpetrators, including HR sanctions; and,
- The support that the survivor receives from the SEA Services Provider.

When the survivor proceeds with the complaint, the case is reviewed through a SEA/VAC resolution mechanism which addresses key principles of survivors' protection and confidentiality and a course of action is agreed upon; the appropriate party who employs the perpetrator (i.e., the contractor, consultant, or PIUs) takes the agreed disciplinary action in accordance with local legislation, the employment contract and the CoC. Within the established resolution mechanism, it is confirmed that the action is appropriate, and then informs the FGRM that the case is closed.

Training to sensitize SEA/VAC complaints handling can be considered and proposed by gender specialist if one views there is a need for that in IDRIP SEA / VAC FGRM. Component 3 of IDRIP can be option of the source of the budget allocation for SEA / VAC sensitization in FGRM training.

Sub-annex 11.1: Codes of Conduct

Project Code of Conduct Preventing Sexual Harassment and Abuse and Violence Against Children

The contractors are committed to ensuring that the Project is implemented in such a way that minimizes any negative impacts on the local environment, communities, and its workers. This will be done by respecting the environmental, social, health and safety (ESHS) standards, and ensuring appropriate occupational health and safety (OHS) standards are met. The company is also committed to creating and maintaining an environment in which sexual harassment and abuse (SEA) and violence against children (VAC) have no place, and where they will not be tolerated by any employee, sub-contractor, supplier, associate, or representative of the contractors.

Therefore, to ensure that all those engaged in the project are aware of this commitment, the company commits to the following core principles and minimum standards of behavior that will apply to all company employees, associates, and representatives, including sub-contractors and suppliers, without exception:

General

- The contractors – and therefore all employees, associates, representatives, sub-contractors and suppliers – commit to complying with all relevant national laws, rules and regulations.
- The contractors commit to fully implementing their Contractors' Environmental and Social Management Plan (CESMP).
- The contractors commit to treating women, children (persons under the age of 18), and men with respect regardless of race, color, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status. Acts of SEA and VAC are in violation of this commitment.
- The company shall ensure that interactions with local community members are done with respect and non-discrimination.
- Demeaning, threatening, harassing, abusive, culturally inappropriate, or sexually provocative language and behavior are prohibited among all company employees, associates, and representatives, including sub-contractors and suppliers.
- The contractors will follow all reasonable work instructions (including regarding environmental and social norms).
- The contractors will protect and ensure proper use of property (for example, to prohibit theft, carelessness or waste).

Health and Safety

- The contractors will ensure that the Project's occupational health and safety (OHS) Management Plan is effectively implemented by company staff, as well as sub-contractors and suppliers.
- The contractors will ensure that all persons on-site wear prescribed and appropriate personal protective equipment, preventing avoidable accidents and reporting conditions or practices that pose a safety hazard or threaten the environment.

The contractors will:

- prohibit the use of alcohol during work activities.

- prohibit the use of narcotics or other substances which can impair faculties at all times.
- The contractors will ensure that adequate sanitation facilities are available on site and at any worker accommodations provided to those working on the project.

Sexual Harassment and Abuse and Violence Against Children

- Acts of SEA or VAC constitute serious misconduct and are therefore grounds for sanctions, which may include penalties and/or termination of employment, and if appropriate referral to the Police for further action.
- All forms of SEA and VAC, including grooming, are unacceptable, regardless of whether they take place on the work site, the work site’s surroundings, at workers’ camps or within the local community.
- Sexual Harassment – for instance, making unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct, of a sexual nature, including subtle acts of such behavior – is prohibited.
- Sexual favors – for instance, making promises or favorable treatment dependent on sexual acts – or other forms of humiliating, degrading or exploitative behavior, are prohibited.
- Sexual contact or activity with children under 18 – including through digital media – is prohibited. Mistaken belief regarding the age of a child is not a defense. Consent from the child is also not a defense or excuse.
- Unless there is full consent²² by all parties involved in the sexual act, sexual interactions between the company’s employees (at any level) and members of the communities surrounding the workplace are prohibited. This includes relationships involving the withholding/promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex—such sexual activity is considered “non-consensual” within the scope of this Code.
- In addition to company sanctions, legal prosecution of those who commit acts of SEA or VAC will be pursued if appropriate.
- All employees, including volunteers and sub-contractors are highly encouraged to report suspected or actual acts of SEA and/or VAC by a fellow worker, whether in the same company or not. Reports must be made in accordance with project’s SEA and VAC Allegation Procedures.
- Managers are required to report and act to address suspected or actual acts of SEA and VAC as they have a responsibility to uphold company commitments and hold their direct reports responsible.

Implementation

To ensure that the above principles are implemented effectively the contractors commit to ensuring that:

²² Consent is defined as the informed choice underlying an individual’s free and voluntary intention, acceptance or agreement to do something. No consent can be found when such acceptance or agreement is obtained using threats, force or other forms of coercion, abduction, fraud, deception, or misrepresentation. In accordance with the United Nations Convention on the Rights of the Child, the World Bank considers that consent cannot be given by children under the age of 18, even if national legislation of the country into which the Code of Conduct is introduced has a lower age. Mistaken belief regarding the age of the child and consent from the child is not a defence.

- All managers sign the Project’s ‘Manager’s Code of Conduct’ detailing their responsibilities for implementing the company’s commitments and enforcing the responsibilities in the ‘Individual Code of Conduct’.
- All employees sign the project’s ‘Individual Code of Conduct’ confirming their agreement to comply with ESHS and OHS standards, and not to engage in activities resulting in SEA or VAC.
- If relevant, displaying the Company and Individual Codes of Conduct prominently and in clear view at workers’ camps, offices, and in in public areas of the workspace. Examples of areas include waiting, rest and lobby areas of sites, canteen areas and health clinics.
- If relevant, ensure that posted and distributed copies of the Company and Individual Codes of Conduct are translated into the appropriate language of use in the work site areas as well as for any international staff in their native language.
- If relevant, an appropriate person is nominated as the company’s ‘Focal Point’ for addressing SEA and VAC issues, including representing the company on the SEA and VAC Complaints Team (GCT) which is comprised of representatives from the client, contractor(s), the supervision consultant, and local service provider(s).
- Ensuring that the SEA and VAC Action Plan is effectively implemented and revised as needed.
- That the contractors effectively implement the agreed final SEA and VAC Action Plan, providing feedback to the Project’s FGRM for improvements and updates as appropriate.
- All employees attend an induction training course prior to commencing work on site to ensure they are familiar with the company’s commitments to ESHS and OHS standards, and the Project’s SEA and VAC Codes of Conduct.
- All employees attend a mandatory training course prior to commencement of work to reinforce the understanding of the project’s ESHS and OHS standards and the SEA and VAC Code of Conduct, as well as refresher training as relevant.

I do hereby acknowledge that I have read the foregoing Contractor Code of Conduct, and on behalf of the company agree to comply with the standards contained therein. I understand my role and responsibilities to support the project’s OHS and ESHS standards, and to prevent and respond to SEA and VAC. I understand that any action inconsistent with this Company Code of Conduct or failure to act mandated by this Company Code of Conduct may result in disciplinary action.

Company name: _____

Signature: _____

Printed Name: _____

Title: _____

Date: _____

Manager's Code of Conduct

Preventing Sexual Harassment and Abuse and Violence Against Children

Managers at all levels have a responsibility to uphold the company's commitment to implementing the ESHS and OHS standards, and preventing and addressing SEA and VAC. This means that managers have responsibility to create and maintain an environment that respects these standards and prevents SEA and VAC. Managers need to support and promote the implementation of the Company Code of Conduct. To that end, managers must adhere to this Manager's Code of Conduct and sign the Individual Code of Conduct. This commits them to supporting the implementation of the CESMP and the OHS Management Plan and developing systems that facilitate the implementation of the SEA and VAC Action Plan. They need to maintain a safe workplace, as well as a SEA-free and VAC-free environment at the workplace and in the local community. These responsibilities include but are not limited to:

Implementation

To ensure maximum effectiveness of the Contractor and Individual Codes of Conduct:

- If relevant, prominently displaying the Contractor and Individual Codes of Conduct in clear view at workers' camps, offices, and in public areas of the workspace. Examples of areas include waiting, rest and lobby areas of sites, canteen areas and health clinics.
- If relevant, ensuring all posted and distributed copies of the Contractor and Individual Codes of Conduct are translated into the appropriate language of use in the work site areas as well as for any international staff in their native language.

Verbally and in writing explain the Contractor and Individual Codes of Conduct to all staff.

Ensure that:

- All direct reports sign the 'Individual Code of Conduct', including acknowledgment that they have read and agree with the Code of Conduct.
- Staff lists and signed copies of the Individual Code of Conduct are provided to the OHS Coordinator, the Grievance officer, and the PIU Manager/E&S team.
- Participate in training and ensure that staff also participate as outlined below.
- Put in place a mechanism for staff to:
 - Report concerns on ESHS or OHS compliance; and,
 - Confidentially report SEA or VAC incidents through the Feedback Grievance Redress Mechanism (FGRM)

Staff are encouraged to report suspected or actual ESHS, OHS, SEA or VAC issues, emphasizing the staff's responsibility to the Company and the country hosting their employment, and emphasizing the respect for confidentiality.

In compliance with applicable laws and to the best of your abilities, prevent perpetrators of sexual exploitation and abuse from being hired, re-hired or deployed. Use background and criminal reference checks for all employees.

Ensure that when engaging a partnership, sub-contractor, supplier or similar agreements, these agreements:

- Incorporate the ESHS, OHS, SEA and VAC Codes of Conduct as an attachment.
- Include the appropriate language requiring such contracting entities and individuals, and their employees and volunteers, to comply with the Individual Codes of Conduct.

- Expressly state that the failure of those entities or individuals, as appropriate, to ensure compliance with the ESHS and OHS standards, take preventive measures against SEA and VAC, to investigate allegations thereof, or to take corrective actions when SEA or VAC has occurred, shall not only constitute grounds for sanctions and penalties in accordance with the Individual Codes of Conduct but also termination of agreements to work on or supply the project.

Provide support and resources to the Grievance Complaint Team to create and disseminate internal sensitization initiatives through the awareness-raising strategy under the SEA and VAC Action Plan.

Ensure that any SEA or VAC issue warranting police action is reported to the police, the PIU/C-PMU and the World Bank immediately.

Report and act according to the response protocol (see Error! Reference source not found.) any suspected or actual acts of SEA and/or VAC, as managers have a responsibility to uphold company commitments and hold their direct reports responsible.

Ensure that any major ESHS or OHS incidents are reported to the client and the supervision engineer immediately.

Training

The managers are responsible to:

- Ensure that the OHS Management Plan is implemented, with suitable training required for all staff, including sub-contractors and suppliers; and,
- Ensure that staff have a suitable understanding of the C-ESMP and are trained as appropriate to implement the CESMP requirements.

All managers are required to attend an induction manager training course prior to commencing work on site to ensure that they are familiar with their roles and responsibilities in upholding the SEA and VAC elements of these Codes of Conduct. This training will be separate from the induction training course required of all employees and will provide managers with the necessary understanding and technical support to address SEA and VAC issues.

Managers are required to attend and assist with the project-facilitated training courses for all employees. Managers will be required to introduce the trainings and announce the self-evaluations, including collecting satisfaction surveys to evaluate training experiences and provide advice on improving the effectiveness of training.

Ensure that time is provided during work hours and that staff prior to commencing work on site attend the mandatory project facilitated induction training on:

- OHS and ESHS; and,
- SEA and VAC required of all employees.

Response

Managers will be required to take appropriate actions to address any ESHS or OHS incidents.

With regard to SEA and VAC:

- Provide input to the SEA and VAC Action Plan as needed.
- Once adopted by the contractors, managers will uphold the measures set out in the SEA and VAC Action Plan to maintain the confidentiality of all employees who report or (allegedly) perpetrate incidences of SEA and VAC (unless a breach of confidentiality is required to protect persons or property from serious harm or where required by law).

- If a manager develops concerns or suspicions regarding any form of SEA or VAC by one of their direct reports, or by an employee working for another contractor on the same work site, they are required to report the case using the FGRM.
- Once a sanction has been determined, the relevant manager(s) is/are expected to be personally responsible for ensuring that the measure is effectively enforced, within a maximum timeframe of 14 days from the date on which the decision to sanction was made.
- If a Manager has a conflict of interest due to personal or familial relationships with the survivor and/or perpetrator, they must notify the respective company and the SEA Complaint Team. The Company will be required to appoint another manager without a conflict of interest to respond to complaints.
- Ensure that any SEA or VAC issue warranting police action is reported to the police, PIU/C-PMU and the World Bank immediately

Managers failing to address ESHS or OHS incidents or failing to report or comply with the SEA and VAC provisions may be subject to disciplinary measures, to be determined and enacted by the company's CEO, Managing Director or equivalent highest-ranking manager. Those measures may include:

- Informal warning
- Formal warning
- Additional training
- Loss of up to one week's salary
- Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months
- Termination of employment

Ultimately, failure to effectively respond to ESHS, OHS, SEA and VAC cases on the work site by the company's managers or CEO may provide grounds for legal actions by authorities.

I do hereby acknowledge that I have read the foregoing Manager's Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to ESHS, OHS, SEA and VAC requirements. I understand that any action inconsistent with this Manager's Code of Conduct or failure to act mandated by this Manager's Code of Conduct may result in disciplinary action.

Signature: _____

Printed Name: _____

Title: _____

Date: _____

Individual Code of Conduct
Preventing Sexual Exploitation and Abuse and Violence Against Children

I, _____, acknowledge that adhering to environmental, social health and safety (ESHS) standards, following the Project's occupational health and safety (OHS) requirements, and preventing Sexual Exploitation and Abuse (SEA) and violence against children (VAC) is important.

The contractor (_____) considers failure to follow ESHS and OHS standards, or to commit SEA or VAC—be it on the work site, the work site's surroundings, at workers' camps, in workers' homes, or the surrounding communities—to be serious misconduct and grounds for sanctions, penalties or potential termination of employment. Prosecution by the police of those who commit SEA or VAC may be pursued if appropriate.

I agree that while working on the Project I will:

1. Attend and actively participate in training courses related to ESHS, OHS, HIV/AIDS, SEA and VAC as requested by my employer.
2. Will wear my personal protective equipment (PPE) at all times when at the work site or engaged in project related activities.
3. Take all practical steps to implement the Contractor's Environmental and Social Management plan (CESMP).
4. Implement the OHS Management Plan.
5. Not drink alcohol or use narcotics or other substances which can impair faculties before or during work activities.
6. Consent to a police background check.
7. Treat women, children (persons under the age of 18), and men with respect regardless of race, color, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
8. Not use language or behavior towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
9. Not engage in sexual harassment—for instance, making unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct, of a sexual nature, including subtle acts of such behavior (e.g. looking somebody up and down; kissing, howling or smacking sounds; hanging around somebody; whistling and catcalls; giving personal gifts; making comments about somebody's sex life; etc.)
10. Not engage in sexual favors—for instance, making promises of favorable treatment dependent on sexual acts—or other forms of humiliating, degrading or exploitative behavior.
11. Not participate in sexual contact or activity with children—including grooming or contact through digital media. Mistaken belief regarding the age of a child is not a defense. Consent from the child is also not a defense or excuse.

12. Unless there is the full consent²³ by all parties involved, I will not have sexual interactions with members of the surrounding communities. This includes relationships involving the withholding or promise of actual provision of benefits (monetary or non-monetary) to community members in exchange for sex – such sexual activity is considered “non-consensual” within the scope of this Code.
13. Report through the FGRM or to my manager any suspected or actual SEA or VAC by a fellow worker, whether employed by my company or not, or any breaches of this Code of Conduct.

With regard to children under the age of 18, I will:

1. Wherever possible, ensure that another adult is present when working in the proximity of children.
2. Not invite unaccompanied children unrelated to my family into my home, unless they are at immediate risk of injury or in physical danger.
3. Not use any computers, mobile phones, video and digital cameras or any other medium to exploit or harass children or to access child pornography (see also “Use of children's images for work related purposes” below).
4. Refrain from physical punishment or discipline of children.
5. Refrain from hiring children for domestic or other labor below the minimum age of 14 unless national law specifies a higher age, or which places them at significant risk of injury.
6. Comply with all relevant local legislation, including labor laws in relation to child labor and the World Bank’s safeguard policies on child labor and minimum age.
7. Take appropriate caution when photographing or filming children.

Use of children's images for work related purposes

When photographing or filming a child for work related purposes, I must:

1. Before photographing or filming a child, assess and comply with local traditions or restrictions for reproducing personal images.
2. Before photographing or filming a child, obtain informed consent from the child and a parent or guardian of the child. As part of this I must explain how the photograph or film will be used.
3. Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
4. Ensure images are honest representations of the context and the facts.
5. Ensure file labels do not reveal identifying information about a child when sending images electronically.

Sanctions

²³ Consent is defined as the informed choice underlying an individual’s free and voluntary intention, acceptance or agreement to do something. No consent can be found when such acceptance or agreement is obtained using threats, force or other forms of coercion, abduction, fraud, deception, or misrepresentation. In accordance with the United Nations Convention on the Rights of the Child, the World Bank considers that consent cannot be given by children under the age of 18, even if national legislation of the country into which the Code of Conduct is introduced has a lower age. Mistaken belief regarding the age of the child and consent from the child is not a defense.

I understand that if I breach this Individual Code of Conduct, my employer will take disciplinary action which could include:

- Informal warning.
- Formal warning.
- Additional Training.
- Loss of up to one week's salary.
- Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months.
- Termination of employment.
- Report to the Police if warranted.

I understand that it is my responsibility to ensure that the environmental, social, health and safety standards are met, and that I will adhere to the Occupational Health and Safety Management plan. I will avoid actions or behaviors that could be construed as SEA or VAC. Any such actions will be a breach this Individual Code of Conduct. I do hereby acknowledge that I have read the foregoing Individual Code of Conduct, agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to ESHS, OHS, SEA and VAC issues. I understand that any action inconsistent with this Individual Code of Conduct or failure to act mandated by this Individual Code of Conduct may result in disciplinary action and may affect my ongoing employment.

Signature: _____

Printed Name: _____

Title: _____

Date: _____

Sub-annex 11.2: Required Clause for Bid Documents

The Contractor shall prepare a construction ESMP in accordance with requirements of the Project's SEA/VAC Strategy and Action Plan and Response Protocol (refer to this guideline in the ESMF). The Contractor will ensure that all contract workers and managers attend SEA induction training prior to beginning works and that time spent on trainings is paid (and must be allocated at times when workers are alert – e.g. not immediately after completing a night shift).

The Contractor shall conduct regular community awareness-raising sessions to share information on SEA/VAC, available services, Codes of Conduct (CoC) content and Feedback and Grievance Redress Mechanism reporting channels. This can be combined or coordinated with HIV/AIDS training, but adequate time and attention must be given to SEA and VAC issues. Awareness-raising sessions should be supported by Information, Education, Communication (IEC) materials for display in worksites, workers' camps and communities;

The Contractor's SEA/VAC sub plan will include:

- Codes of Conduct – commitment to adopt and implement codes of conduct for company, managers and individuals (refer to templates provided in the SEA/VAC Action Plan);
- Staff training – SEA/VAC training program including inductions and refresher trainings for all workers and managers led by a SEA/VAC service provider;
- Community awareness raising – SEA/VAC community awareness program conducted by a SEA service provider and in parallel to the establishment of the project's FGRM;
- Managing Communities' and Survivors' Expectations – a clear approach to communicating the scope of the project's SEA/VAC management measures;
- Feedback and Grievance Redress Mechanism – outline FGRM with multiple channels to initiate a SEA/VAC complaint and ensure safe and confidential handling of cases.

The Contractor shall adopt and implement the project's SEA/VAC Response Protocol (refer to this guideline in this annex) including the development an effective feedback and grievance redress mechanism (FGRM) with multiple channels to accommodate a SEA/VAC complaint and ensure safe and confidential handling of cases. The Contractor's management team will support to ensure that all project workers are adequately briefed and trained on SEA/VAC and relevant CoC as well as ensuring public safety and safe access to communities where construction activities are planned.

Annex 12: Incident Reporting Toolkit

I. Introduction

The E&S incident response procedure is prepared to guide the PMU/PIU and the World Bank on how to respond to incidents in terms of internal reporting; where contractors and PMU and World Bank's staff can seek additional support and the respective contractors; the roles of PMU/PIU and the World Bank in relation to on the ground remedies. This procedure was developed in alignment with the World Bank's Safeguards Incident Reporting Toolkit (SIRT), which is an internal guideline for the World Bank's staff in the event of incidents that occur as the result of the World Bank investments.

An incident is defined as an accident, incident or negative event resulting from failure to comply with the Project's ESS requirements, or conditions that occur as the result of unexpected or unforeseen risks or impacts during project implementation. Examples of such incidents include: fatalities, serious accidents and injuries, social impacts from labour influx, sexual exploitation and abuse (SEA) or other forms of Sexual Exploitation and Abuse (SEA), major environmental contamination, child labour, loss of biodiversity or critical habitat, loss of physical cultural resources and loss of access to community resources. The procedure is concerned with accidents involving communities, construction workers, supervision consultants, suppliers, as well as C-PMU/PIU staff.

II. Management and Reporting Process

The overarching incident management and reporting process comprises six steps (see **Figure 11**). Details on activities for each step as well as the roles of the respective parties are provided in **Table 5**. The incident response procedure may not apply beyond initial reporting and review when the project is completed, and the constructed and/or rehabilitated assets are transferred to the legal owner and/or local governments. Any subsequent incidents after the transfer will not be considered as a project related incident. These incidents are clearly outside the control of the project and while they can be documented, are not considered as a project related incident.

Figure 1: Overarching Incident Management and Reporting Process

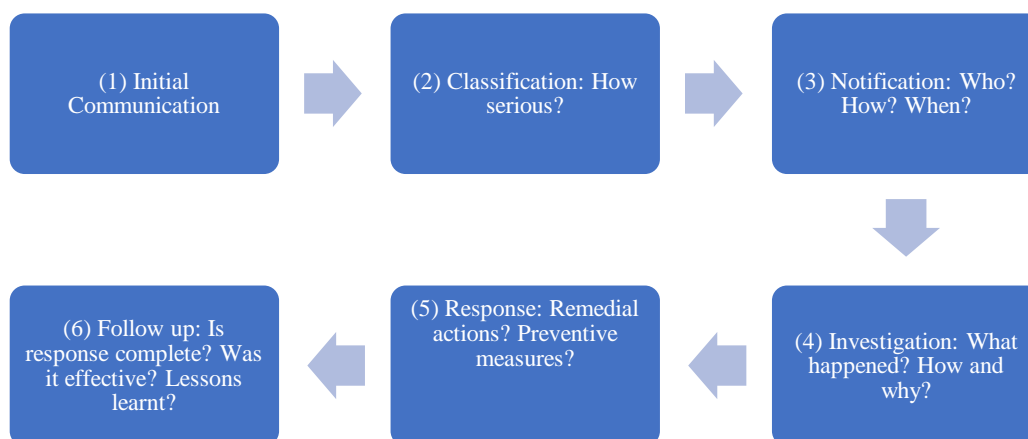


Table 5: Incident Reporting Procedure

Incident Reporting Stage	Activities	Role of Relevant Parties		Tools
		C-PMU/PIU	World Bank	
1. Incident occurs: Initial Communication	PMU to provide relevant information to WB	Inform the Bank, inform appropriate authorities in compliance with local regulations, secure the safety of workers and public, and provide immediate care	Ensure TTL is aware, advise C-PMU and/or government counterparts if not aware, and launch the SIRT process	Written report answering above questions through email, letter or social media messaging services
2. Classify incident	Incident classification within 24 hours of receipt of the information; If it cannot be fully classified due to missing information, preliminary classification should be provided and confirmed as details become available	Promptly provide information about the incident to the Bank	TTL with support of E&S specialists classifies incident(s) to determine severity	Incident classification and communication (see sub-annex 13.1)
3. Notification	Communication process internally within the C-PMU/PIU and relevant officers at the BNPB/BMKG and the Bank according to level of severity of the incident	C-PMU/PIU prepares incident report (within 48 hours) and circulates internally within BNPB/BMKG and notifies the World Bank through the Task Team Leader and Environmental and Social Specialists as per Classification and Notification Guide.	Depending on the level of severity of the incident, take necessary actions to address the incident and inform the World Bank's Senior Management if the incident is classified as Serious or Severe.	Incident Report (see sub-annex 13.2) Incident Classification and communication (see sub-annex 13.1)
4. Investigation	Field investigation to understand facts on the ground;	Provide information requested by the Bank and facilitate incident site visit	Join the field investigation and provide expertise required to conduct proper field investigations	
		Undertake root cause analysis (RCA) with the Bank to understand and document the root cause(s) of the incident. RCA should be completed as soon as possible, ideally within 10 days	Support the PMU to carry out RCA. An RCA or equivalent analysis will be required for all serious and severe incidents	ToRs for consultant(s) retained by PMU to undertake RCA and other analyses (See sub-annex 13.3)
		C-PMU/PIU Manager communicates to the Minister and/or DG as relevant	CD communicates to relevant Minister and/or DG (BNPB/BMKG) orally and/or in writing to discuss findings of the RCA	
5. Respond	Develop Incident Corrective Action Plan (ICAP)	Agree on ICAP with Bank, including own actions, responsibilities and timelines for implementation, and C-PMU/PIU monitoring program	Work with the C-PMU/PIU to design and agree an appropriate ICAP	Example of the types of measures that can be included in an ICAP are

				included in sub- annex 13.4
6. Follow-up	ICAP implementation	Implement ICAP and ensure that contractors and sub-contractors follow and implement key action items in the ICAP	Monitor ICAP implementation and provide on-going technical support if necessary	ICAP template (sub-annex 13.4)
		Conduct internal documentation and provide sections in the E&S performance report on the implementation of the ICAP	TTL reflects incident in Implementation Status Report (or interim ISR); ISR section relating to incident is reviewed by Country Lawyer	ICAP template (sub-annex 13.4)
		For Serious and Severe cases, conduct a third-party (independent) monitoring and supervision of the ICAP	Monitor ICAP implementation and provide on-going technical support if necessary	

Sub-annex 12.1: Incident Classification and Communication

Three levels of classification include indicative, serious and severe. Each of these classifications is briefly described as follows:

Indicative - A relatively minor and small-scale incident or non-compliance that is limited in its immediate effects but may be indicative of wider-scale issues within a project that could lead to serious or severe incidents. These may be escalated to serious or severe incidents, when, for example, there is recurrence of the incident within a six-month period, increasing severity of impact of the incident, or inability or unwillingness of the contractors to rectify the condition within the agreed timeframe.

Serious - An incident that is causing or will cause significant harm to the environment, workers, communities, or natural or cultural resources, is complex and/or costly to reverse and may result in some level of lasting damage or injury. This may include repeated non-compliance, injuries to workers that require off-site medical attention and result in lost time, improper treatment of vulnerable groups, inadequate consultation, consistent lack of OHS plans in a civil works environment, and medium-scale deforestation. These types of incidents require an urgent response.

Severe - An incident or repeated pattern of non-compliance of sufficient seriousness that it may, in addition to the actual or potential harm caused, pose a corporate risk to the Bank. A severe incident is complex and expensive to remedy, and likely irreversible. A fatality is automatically classified as severe, as are large-scale deforestation, major contamination, forced or child labor, human rights abuses of community members by security forces or other project workers, including SEA, violent community protests against a project, kidnapping, and trafficking in endangered species.

If documented circumstances and relevant discussions between the C-PMU/PIU, contractors, supervision engineer and within the Bank team confirm that the incident is **Indicative**, **Serious**, or **Severe**, then a one to two-page Incident Report (IR) (see **sub-annex 13.2**) should be prepared and issued by the C-PMU Manager/Director, which shall be then forwarded to the WB Task Team (through Task Team Leader) within 48 hours of receipt of the information, with the support of the Project's E&S specialist(s), for internal communication.

Sub-appendix 12.2: Template for Incident Report

The incident report should be 1 – 2 pages and include, at a minimum, the following information:

- a. Country, name of project, name of C-PMU/PIU Manager and Environmental and Social Specialists in the PMU.
- b. Preliminary classification of the incident
- c. What was the incident? What actually happened? To what or to whom?
- d. Where and when did the incident occur?
- e. How did we find out about it and when?
- f. Are the basic facts of the incident clear and uncontested, or are there conflicting versions?
- g. What are those versions?
- h. What were the conditions or circumstances under which the incident occurred (if known at this stage)?
- i. Is the incident still ongoing or is it contained?
- j. Is loss of life or severe harm involved?
- k. What measures have been or are being implemented?
- l. Has anyone in the PMU or other government agencies been informed? If so, how specifically? What has response to date been?

The incident report shall be reported to the PMU and the World Bank within 48 hours after the occurrence of the work-related incident.

Sub-appendix 12.3: Samples of Terms of References

Sample 1: Terms of Reference for Consultant to Carry Out a Root Cause Analysis for a Workplace Accident

Background

The Project was approved by the Bank's board in (...) and was effective in (...). Construction Works started on (...) and are currently ongoing. The Project closing date is (...).

Environmental and Social Management Plans (ESMPs – or equivalent) were prepared. All E&S documents included measures for mitigating Occupational Health and Safety (OHS) risks. The ESMP requires that workers should be trained to recognize potential hazards and use safe work practices (...).

According to preliminary information, a serious accident occurred during Construction Works in one of the Project sites (...) on (...). By way of background, according to the verbal report communicated by the PMU/PIU, *Description of event*.

The objectives of these TORs are to: 1) identify the root cause of the accident; 2) identify immediate measures to be taken to improve the safety at the site and at other Project sites throughout the Project; and 3) identify effective preventive measures to be implemented to reduce OHS risks.

Scope of work

- Conduct a Root-Cause Analysis of the incident and identify the sequence of events and factual circumstances. The analysis should identify what failing(s) led to the accident, what safety measures were in place, and the risk information/training provided to workers on site. The level of supervision of unskilled labor should also be assessed.
- Recommend actions to be taken to rectify the failure(s) that led to the incident.
- Review the safety procedures at different sites and identify the health and safety measures to be taken to minimize the risks of future accidents both to workers and to local residents. Site visits should be carried out to a representative sample of construction sites, activities, regions and contractors as applicable. Health and safety representatives of the contractors and implementing agencies, as well as other technical counterparts as necessary should be interviewed to gain a comprehensive understanding about health and safety management.
- Review the OHS measures in E&S instruments and plans in construction contracts and recommend enhancements as needed. The assessment should identify what the existing procedures for safe performance of construction activities (excavation, scaffolding, working at heights, welding, etc.) are and should recommend appropriate procedures should the existing ones have gaps.
- Review the capacity of Contractors and supervision consultants to implement OHS standards. The assessment should review the training plans for skilled and unskilled labor for effectiveness and propose improvements to the training and communication program so that workers are adequately guided to safely perform their work.
- Review the existing arrangements for recruiting labor and what type of insurance (life or injuries and occupational health risks) and compensations are provided.
- Review compliance to the Labor Law and other international treaties by contractors or subcontractors.
- Assess the sufficiency of the measures that the contractors take to minimize risk on the local communities and communicate with them. Recommend improvements as necessary.

Consultant Qualifications

- Extensive experience in conducting social analysis and social impact assessment in the Project's sector(s) and country/region.
- Extensive experience in measurement and evaluation of development projects in the Project's sector(s). Focus on social performance and demand-side indicators.

- Established reputation and proven track record in carrying out activities related to OHS, labor, including forced or child labor.
- Experience with the design and implementation of feedback mechanisms in development projects.
- Robust quantitative and qualitative analysis capacity with strong quality control. Excellent track record on interviewing respondents in local communities, conducting surveys, random sampling, designing focus group discussions, etc.
- Robust staffing, including familiarity with country context, fluency in local languages, independence and knowledge of international standards.
- Extensive experience of collaborating with a diverse range of stakeholders involved in development projects (including governmental authorities, local and international civil society, international development agencies etc.)

Outputs

The consultant shall prepare the following outputs:

- A root-cause incident investigation report for the accident, including the recommended measures to improve OHS conditions at the site
- A diagnostic analysis of OHS measures and recommended measures for improvements

Timing

The draft incident investigation and OHS diagnostic analysis reports should be submitted within (...) days from commencement. The final report should be submitted within (...) days of receipt of comments on the draft.

Confidentiality

All documents provided to the consultant for carrying out this task should be considered confidential except if otherwise indicated.

Sample 2: Terms of Reference - Legal Consultant (Labor) for an Incident or Accident

Background

The (...) Project was approved by the Bank's board in (...) and was effective in (...). The Project Development Objective is to (...). The Project consists of (...) in (...). construction works started on (...) and are currently ongoing. The Project's closing date is (...).

Environmental and Social Management Plans (ESMPs – or equivalent), was prepared for each location (*adapt as necessary*). All E&S documents include measures for preventing and reducing Occupational Health and Safety (OHS) risks. The ESMP requires (*summarize relevant measures here*).

According to preliminary information, (*summarize what is known about the incident/accident*).

Objectives and activities

The objective of this consultancy is to provide an overview of the local legal context and institutions, as relevant to the incident or accident, as well as recommendations to ensure adequate, immediate responses as well as compensation and longer-term adjustments to the Project's legal arrangements.

The Legal Consultant will be part of a team of independent consultants (*if applicable*). The Legal Consultant will review documents, and conduct site visits, interviews, and any other activities and research deemed necessary.

Key responsibilities of the Legal Consultant in relation to the incident or accident:

- Identify key labor aspects and issues in the contracts between the PMU or implementing agency and the contractor, and between the contractor and the subcontractor(s), as applicable, and examine them against local laws. This must include, but should not be limited to, examining the employment agreements (nature of employment); wages; health; social, life and accident insurance for workers; age of workers; workers' qualifications against the needed tasks; and the information and training provided to skilled and unskilled workers to enable them to carry out the various tasks.
- Examine the contract between the PMU or implementing agency and the supervision engineer and identify any labor-related issues that the latter is mandated to follow up on.
- Assess the adequacy of labor conditions of the workers and provide background information on local practices, laws and enforcement mechanisms (e.g., level of skills needed for the job, capacity for carrying out the job, contractual relationship, etc.)
- Examine the sufficiency of the actions taken in response to the incident or accident and provide background information on local practice in similar situations (e.g., provision of compensation).
- Provide any immediate recommendation(s) as needed in response for the case.

Key responsibilities in relation to the systematic analysis for the Project at large:

- A systematic analysis should be conducted by the Legal Consultant for a representative sample of the contracts (e.g., different locations, different sizes, public and private contractor) to cover the points 1 and 2 above. The consultant should also verify what is stipulated in the contracts against the actual practices on the ground using different sources.
- The consultant should provide analysis on the key findings, areas for improvement, and an action plan for the improvements to ensure that the contracts comply with the GoI laws.

Consultant Qualifications

- Legal background particularly in labor and OHS legal frameworks;
- Established reputation and proven track record in carrying out activities related to labor and OHS;
- Experience with legal processes, contract management and the design and implementation of feedback mechanisms in development projects.

- Robust quantitative and qualitative analysis capacity with strong quality control. Excellent track record on interviewing respondents in local communities, conducting surveys, random sampling, designing focus group discussions, etc.
- Familiarity with country context, fluency in local languages, independence and knowledge of international standards.
- Extensive experience of collaborating with a diverse range of stakeholders involved in development projects (including governmental authorities, local and international civil society, international development agencies etc.)

Outputs

The consultant shall prepare the following outputs:

- Report covering the legal aspects of the incident or accident
- Report covering the systematic legal analysis of the project at large

Timing

The draft incident or accident legal report should be submitted within (...) days from commencement. The final report should be submitted within (...) days of receipt of comments on the draft.

The draft legal report covering the entire Project should be submitted within (...) weeks of commencement. The final report should be submitted within (...) weeks of receipt of comments.

Confidentiality

All documents provided to the consultant for carrying out this task should be considered as confidential except if otherwise indicated.

Sample 3: Terms of Reference for Independent Monitoring for Potential Forced or Child Labor

Background

The (...) Project was approved by the Bank's board in (...) and was effective in (...). The Project Development Objective is to (...). The Project consists of (...) in (...). construction works started on (...) and are currently ongoing. The Project's closing date is (...).

An Environmental and Social Management Plans (ESMPs – or equivalent) were prepared for Project Appraisal (*adapt as necessary*). All E&S documents include measures for preventing and reducing Environmental, Social and Occupational Health and Safety (OHS) risks, including the potential for forced adult, or child labor. The ESMP requires (*summarize relevant measures here*).

Description of issue or allegation as applicable

Independent monitoring will be used to improve the development outcome of the project by providing timely and results-oriented information about project implementation to the PMU and World Bank. The objective is to monitor the project (or portfolio of projects) by regularly monitoring any issues related to the potential use of child or forced adult labor (as defined by international conventions and national legislation).

An independent firm or consultant will be engaged to periodically monitor any issues related to the potential use of child or forced adult labor in specific project areas. The consultant/firm will also design and manage a feedback system that will collect and scrutinize all reports on matters related to forced labor that might be associated with the project(s). The consultant or firm will prepare periodic reports and assessments to track any potential evidence of the use of forced labor in connection to the project(s) and provide recommendations on whether and how measures undertaken by the project(s) in this respect could be strengthened.

Activities

- Preparation phase: (i) description of project activities including work site, recruitment, human resources function for the relevant work sites or project areas under consideration; (ii) diagnostic analysis of labor practices and recommended measures for improvement, including areas where forced adult or child labor practices may be of concern; (iii) develop detailed methodologies and materials that will be used to implement a monitoring program and gather feedback.
- Site visits: (i) In collaboration with implementing agency(ies), identify possible areas where forced adult and/or child labor may be present; (ii) conduct announced site visits to gather feedback and any other evidence on the potential use of forced adult or child labor in specific project areas.
- Periodic assessment of local context and conditions: (i) develop a methodology for random selection of sites that will be visited as part of each mission; (ii) conduct in-depth interviews with local stakeholders as part of each visit.
- Design and management of a shared feedback mechanism: (i) design and manage a feedback mechanism on forced and child labor for the project(s) including update, processing of reports, investigation of reports and follow-up and (ii) design and lead awareness raising activities both within the project team and with local stakeholders.
- Analysis and reporting: (i) prepare detailed reports after each monitoring mission and (ii) prepare detailed periodic reports on the feedback mechanism process. The reports will be shared with the World Bank and implementing agency/ies. After the correction of any factual errors the report will be completed and publicly disclosed, if applicable.

The consultant/firm will develop the methodology for the implementation of this assignment in close consultation with the project teams and the implementing agency/ies. This will include a mechanism to distinguish between cases of forced labor and voluntary labor, and of child labor. It will rely on both quantitative and qualitative methods (e.g., surveys, questionnaires, focus groups, in-depth interviews,

Information and Communications Technology (ICT)-enabled tools etc.), as appropriate, to gather feedback from project stakeholders who can contribute to the understanding of the potential use of forced or child labor in specific areas. The consultant/firm will also employ a blend of quantitative and qualitative analysis to evaluate the performance of the feedback mechanism.

Consultant Qualifications

- Extensive experience in conducting social analysis and social impact assessment in the Project's sector(s) and country/region.
- Extensive experience in measurement and evaluation of development projects in the Project's sector(s). Focus on social performance and demand-side indicators.
- Established reputation and proven track record in carrying out activities related to forced or child labor.
- Experience with the design and implementation of feedback mechanisms in development projects.
- Robust quantitative and qualitative analysis capacity with strong quality control. Excellent track record on interviewing respondents in local communities, conducting surveys, random sampling, designing focus group discussions, etc.
- Robust staffing, including familiarity with country context, fluency in local languages, independence and knowledge of international standards.
- Extensive experience of collaborating with a diverse range of stakeholders involved in development projects (including governmental authorities, local and international civil society, international development agencies etc.)

Outputs

The consultant shall prepare the following outputs:

- A report that describes relevant project activities including work site, recruitment, human resources function for the relevant work sites or Project areas under consideration.
- A diagnostic analysis of labor practices and recommended measures for improvement, including the potential for forced adult or child labor
- An appropriate monitoring program for forced adult and child labor in the Project areas including a feedback mechanism
- Regular reports based on feedback
- Regular monitoring reports as requested by the Task Team Leader (TTL)

Timing

The draft reports should be submitted on the following timeline: (.....).

Confidentiality

All documents provided to the consultant for carrying out this task should be considered confidential except if otherwise indicated.

Sub-appendix 12.4: Example Incident Corrective Action Plan (ICAP) Outline

The contents of the ICAP are driven by the findings of the Root Cause Analysis (RCA), and are specific to the type of incident, its location, severity, and incorporation of necessary measures to strengthen the Project’s institutional capacity to implement corrective and preventative measures. The ICAP will be implemented by the C-PMU/PIU for Serious and Severe incidents, with Bank supervision and support.

Table 2: Possible Section for an ICAP

<i>Example ICAP Sections</i>		<i>Possible Actions</i>
Immediate to near term actions		Stop works, secure the site, provide medical care and counseling, pay compensation, remediate contamination, enforce anti-poaching, notify relevant authorities, design and implement response mechanism etc.
Medium term/ongoing actions	Documentation, monitoring and reporting	Streamline consolidate and review as necessary existing ESHS/OHS monitoring and reporting tools, with a focus on increased monitoring of leading indicators to increase effectiveness.
	Contractual agreements /enforcement	Review bidding/contractual arrangements to determine if existing language is adequate to ensure <u>sufficient onsite</u> presence of <u>qualified</u> and independent E&S professionals for adequate implementation of the health safety plan and identify if any adjustments may be necessary for future agreements.
	Risk assessment, processes, procedures and training plans for managing risks	Update risk assessment and management plans to address: <ul style="list-style-type: none"> • Fire risk and adequate fire extinguishers placement • Electric risk should also be reviewed, and safe work procedures developed for handling, maintaining and checking electric equipment and extension cords. • Permit to work procedures should be developed for high risk activities with daily verification and sign-off of competent health and safety officers or supervisors.
		Delayed Resettlement Compensation example – update risk assessment and management plans to address: <ul style="list-style-type: none"> • Based on the RCA determination of the reasons for the continued delays in payment of compensation, put in place an effective strategy for addressing them as necessary • Ensure that all outstanding and new claims are appropriately addressed • Determine whether there were impacts that have not previously been considered (livelihoods/loss of business income, vulnerable groups) for which compensation or assistance may be required • Ensure continuing consultation with Project-affected people and a well-functioning feedback and grievance redress mechanism (FGRM) • Monitor implementation and provide fortnightly progress reports • Recruit a separate expert to conduct an audit to confirm satisfactory implementation of the process above

<i>Example ICAP Sections</i>		<i>Possible Actions</i>
	Competencies, roles and responsibilities:	Onsite staffing resources and organizational arrangements dedicated to E&S, health and safety by the implementer(s) (e.g., construction company and the supervision consultant) should be reviewed considering the updated risk assessment and findings. This may include adjustments in terms of number, competence, onsite presence, organization, communication and reporting, so that project activities may comply with the EHS/OHS plan requirements.
	High level monitoring and evaluation:	Once the monitoring and reporting system is consolidated, the supervision consultant and C-PMU/PIU should be able to monitor leading indicators such as near-misses (e.g., a heavy load that falls near a worker), and deviations with high risk potential (e.g., absence of protective barriers, uninsured workers) based on daily observations by the contractor and the supervision consultant.

Annex 13: COVID-19 Infection Prevention and Control (IPC) for Stakeholder Engagement, Community Based Activities and Constructions

Based on the World Bank's ESF/Safeguards Interim Note: COVID-19 Considerations In Construction/Civil Works Projects and The Ministry of Public Works and Housing Instructions No. 02/IN/M/2020 on Protocol for Preventing the Spread of Corona Virus Disease 2019 (COVID-19) In Construction Services, this note is intended to provide guidance on addressing key issues associated with COVID-19 in IDRIP activities and complements Minister of Home Affairs Regulation Number 20 Year 2020 concerning Acceleration of COVID-19 Handling in The Local Government, and IDRIP procedure on responding COVID-19 pandemic. Relevant requirements include:

1. **Assigning focal point** in CPMU/PMU and contractors who will be responsible for coordinating preparation on consultation activities and ensuring that the COVID-19 prevention measures are communicated to all participants. It is also advisable to designate co-focal point as back-up person; in case the main focal point becomes ill.
2. **Adjust consultation approaches** based on public health risk assessments which may include:
 - Conducting virtual meeting as much as possible and implementing physical distancing for direct meetings and field works.
 - Decreasing the size of work teams and limiting the number of consultation participants at any one time.
 - Provision of Personal Protective Equipment (PPE)²⁴ to prevent COVID-19, using masks at minimum.
 - Continuing with the usual environmental and social management trainings, adding self-hygiene and COVID-19 related trainings as appropriate.
 - Assess the extent to which consultation and field work schedule needs to be adjusted (or stopped) to reflect prudent work practices, potential exposure of both project workers and community to public health risks. Consider availability of Infection Prevention and Control PPE supplies, taking into account Government advice and instructions.
3. **Define enter and exit of construction sites and characteristic of commencement.** Possible measures may include:
 - Establishing a system for controlling entry/exit to the site, establishing and securing entry/exit points. Entry/exit to the site should be documented.
 - Training staff who will be monitoring entry to the site, providing them with the resources they need to document entry of workers, conducting temperature checks and recording details of any worker or other parties that is denied entry.
4. **Defining a protocol before work commencement** to ensure that workers on the field are in good health. This can be done by:
 - Confirming that workers are fit for work before they enter the site or start work by checking and recording their temperatures or requiring self-reporting. Special attention should be paid to workers with underlying health issues or who may be otherwise at risk.
 - Providing daily briefings to workers prior to commencing work, focusing on COVID-19 specific considerations including cough etiquette, hand hygiene and distancing measures, using demonstrations and participatory methods and remind workers to self-monitor for possible symptoms (fever, cough) and to report to their supervisor and the COVID-19 focal point if they have symptoms or are feeling unwell.

²⁴ For more information please see WHO Guidelines on the use of personal protective equipment (PPE) for COVID-19

- Preventing a worker from an affected area or who has been in contact with an infected person from entering or returning to the site for 14 days or isolating such worker for 14 days. If a worker has symptoms of COVID-19 (e.g. fever, dry cough, fatigue) and/or tested positive, the worker should be removed immediately from work activities and isolated at home/transferred to the nearest health facilities.
 - If a case of COVID-19 is confirmed in a worker on the site, visitors should be restricted from entering the site and worker groups should be isolated from each other as much as possible.
5. **Adjust work practices** which may be:
- Conduct as many virtual meetings as possible and implement social distancing in direct meetings and fieldwork.
 - Decreasing the size of work teams and limiting the number of workers on site at any one time.
 - Provision of Personal Protective Equipment (PPE)²⁵ to prevent the spread of COVID-19 and encourage workers to at least always wear reusable masks and gloves.
 - Tools used by the worker should be cleaned using disinfectant regularly.
 - Training related to personal hygiene and COVID-19 prevention for all workers, wherever possible.
 - Assess the extent to which work schedule needs to be adjusted (or stopped) to reflect prudent work practices, potential exposure of both workers and the community and availability of supplies, taking into account Government advice and instructions.
6. **General hygiene** should be communicated and monitored, to include:
- Training project workers, facilitators and community stakeholders on site on the signs and symptoms of COVID-19, how it is spread, how to protect themselves (including regular handwashing and social distancing) and what to do if they or other people have symptoms.
 - Placing posters and signs around the site, with images and text in local languages.
 - Ensuring handwashing facilities supplied with soap, disposable paper towels and closed waste bins exist at key places throughout site, including at entrances/exits to work areas; where there is a toilet, food distribution, or provision of drinking water; at waste stations; at stores; and in common spaces. Alcohol based sanitizer (60-95% alcohol) can also be used.
7. **Regular cleaning and waste disposal.** Conduct regular and thorough cleaning of all site facilities and provide project workers deployed to the field with adequate cleaning facilities (such as soap, hand sanitizers, disinfectants, etc.). Disposable PPEs should be collected safely in designated containers or bags and disposed of following relevant requirements (e.g., national, WHO). In the case where COVID-19 cases are reported on site, extensive cleaning with high-alcohol content disinfectant should be undertaken in the area where consultations activities are undertaken, prior to any further activities being undertaken in the same venue.
8. **Identify accessible local medical facilities.** Preparation for this includes:
- Obtaining information on resources and capacity of local medical services and selecting which medical facilities to be referred to for specific level of illness.
 - Discuss with specific medical facilities, to agree what should be done in the event of ill project workers and people involved in consultations needing to be referred, and method of transport for sick workers.

²⁵ For further information, refer to [WHO interim guidance on rational use of personal protective equipment \(PPE\) for COVID-19](#).

- Establishing an agreed protocol for communications with local emergency/medical services.
 - Agreeing with the local medical services/specific medical facilities the scope of services to be provided, the procedure for in-take of patients and (where relevant) any costs or payments that may be involved.
 - If testing for COVID-19 is available, project workers with COVID-19 symptoms should be tested on site. If a test is not available at site, the worker should be transported to the local health facilities to be tested (if available).
 - An emergency response procedure should also be prepared for when a project worker ill with COVID-19 dies in coordination with relevant local authorities, including any reporting or other requirements under national law.
9. **Communication and contact with the community** should be carefully managed. The following good practice should be considered:
- Communications should be clear, regular, based on fact and designed to be easily understood by community members through forms of communication other than face-to-face; posters, pamphlets, radio, text message, electronic meetings. The means used should take into account the ability of different members of the community to access them. Existing grievance redress mechanism should be utilized to manage feedbacks and grievances from the communities.
 - The community should be made aware of all measures being implemented to limit contact between project workers and amongst community members themselves, procedure for social distancing measures, the training being given to project workers and the procedure that will be followed by the project if a worker or consultation participant becomes sick.
 - If project workers are interacting with the community, they should practice social distancing and follow other COVID-19 guidance issued by relevant authorities, both by national and international agencies (e.g. WHO).

Annex 14: Public Consultation Documentation

1. Public Consultation Invitation letter



BADAN NASIONAL PENANGGULANGAN BENCANA

Gedung Graha BNPB Jalan Pramuka Kav. 38, Jakarta Timur 13120
Telepon: 021-2982 7766, Faksimile: 021-2128 1200
Situs : <http://www.bnpb.go.id>

Nomor : UND- 253 /BNPB/SU/KU.08/07/2020 3 Juli 2020
Sifat : Segera
Lampiran : 1 (satu) berkas
Hal : Undangan Konsultasi Publik
Kerangka Pengelolaan Lingkungan dan Sosial
Kegiatan Prakarsa Ketangguhan Bencana Indonesia

Yth. Pejabat Dalam Daftar Terlampir

di
Tempat

Sehubungan dengan kegiatan Prakarsa Ketangguhan Bencana Indonesia (*Indonesia Disaster Resilience Initiatives Project/ IDRIP*) pada Badan Nasional Penanggulangan Bencana dan Badan Meteorologi, Klimatologi dan Geofisika, bersama ini kami mengundang Bapak/Ibu untuk menghadiri acara "**Webinar Konsultasi Publik Rancangan Kerangka Pengelolaan Lingkungan dan Sosial/ESMF Project IDRIP**", yang akan dilaksanakan pada :

Hari/tanggal : Selasa, 14 Juli 2020
Waktu : Pukul 09.30 s.d 12.00 WIB
Platform : *Zoom Virtual Meeting*

Demi kelancaran acara dimaksud, hal-hal yang perlu diperhatikan yaitu:

1. Terlampir dokumen *fact sheet* Kegiatan Prakarsa Ketangguhan Bencana Indonesia.
2. Konfirmasi *online* melalui link <https://bit.ly/Regis-konsulpublik2020> atau dapat menghubungi saudara Janissa (0812-1966-4508) **dengan batas akhir konfirmasi pada tanggal 13 Juli 2020 Pukul 15.00 WIB.**
3. Link acara akan diberikan hari **Senin tgl 13 Juli 2020** melalui email/nomor hp yang telah diberikan pada saat registrasi.

Demikian disampaikan, atas perhatian dan kerjasamanya diucapkan terima kasih.

Sekretaris Utama,

Hamrensyah

2. Summary of consultation and questionnaire

- Date and time : Tuesday, 14 July 2020 09.30 – 12.00 WIB
- Platform : Webinar Zoom, E-Survey
- Participants : 152 participants (including 31 panellists) in the webinar; 52 BPBD respondents and 38 UPT BMKG respondents across Indonesia for e-survey (attendance list can be provided by request)

Date	Participants	Minutes
14 Juli 2020	<p>National Institutions: BNPB, BMKG, Bappenas, PUPR, Kemendes, Kemensos, Kemenkominfo, Kemendagri, BPPT, Kemenkes</p> <p>Local Institutions: BPBD Kabupaten Gunung Kidul, BPBD Kabupaten Bantul, BPBD Provinsi Maluku, BPBD Kabupaten Pesisir Selatan, BPBD Provinsi NTB, BPBD Kota Binjai, BPBD Provinsi Lampung, BPBD Provinsi Jawa Tengah, BPBD Kabupaten Kebumen, BPBD Kabupaten Pesisir Barat, BMKG Stageof Lampung, BMKG, Stageof Gorontalo, BMKG Stageof Kupang, BMKG Stageof Gunung Sitoli, BMKG Wilayah V Jayapura, BMKG Stageof Sleman, BMKG Stageof Kelas II Denpasar, BMKG Stageof PPI, BMKG Stageof Ternate, BMKG Stageof Kelas III Kepahiang, BMKG Stageof Balikpapan, BMKG Stageof Aceh Selatan, BMKG Stageof Nganjuk, BMKG Stageof Kelas I Tangerang, BMKG Stageof Bandung</p> <p>Universities: Universitas Primagraha, Universitas Indonesia, Institut Pertanian Bogor, Institut Teknologi Bandung NGO: MPBI, Radio Antar Penduduk Indonesia</p>	<p>Session 1</p> <ol style="list-style-type: none"> 1. Background and overview of IDRIP activities. IDRIP aims to improve disaster preparedness, through the development of an Early Warning System to facilitate the public to receive information that will be carried out through 3 main components, namely (1) Disaster preparedness and emergency management capacity; (2) Geophysical early warning services; and (3) Project implementation support. Activities will be carried out starting in 2021-2024. 2. IDRIP investment and key activities. At the end of the IDRIP activity, it is expected that there will be 4 investments to be obtained namely; (1) investment; (2) data and equipment investment; (3) HR investment (expertise, BNPB, BMKG and university capacity building); (4) knowledge investment; and sustainable, where activities or programs do not stop with IDRIP funding. 3. IDRIP activities are divided into 4 quadrants: (1) Disaster Risk Understanding; (2) Data Monitoring and Analysis; (3) Information Dissemination; (4) Strengthening Community Responses. 4. Project Timeline. The IDRIP Activity will start in 2021 until 2024. <p>Session 2</p> <ol style="list-style-type: none"> 1. The ESMF document. Generally identifies potential social and environmental risks or impacts when implementing IDRIP activities and also its mitigation efforts. 2. FGRM. BNPB and BMKG have prepared channels and mechanisms for complaints that may be communicated by the community or the parties involved or stakeholders during the project implementation process. 3. The potential environmental and social risks and impacts in IDRIP are classified as low to moderate. <p>Response and Q&A Session</p> <ol style="list-style-type: none"> 1. The Early Warning System needs to integrate dissemination and community preparedness to respond. To integrate the tsunami risk with the system, then; (i) evacuation plan must be carried out in detail (map scale 1: 5000), and (ii) can be implemented into RDTR (Spatial Detail Plan). 2. The internet network is still problematic in 80% of the region in Indonesia, so there is a need for strengthening the internet network infrastructure of the community to support the dissemination of early warning information. 3. With different benchmarks in diverse communities, the project should be oriented towards vulnerable areas that are not / have not been reached by IT. 4. A comprehensive risk assessment and vulnerability assessment and a capacity building training plan for the community with technology are needed. 5. Innovation development is still needed, so it was suggested that Kemenristek to become a member of the IDRIP Advisory Board. 6. Self-evacuation will be included into an integrated early warning system. 7. IDRIP needs to involve Pentahelix throughout the project implementation, including communities such as religious leaders, community leaders and philanthropic institutions. 8. IDRIP needs to pay attention to the security strategy of the instruments that will be installed to mitigate the impact on humans as well as the social impact of the community on the safety of the equipment 9. Long-term HR development needs to be harmonized with the involvement of workers who are adapted to regional conditions. This is also related to education programs involving universities. 10. IDRIP plans to include disaster management materials in the education curriculum.

	Wilayah 23 Kota Cimahi Regional 10, Humanitarian Forum Indonesia, IABI	<ol style="list-style-type: none"> 11. Synchronization with Dikti and Ristek is important to be able to project future research needs. 12. The project needs to plan local government capacity building, so that IDRIP does not only become a central government program. 13. Clarity of responsibilities among stakeholders is needed. 14. Based on 2019 data, more than 60% of districts / cities already have a disaster SPM (related to disaster prone, preparedness and rescue information services, so that IDRIP is expected to be in synergy with this document. Attention should be paid especially to districts / cities that do not yet have disaster management documents. 15. There is a need for a policy that stipulates that Heads of BPBD must have competencies related to the risks of their respective regions and have clear and definite work periods to ensure BPBD capacity to carry out disaster management tasks in the regions and ensure tiered capacity building will be well implemented and documented. 16. Community involvement must be the main focus in this project. It is important to consider what the legacy of the project is throughout Pentahelix, involvement of Pentahelix since the beginning, and knowledge transfer to support the sustainability of the project. 17. Community engagement programs included in IDRIP involve the Destana and Katana programs that will target community understanding of potential disaster risks, as well as the BMKG "Go To School" and "Geophysical Field School" to socialize early warning systems. 18. IDRIP has considered aspects of inclusiveness for people with disabilities. 19. The proposed area which is the location of IDRIP implementation activities is the area that has a high level of disaster risk, and is adjusted to the BNPB and BMKG Strategy Plans. 																																							
8-20 Juli 2020	BNPB, BMKG, BPBD, UPT BMKG	<p style="text-align: center;">E- Survey</p> <ol style="list-style-type: none"> 1. General profile of 90 (ninety) respondents, are 88.9% male and 11.1% female. 2. Feedback received from this e-survey were 52 BPBD representatives and 38 UPT BMKG representatives throughout Indonesia. <div style="text-align: center;"> <p>Provinsi 89 responses</p> <table border="1"> <thead> <tr> <th>Provinsi</th> <th>Jumlah</th> <th>Persentase</th> </tr> </thead> <tbody> <tr><td>ACEH</td><td>3</td><td>(3,4%)</td></tr> <tr><td>BENGKULU</td><td>2</td><td>(2,2%)</td></tr> <tr><td>D.I. Yogyakarta</td><td>1</td><td>(1,1%)</td></tr> <tr><td>DKI Jakarta</td><td>5</td><td>(5,6%)</td></tr> <tr><td>Jawa Timur</td><td>3</td><td>(3,4%)</td></tr> <tr><td>Kalimantan Timur</td><td>2</td><td>(2,2%)</td></tr> <tr><td>Maluku Utara</td><td>5</td><td>(5,6%)</td></tr> <tr><td>Papua Barat</td><td>2</td><td>(2,2%)</td></tr> <tr><td>Sulawesi Tengah</td><td>4</td><td>(4,5%)</td></tr> <tr><td>Sulawesi utara</td><td>2</td><td>(2,2%)</td></tr> <tr><td>Sumatera Utara</td><td>8</td><td>(9%)</td></tr> <tr><td>Jateng</td><td>2</td><td>(2,2%)</td></tr> </tbody> </table> </div>	Provinsi	Jumlah	Persentase	ACEH	3	(3,4%)	BENGKULU	2	(2,2%)	D.I. Yogyakarta	1	(1,1%)	DKI Jakarta	5	(5,6%)	Jawa Timur	3	(3,4%)	Kalimantan Timur	2	(2,2%)	Maluku Utara	5	(5,6%)	Papua Barat	2	(2,2%)	Sulawesi Tengah	4	(4,5%)	Sulawesi utara	2	(2,2%)	Sumatera Utara	8	(9%)	Jateng	2	(2,2%)
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		<p style="text-align: center;">E-Survey Summary</p> <ol style="list-style-type: none"> 1. Disaster preparedness in general <ol style="list-style-type: none"> a. According to the collected subjective ideas, in general the main challenges in the implementation of early warning system capacity in Indonesia include the lack of coordination, synergy, and system integration between the Central, Regional and Community Governments; b. According to the subjective ideas collected, to improve preparedness for future disaster risks, the Central and Regional Governments can increase mutual awareness and understanding of disaster preparedness and make regulations regarding development considerations based on disaster risk studies; c. According to the collected subjective ideas, what can be done by the community to improve preparedness for future disaster risk is to understand the concept of independent evacuation as the most fundamental element in disaster mitigation and actively practice; d. According to the collected subjective ideas, in general things that have not been going well regarding governance and disaster emergency response at the district / city level include the flow of emergency response from officers to affected communities including 																																							

		<p>communication between the Emergency Operation Center and affected communities that is still not satisfying;</p> <p>2. IDRIP as disaster resilience project initiatives</p> <p>a. Based on the answers, more than 50% of respondents had heard of IDRIP. Then about 35% have never heard and are not sure about IDRIP activities. 46.7% of respondents have heard IDRIP activities or components in part. Only 18.9% of respondents answered that they had heard of the IDRIP component as a whole. Then about one third of the total respondents said they had never heard of the IDRIP component.</p> <p>b. According to the collected subjective ideas, respondent institutions can contribute to disaster preparedness in Indonesia through IDRIP by participating in developing impact-based early warning technology and improving the quality and capacity of the system (increase the observation system network); simplifying information so that it is easy to understand (presenting earthquake information and early warning in real time) and human resources (through earthquake field education activities) in supporting MHEWS early warning; Educate the public in providing training, outreach and disaster drills;</p> <p>c. The expectation of the majority of respondents to IDRIP is that this project can help improve government (central and regional) preparedness in dealing with disaster risks and increase community capacity in understanding disaster risk. Then, as many as 60 respondents stated that IDRIP can help decision makers to take action in times of disaster through better data processing and data analytics and archival systems;</p> <p>d. The majority of respondents are not aware of the institutional arrangements in IDRIP. Only about 14.4% of respondents are aware of the institutional arrangements for IDRIP.</p> <p>3. Environmental and Social Risk Management</p> <p>a. The majority of respondents answered issues related to community engagement and social exclusion as environmental and social aspects that are relevant to disaster preparedness activities. Another related aspect is the risk to biodiversity if the infrastructure project is implemented in a location that is still good.</p> <p>b. The majority of respondents (62.2%) had heard of environmental and social risk management. Then, around 28% of respondents have experience in environmental and / or social risk management activities.</p> <p>c. 88.9% of respondents answered that managing environmental and social risks in project implementation is important and requires careful planning in its implementation. However, more than half of the total respondents have never heard that IDRIP has a document that outlines a framework for managing environmental and social risks. Only about 34% of respondents have heard of related documents.</p> <p>d. More than 50% of respondents answered that the types of environmental risks that would arise from IDRIP activities were damage to biodiversity and disruption to the health and safety of surrounding communities. Then, other types of risks that are considered to occur are related to waste management (including construction and electronic waste). The majority of respondents (81.1%) were not familiar with electronic waste management and only 17.8% had little experience in managing electronic waste.</p> <p>e. According to the subjective ideas collected, in general the respondent institutions manage the electronic waste by following the stages of the process of BMN elimination procedure or recycling through third parties; Collected / sold to waste management entrepreneurs; But there are still respondents who destroy electrobic waste by burning it and are not familiar with the management of electronic waste.</p> <p>f. The majority of respondents answered the issue of land acquisition as a social risk that can occur from IDRIP activities. Other types of social risks that are envisaged to emerge are exclusion of marginalized communities and less inclusive complaints service systems.</p> <p>g. The absence of community involvement in activity planning and implementation is the majority of respondents' answers related to</p>
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		<p>development topics that the respondents think are important are training in the procurement of goods and services, as well as financial training.</p> <ul style="list-style-type: none"> b. Technical skills to process MHEWS data and manage disaster preparedness by the community are topics that are considered important by respondents to be developed during IDRIP implementation. c. The method deemed most effective by respondents in delivering capacity building is through face to face, followed by mentoring or coaching. <p>7. General inputs</p> <ul style="list-style-type: none"> a. Discussing with the beneficiary community as well as regional institutions (BPBD and BMKG) became the advice chosen by the majority of respondents in the monitoring and evaluation of the IDRIP project. b. According to the subjective ideas collected, in general the aspects that must be considered in the implementation of IDRIP in the field but which have not been discussed in the survey include social and environmental aspects; The unification of time marks by all institutions involved in disaster; Reference standards that are often overlooked; The aspects of procurement of goods and services internationally or nationally need to be immediately determined; Project sustainability; Knowing the real needs of people who have been impacted of geophysical disasters in Lombok, Palu and Banten; Readiness as well as training and improving the quality of human resources; The rest of the respondents felt that the aspect considered now was good enough. c. As many as 87.8% of respondents agreed to be contacted further for interviews, while the remaining 12.2% did not want to be contacted regarding the follow up of the questionnaire questions.
Next Steps		
<ol style="list-style-type: none"> 1. BNPB and BMKG can carry out further socialization and involve the regions for planning the implementation of IDRIP, especially areas that will be involved for direct implementation 2. In addition to facilities and infrastructure, capacity building in coordination is very important so that the Central Government, Regional Government and the community work together to improve preparedness and implementation of early warning systems. 3. BNPB will coordinate with the Ministry of Communication and Information to provide support for improving internet network infrastructure to disseminate early warning information and empower cadres / facilitators in the area.. 4. BMKG will involve the local community to maintain the equipment that has been built when the process of building the equipment has been completed to avoid vandalism. 5. IDRIP will involve universities if there are activities involving studies including baseline studies 6. BNPB and BMKG will create a mechanism or SOP in the implementation of activities related to coordination between stakeholders involved in the project. Coordination with regional governments is carried out through the Regional Emergency Operation Center and with the UPT BMKG in the Regions. 7. BNPB and BMKG will coordinate with the relevant Regional Government for the completion of its disaster documents so that they can be synergistic with the project. 8. BMKG will prepare monitoring and evaluation guidelines (M&E Guidelines) to accommodate the guidelines for measuring project success in accordance with the Project Operational Manual (POM) document. During the project implementation there will also be recruited personnel / experts who have expertise in M&E development, and data monitoring and evaluation experts. 		

3. Photo Documentation

